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Gen. Ord. No. 10- 12 - 13. By Alderpersons Van Akkeren, Carlson,
Heidemann, Lessard and Wangemann. May 21, 2012.

AN ORDINANCE repealing and recreating Subsection. 50-698(a) of the Sheboygan Municipal Code so as to permit fireworks displays via a permit process.

Section 1. Subsection (a) of sec. 50-698 of the Sheboygan Municipal Code, entitled "Sale, use or discharge" is hereby repealed and recreated to read as follows:

"Sec. 50-698. Sale, use or discharge.

- a) No person may sell, possess, use or discharge any fireworks within the city, except that the possession, use, and discharge of fireworks is permitted in conjunction with a fireworks display as follows:
- 1) A fireworks display sponsored and specifically approved by the common council, and conducted by or on behalf of the city; or
 - 2) Upon the granting of a Fireworks Display Permit issued by the fire chief. Such permit may be issued by the fire chief at his or discretion, but only if the applicant meets the following requirements:
 - a) Every application shall be made no less than forty-five (45) days prior to the proposed display, except this provision shall not apply to any display taking place fewer than forty-five (45) after passage of this ordinance by the Common Council.
 - b) Each applicant shall provide a Certificate of Liability Insurance with the certificate holder designated as the City of Sheboygan and the property owner of the property on which the proposed display will take place. The certificate shall be provided by the Fireworks Company or the license applicant conducting the display in an amount not less than \$1,000,000 coverage per person for personal injury and not less than \$1,000,000 for property damage. Such certificate shall be issued by an insurance company approved and licensed by the Office of the Commissioner of Insurance for the State of Wisconsin to do business in the State of Wisconsin.

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- c) Each applicant shall submit a clear and readable copy of a valid and current Department of Treasury-Bureau of Alcohol, Tobacco and Firearms License/Permit (issued under 18 U.S.C. chapter 40, Explosives) held by the fireworks company or the license applicant conducting the display.
- d) Each application shall include a clear description of the intended site and plan for the display including:
1. the name of the property owner;
 2. the sponsor of the display;
 3. the mailing address and telephone number of applicant;
 4. the name of person in charge of the display;
 5. the name of the fireworks company conducting the display;
 6. the date and time storage and possession of fireworks will begin and end;
 7. the name and telephone number of person responsible for the site while fireworks are present;
 8. A site layout pursuant to NFPA 1123;
 9. A current color site map with an overlay of the exact location planned of the grounds on which the display is to be held showing the exact point at which the fireworks are to be discharged, the locations of all buildings, streets, trees, overhead public utility lines or overhead obstructions within 500 yards of the point of discharge and an adequate clear area indicating the lines behind which the public will be restrained;
 10. Specification of the date and time the display will begin and end; and
 11. A complete listing of the number and type of all fireworks to be in possession at the site and the number and type to be discharged on the date and time specified in the permit application.

- e) Each application shall be accompanied by payment of a permit fee in the amount \$150.00 and an agreement to pay the actual cost of public safety services provided by the City of Sheboygan as determined by the Fire Chief and the Police Chief. Said chiefs shall provide an estimate of said costs within 14 days of receipt of a complete Fireworks Display Permit Application.

..."

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.



I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the 4th day of

June, 2012.

Dated June 6 2012. Susan Richards, City Clerk

Approved June 6 2012. Terry Van Alphen, Mayor

Proceedings Published June 13, 2012.

Ordinances Published June 13, 2012.

Certified June 11, 2012 to - Atty.; Ord. Book; Police Dept.; Fire Dept.; DPW; MSB