

2.1-1.0240 FIREWORKS.

A. No person may possess or use fireworks, as described in the Wisconsin Statutes, within the Town without first having secured a permit from the Town Administrator.

B. A permit under this Section may be issued only to:

1. A public authority
2. A fair association
3. An amusement park
4. A park board
5. A civic organization
6. A group of resident or nonresident individuals; or
7. An agricultural producer for the protection of crops from predatory birds or animals.

C. The Town Administrator shall not issue a permit for the possession or use of fireworks until the applicant has executed an application containing the following:

1. The identity of the applicant;
2. The proposed purpose of the use or possession of fireworks;
3. If the fireworks are to be ignited or displayed, an adequate description of the location and circumstances under which they will be used or displayed; and
4. An indemnity of the Town for any damages arising from said possession or use in the following language:

(a) The undersigned hereby indemnifies and holds harmless the Town of Washington, its officers, agents and employees from any and all claims, damages, costs or expenses including reasonable attorney's fees, costs, claims, damages or expenses which arise, directly or indirectly, from or because of the use or display of fireworks in the Town of Washington by the undersigned, by any person under the control of the undersigned, by any person operating with permission of the undersigned or by any person obtaining fireworks previously in possession of the undersigned pursuant to the permit applied for by any means whatsoever."

D. Before issuance of a permit under this Section, the Town Administrator shall determine that the applicant has filed with the Town Clerk an indemnity bond with good and sufficient sureties or a policy of liability insurance 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 bond or policy, if required, shall be made in favor of the Town, and any person injured thereby may bring an action on the bond or policy in the person's own name to recover the damage the person has sustained, but the aggregate liability of the surety or insurer to all persons shall not exceed (\$2,000,000.00) two million dollar bond.

E. Before issuance of a permit under this Section, the Town Administrator shall determine that the applicant is an appropriate person to receive such permit, shall receive advice from the Town staff as to the foreseeable safety of the possession or use of fireworks at the proposed location, and shall notify the Township Fire Department Incorporated of the application.

F. A copy of every permit issued under this Section shall be delivered to the Town law enforcement officer and the Chief of the Township Fire Department at least 48 hours before the permit allows the discharge of fireworks.

G. The Fire Chief of the Township Fire department may cancel any permit issued under this ordinance if, in the Chiefs sole discretion, the use of fireworks as authorized by the permit poses an unusual fire hazard. The issuance, by the Fire Chief or by the Wisconsin Department of Natural Resources, of a general burning ban covering the site described in the permit and effective on the date of the permit shall automatically cancel said permit.

H. Any application for a fireworks permit shall be accompanied by a fee of \$30.00.