

FIREWORKS PERMIT

Fee \$30.00

WI Stat., 167.10(3)(a) Use: No person may possess or use fireworks without a user's permit from the mayor of the city, president of the village or chairperson of the town in which the possession or use is to occur or from a person designated by the mayor, president or chairperson to issue a user's permit. No person may use fireworks or a device listed under sub. (1) (e) to (g) or (i) to (n) while attending a fireworks display for which a permit has been issued to a person listed under par. (c) 1. to 5. or under par. (c) 6. if the display is open to the general public.

Applicant Name	Applicant Address
Applicant Phone	Applicant Age
Storage Location	Location of Use
Kind of Fireworks: <input type="checkbox"/> Ground <input type="checkbox"/> Aerial If Aerial enter highest height in feet:	Intended Date of Purchase
Date(s) & time(s) of use	Date of Purchase Request
<p>Per WI §, 167.10(3)(c) A permit under this subsection may be issued only to the following persons (please check the appropriate box): <input type="checkbox"/> A public authority <input type="checkbox"/> A fair association <input type="checkbox"/> An amusement park <input type="checkbox"/> A park board <input type="checkbox"/> A civic organization <input type="checkbox"/> An agricultural producer for the protection of crops from predatory birds or animals <input type="checkbox"/> Any individual or group of individuals. A permit issued to a group of individuals confers the privileges under the permit to each member of the group.</p>	
<p>Is the applicant also the supervising adult? <input type="checkbox"/> Yes <input type="checkbox"/> No. If no, then provide the following information: Name of Supervising Adult (18 years of age or older):</p> <p>Phone Number:</p>	
<p>By signing this application, we the signors have seen, reviewed and will comply with Village Ordinance Chapter 190 Fireworks.</p>	
Signature of Applicant	Date
(If applicable) Signature of Supervising Adult if they are not the Applicant	Date

OFFICE USE ONLY

Date Application Received	Fee Paid: <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Cash <input type="checkbox"/> Check # _____
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	Reason, if denied:	
Approval Signature: Village President	Date	

(SEE ATTACHMENT FOR COPY OF MUNICIPAL CODE § 190 FIREWORKS)

§ 190-1 Coverage. Every person, pursuant to §§ 66.0415 and 167.10, Wis. Stats., and this chapter in the Village of New Auburn who sells, possesses or uses fireworks in the Village shall seek and obtain a fireworks permit from the Village, except if exempt under this chapter. The permit fee shall be as established by the Village Board from time to time and included in the current fees schedule for the Village. The permit shall be issued for the date established for the permitted use. The permit shall be issued by the Village President, and a copy of the issued permit shall be given to the Village Marshal pursuant to § 167.10(3)(g), Wis. Stats., at least two days before the date of authorized use in the Village of New Auburn.

§ 190-2 Application; permit. The application shall be made to the Village Clerk, and the Village Clerk, in the exercise of his/her reasonable discretion, shall issue or not issue the fireworks permit. The application shall include:

- (A) The name of the applicant.
- (B) The address of the applicant.
- (C) The residential and business telephone number of the applicant, if any.
- (D) The age of the applicant.
- (E) The date requested for purchase of fireworks and the date requested for the fireworks use.
- (F) The time and location for the required use.
- (G) The classification of the applicant as noted in § 167.10(3)(c), Wis. Stats.
- (H) The proposed location for the storage of the fireworks in the Village.

§ 190-3 Exemptions. Certain persons are exempt from this permit requirement in the Village. The permit requirement does not apply to:

- (A) The Village of New Auburn, but Village fire and law enforcement officials shall be notified of the proposed use of fireworks at least two days in advance.
- (B) The possession of or use of explosives in accordance with rules or general orders of the State Department of Safety and Professional Services.
- (C) The disposal of hazardous substances in accordance with rules adopted by the State Department of Natural Resources.
- (D) The possession of or use of explosives or combustible materials in any manufacturing process.
- (E) The possession of or use of explosives or combustible materials in connection with classes conducted by educational institutions.
- (F) The possession of or use of explosives in possession of a license or permit under 18 U.S.C §§ 841 to 848 if the possession of the fireworks is authorized under the license or permit.

§ 190-4 Compliance; conditions of permit.

- (A) The person subject to this chapter shall comply with § 167.10, Wis. Stats., and this chapter.
- (B) The Village Clerk shall provide copies of this chapter at no cost to any applicant requesting copies under this chapter.
- (C) The applicant and any other person subject to this chapter shall comply as follows:
 - (1) No person shall be issued or reissued a fireworks permit in the Village until the appropriate fee has been paid to the Village Clerk.
 - (2) No person shall be issued or reissued a fireworks permit in the Village who has failed to properly and fully complete and submit to the Village Clerk the application form as developed and provided by the Village.
- (D) Permit Denials or Revocations. In compliance with Wisconsin § 167.10 Regulation of fireworks, Section (5) Local Regulation. Firework permits may be denied for any of the following reasons for the individual or the property owner of the parcel of intended site for fireworks usage within the Village:
 - (1) Unpaid utility bills.
 - (2) Unpaid taxes or fees.
 - (3) Unresolved, outstanding or pending nuisance issues.
 - (4) Dead, decaying, or dying bush, trees, brush or weeds.
 - (5) Overgrown vegetation, trees, bushes, or brush.
 - (6) Twice the distance of aerial fireworks for proximity of commercial property conducting the sale of any flammable item's dispense equipment or at least 100' whichever is greater.
 - (7) Drought conditions under advisory conditions by the Governor, County Emergency Management, or the New Auburn Area Fire Department.
 - (8) In the preceding five years or less, the permittee or current property owner failed:
 - i. To remove all debris from fireworks display from the public right-of-way.
 - ii. To heed law enforcements directions, especially those concerning with safety issues.
 - iii. Surrender their permit immediately upon request due to drought conditions being declared after the permit was issued.
 - iv. Using fireworks between the hours of midnight and 6:00 a.m. on any day, whether the permit is issued for said day or not.
 - v. Use of fireworks on a day not indicated.
 - vi. History of not following law enforcement or Fire Department legal directions in any situation.
 - vii. Failing a background investigation by the recognized law enforcement agency of the Village or County law enforcement.
 - viii. At any time within their criminal history they have been convicted of any crime involving arson or any type criminal neglect resulting in the damage of property from fire or electricity.
- (E) Insurance. Although the Village does not require separate liability insurance or an increase to property insurance, the Village highly recommends the permittee to acquire such insurance. By issuance of a permit, the permittee acknowledges to hold harmless the Village and assume all liability for the fireworks under their control, care, and usage up through and after for a period of time determined by the Fire Chief where if a fire occurs they can determine that certain permittees fireworks did not have a factor in a future fire that develops after the fireworks were used.
- (F) Unpermitted Fireworks Usage. In the event an unpermitted individual requires a response from the New Auburn Area Fire Department they are responsible for all costs associated with the Fire Department's response and if the Fire Department so chooses to send the offenders a bill. Furthermore, unpermitted firework usage is that offender's acknowledgement of accepting full liability for said usage and it is the Village's stance that insurance should not cover any damages occurred from the unpermitted fireworks display.
- (G) Ordinance Part of Permit. The Village shall provide a copy of this ordinance and the permittee must acknowledge receipt of the ordinance, understand it, and agree to comply with all of its requirements.