

Village of Chenequa
ORDINANCE NO. 2025-10-13-01

**AN ORDINANCE AMENDING AND RESTATING SECTION 8.27 OF THE
CHENEQUA VILLAGE CODE REGULATING FIREWORKS**

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 amendment 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 8.27 of the Village Code is hereby amending and restating as follows:

8.27 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.

In addition, for the purpose of this Chapter, certain terms and words are defined as follows:

a. CONSUMER FIREWORKS:

Small fireworks typically sold at stands or stores around the Fourth of July holiday. Small fireworks include ground devices containing less than fifty (50) milligrams of flash powder, and aerial devices containing less than one hundred thirty (130) milligrams of flash powder.

b. DISPLAY FIREWORKS:

Large fireworks used in shows, generally under the supervision of a trained pyrotechnician. Display fireworks include aerial shells, cakes, candles, and other display pieces that meet the definition of “display fireworks” in 27 CFR § 555.11.

The regulations at 27 CFR, Part 555, require that any person engaging in the business of importing, manufacturing, dealing in, receiving or transporting display fireworks must first obtain a federal explosives license or permit from Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) for the specific activity.

c. PROFESSIONAL FIREWORKS COMPANY:

A company which engages in the business of designing and executing (pyrotechnic) fireworks displays for public celebrations and private parties and events. A professional fireworks company must have an ATF license or permit.

(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 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 display as identified in the user's permit. Application for issuance of a user's permit shall be submitted to the Village Clerk-Treasurer, at least fourteen (14) days prior to the date of proposed use, 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 display, 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 issued to a professional fireworks company for display fireworks.

- 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.
 - 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.

- iii. The following additional requirements shall apply to user's permits issued under this Section:
 - A. Each user's permit shall be valid for one (1) day and for one (1) fireworks exhibition.
 - B. No more than three (3) user's permits for consumer fireworks exhibitions may be issued to any one (1) person or for any premises for any calendar year.
 - C. No user's permits shall be issued to persons under the age of eighteen (18) years.
 - D. The hours for user's permits shall be from 10:30 a.m. to 11:00 p.m.; except on the July Fourth holiday when the hours for user's permits shall be from 8:00 a.m. – 11:00 p.m.
 - E. User's permits shall be limited to the specific premises identified in the user's permit.
 - F. The Village Clerk-Treasurer shall mail written notice of the issuance of a user's permit to owners of the property immediately surrounding and within at least two hundred fifty (250) feet of the boundary of premises for which a user's permit is issued 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.

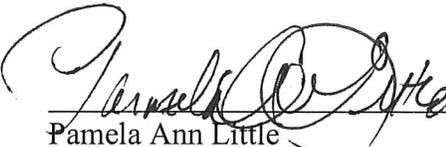
Any person who shall violate any provision of this Section shall, upon conviction, pay a forfeiture of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), together with the costs of the action, and upon default of payment thereof, shall be imprisoned in the county 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.

Adopted this 13th day of October, 2025.

VILLAGE OF CHENEQUA

By: 
Jo Ann Villavicencio
Village President

ATTEST:


Pamela Ann Little
Village Clerk – Treasurer

Date Adopted: October 13, 2025
Date Published: October 14, 2025
Effective Date: October 14, 2025

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