

Town of Green Valley

FIREWORKS ORDINANCE

Ordinance # 2007-02

Enacted 9-12-07

Section 1. Title

This Ordinance shall be called the Town of Green Valley Fireworks Ordinance

Section 2. Authorization

The provisions of WI Statute #167.10 and Shawano County Ordinance #3-07 are hereby adopted and incorporated into this chapter by reference insofar as they are not in conflict with the remainder of the Town of Green Valley Ordinances. In the event of any conflict between this chapter and this state statute, whichever provision is stricter shall apply. This is authorized under the Town of Green Valley's Village Powers under s. 60.22 (3), Wis. stats. This applies to regulate the sale at retail or wholesale of fireworks and the discharge of same in all locations in the Town, to the extent that Town regulations are not in conflict with State Statute, along with the penalties for violations of this Ordinance.

Section 4. Fireworks Defined

In this section, "**fireworks**" (as defined in WI Statute #167.10) means anything manufactured, processed or packaged for exploding, emitting sparks or combustion which does not have another common use, but does **not** include any of the following:

- (a) Fuel or a lubricant.
- (b) A firearm cartridge or shotgun shell.
- (c) A flare used or possessed or sold for use as a signal in an emergency or in the operation of a railway, aircraft, watercraft or motor vehicle.
- (d) A match, cigarette lighter, stove, furnace, candle, lantern or space heater.
- (e) A cap containing not more than one quarter grain of explosive mixture, if the cap is used or possessed or sold for use in a device which prevents direct bodily contact with a cap when it is in place for explosion.
- (f) A toy snake, which contains no mercury.
- (g) A model rocket engine.
- (h) Tobacco and a tobacco product.
- (i) A sparkler on a wire or wood stick not exceeding 36 inches in length that is designed to produce audible or visible effects or to produce audible and visible effects.
- (j) A device designed to spray out paper confetti or streamers and which contains less than one-quarter grain of explosive mixture.
- (k) A fuseless device that is designed to produce audible or visible effects or audible and visible effects, and that contains less than one quarter grain of explosive mixture.
- (L) A device that is designed primarily to burn pyrotechnic smoke producing mixtures, at a controlled rate, and that produces audible or visible effects, or audible and visible effects.
- (m) A cylindrical fountain that consists of one or more tubes and that is classified by the federal department of transportation as a Division 1.4 explosive, as defined in 49 CFR 173.50.
- (n) A cone fountain that is classified by the federal department of transportation as a Division 1.4 explosive, as defined in 49 CFR 173.50.

Section 3. User's Permit Required:

Under the authority of Wisconsin Statutes #167.10(5)(a)2, no person, business, organization or group shall discharge any fireworks, within the Town of Green Valley, without a permit issued by the Town Board of Supervisors or their designee.

A permit under this section shall specify all of the following:

- a. The name and address of the permit holder
- b. The date, time and location, on which fireworks may be discharged

- c. The kind and quantity of fireworks which may be used
- d. Other special conditions prescribed by the Town Board or by Ordinance
- e. Such other information as the Town may require from time to time

Notice of such permit under this section shall be given to the Town Clerk, the local Fire Department and Shawano County Sheriff's Department at least seven days before the date of authorized use. A permit under this section may not be issued to a person under 18 years of age.

Section 4. Insurance Required

Before receiving any fireworks permit, the applicant shall file with the town clerk a certificate of Liability Insurance issued by an insurance company authorized to write such policies in the state, with sufficient coverage for the payment of all claims that may arise by reason of injuries to person or property from the handling, use or discharge of fireworks under the permit. The Town shall be named as one of the assureds in such policy insurance.

Section 5. Severability:

Should a court of competent jurisdiction declare any portion of this ordinance unconstitutional or invalid, the remainder of this ordinance shall not be affected.

Section 6. Enforcement

The Town of Green Valley Board of Supervisors, Shawano County Sheriff's Department officers and State of Wisconsin have the authority to enforce the provisions of this ordinance.

Section 7. Municipal Liability

The Town nor any committee, official or employee of the Town of Green Valley is not civilly liable for damage to any person or property caused by fireworks for the sole reason that the Town of Green Valley issued by its Town Chair or his or her designee a permit in accordance with the use requirements and conditions established and any applicable requirements authorized under the Ordinance that authorized the use of said fireworks in the Town of Green Valley.

Section 8. Penalty


The penalty for violating any section of this ordinance shall be as provided in Shawano County Ordinance 3-07 or Wis. Statute #167.10.

Effective Date


Effective Date: The provisions of this ordinance shall take effect on the day following passage and posting as required by law.


Passed on 9-12-07
Vote: for 3 Against 0

Posted in the following public places
within 30 days after board passage:
on 9-12-07
Cluster Boxes in Green Valley
Fire Station in Pulcifer
Community Center in Advance


Arl Rudie, Town Chairperson

Attested By:


Janelle Jenerou, Clerk


Gary Uelmen, Supervisor

Terry Tipton, Supervisor