

Village of Chenequa
ORDINANCE NO. 2025-01-13-01

**AN ORDINANCE CREATING SECTION 8.26 OF THE CHENEQUA VILLAGE CODE
REGULATING FIREWORKS AND RENUMBERING THE FORMER SECTION 8.26,
ENTITLED STATUTES ADOPTED, TO SECTION 8.27**

WHEREAS, the Village is empowered, pursuant to Chapter 167 of the Wisconsin Statutes, to regulate the sale, possession and use of fireworks; and

WHEREAS, the Village Board finds and determines that the establishment of ordinance provisions regulating the sale, possession and use of fireworks is necessary and appropriate to further the public health, safety and welfare, within the Village.

NOW, THEREFORE, BE IT ORDAINED, that Section 8.26 of the Village Code is hereby created as follows:

8.26 Fireworks Regulations.

(1) DEFINITIONS.

The definitions contained in the Wisconsin Statutes, and more specifically, Section 167.10 of the Wisconsin Statutes, as the same may be amended from time to time, shall apply to all terms contained in this Section, unless otherwise specifically set forth in this Section.

(2) POSSESSION AND USE, STATE STATUTES ADOPTED.

Possession and use of fireworks shall be regulated according to the provisions of Section 167.10, of the Wisconsin Statutes, as the same are from time to time amended, which are hereby adopted and incorporated by reference herein. In the event of a conflict between this Section and Section 167.10 of the Wisconsin Statutes, whichever provision is stricter shall apply.

(3) USER'S PERMIT.

- a. No person may possess or use fireworks without a user's permit which may be issued by the Village President. A user's permit, if issued, shall authorize the holder of the user's permit to use fireworks for a public or private celebration as identified in the user's permit. Application for issuance of a user's permit shall be submitted to the Village Clerk-Treasurer, on forms provided by the Village Clerk-Treasurer, together with a user's permit fee of One Hundred Dollars (\$100.00) or such other amount may be determined by resolution by the Village Board from time to time.

- i. All applicants for a user's permit shall be referred to the Fire Chief for investigation, and no user's permit shall be granted unless the Village President, based upon the report of the Fire Chief, determines that the applicant will use the fireworks in a public or private exhibition, that all reasonable precautions will be exercised with regard to the protection of the lives and property of all persons, and that the display will be handled by a competent operator and conducted in a suitable, safe place and manner. Before granting any fireworks permit, the applicant shall file with the Village Clerk-Treasurer, a Certificate of Liability Insurance issued by an insurance company issuing liability and property damage insurance coverage for the property upon which the display will be conducted, or any insurance company authorized to write such policies in the State of Wisconsin, in the amount of One Million Dollars (\$1,000,000.00) for bodily injury to any one person, and in the amount of One Million Dollars (\$1,000,000.00) for damage to property that may arise by reason of use or discharge of the fireworks under the user's permit. The Village shall be named as an additional insured under the terms of all such policies.
- ii. Any user's permit issued under this Section shall specify all of the following:
 - A. The name and address of the permit holder.
 - B. The date on and after which fireworks may be purchased.
 - C. The kind and quality of fireworks which may be purchased.
 - D. The date, time and location of authorized use. No Permits shall be issued for displays to be conducted after 10:30 p.m.
 - E. Such other information as may be required by the Village, from time to time. Notice of issuance of a user's permit shall be given to the fire department and police department at least forty-eight (48) hours before the date of authorized use.

(4) ENFORCEMENT.

- a. In addition to other penalties prescribed under this Section, the Village may petition the Circuit Court for an order enjoining any violation of this Section or Section 167.10 of the Wisconsin Statutes.
- b. Any fireworks stored, handled, sold, possessed or used by any person who violates any provision of this Section shall be seized. The fireworks shall be destroyed after conviction for a violation or otherwise returned to the owner.

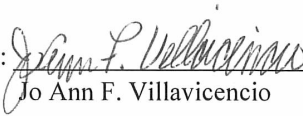
(5) PENALTIES.

Any person who shall violate any provision of this Section shall, upon conviction, pay a forfeiture of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), together with the costs of the action, and upon default of payment thereof, shall be imprisoned in the county jail for a period not to exceed ninety (90) days or until such forfeiture and costs are paid. Each day during which a violation of this Section is permitted to exist shall be deemed to be a separate violation.

AND BE IT FURTHER ORDAINED, that the former Section 8.26 of the Village Code, entitled Statutes Adopted, is hereby renumbered to Section 8.27 of the Village Code.

Adopted this _____ day of _____, 2025.

VILLAGE OF CHENEQUA

By: 
Jo Ann F. Villavicencio
Village President

ATTEST:

Deanna Braunschweig
Village Clerk – Treasurer

Date Adopted: _____

Date Posted: _____