

**TOWN OF WEST BEND
ORDINANCE 2024-02
FIREWORK ORDINANCE**

THE TOWN BOARD OF THE TOWN OF WEST BEND, WASHINGTON COUNTY, WISCONSIN
DO ORDAIN AS FOLLOWS:

1. Repeal and replace § 202-8 of the Town of West Bend Code of Ordinances to read as follows.

§ 202-8. Sale and use of fireworks regulated.

- A. Definition. The definition of "fireworks" under Wis. Stat. § 167.10(1) is hereby adopted by reference.
- B. Sale regulated. Except as provided in § 167.10(2) and (4), Wis. Stats., no person shall sell fireworks or possess with the intent to sell fireworks.
- C. Use regulated. Except as provided in Wis. Stat. § 167.10(3)(b), no person shall possess or use fireworks without a user's permit issued pursuant to Subsection D below.
- D. User's permit. Fireworks user's permits may be issued by the Town Chairperson, or other Town official designated by the Town Chairperson. No permit shall be issued unless the applicant satisfies the following requirements.
 1. The applicant is a corporation, club, organization, or association that has been in existence for at least six months at the time of application.
 2. The applicant provides proof of liability insurance in an amount of at least \$2,000,000.00.
 3. The applicant must establish, to the satisfaction of the Town Chairperson or designee, that there will be adequate fire protection services and precautions in place during the firework event.
- E. Any person issued a permit under this section shall comply with all applicable requirements of Wis. Stat. § 167.10.
- F. Penalties. Any violation of this section is punishable by a forfeiture of not less than \$500 and no more than \$1,000. Each individual firework that a person uses without a permit constitutes a separate violation of the section.

A parent or legal guardian of a minor who is in violation of this section shall forfeit not less than \$500.00 and not more than \$1,000.00.

In addition to any forfeiture imposed, any person who shall cause physical damage to or destroy any public or private property shall be held liable for the cost of replacing or repairing such damaged or destroyed property. The parent or guardian of any unemancipated minor child shall also be held liable for the cost of replacing or repairing damaged or destroyed public or private property in accordance with section 895.035 Wis. Stat.

Adopted this _____ day of _____, 2024.

BY ORDER OF THE TOWN BOARD
TOWN OF WEST BEND

Troy Zagel, Town Chair

Attest:

Julie Ihlenfeld, Town Clerk