

TOWN OF MERCER, IRON COUNTY, WISCONSIN

Ordinance 2008-07

FIREWORKS

The Town of Mercer Board of Supervisors do ordain as follows:

The Town of Mercer Code of Ordinances is hereby amended to regulate the use of Fireworks in the Town of Mercer, in accordance with WI Stats. 167.10.

1. **Purpose and Authority:** The Town of Mercer finds that it is necessary to enact an ordinance to regulate and control the use of Fireworks within the Town of Mercer, Iron County.
2. **Title:** This ordinance shall be known as, referred to, or cited as the Fireworks Ordinance, Town of Mercer, Iron County, Wisconsin.
3. **Definitions:** As used in this Ordinance, the following words have the meanings indicated:
 - a. **Fireworks:** Fireworks means anything manufactured processed or packaged for exploding, emitting sparks or combustion which does not have another common use, or is excluded under WI Stats. 167 (1)(a)-(n).
4. **Prohibited Conduct:** No individual shall ignite, light or otherwise discharge, to cause to do so, fireworks as defined herein, except on the 3rd, 4th and 5th of July of each year between the hours of 9:30 pm to 11:00 pm; and during the night of December 31st from 11:30 pm to January 1st at 12:30 am; and the night before Loon Day from 9:30 pm to 11:00 pm with Loon day being recognized and celebrated in the Town of Mercer on the 1st Wednesday of August. The discharge of Fireworks shall follow all applicable State laws.
5. **Repeal/Replacement:** This Ordinance shall repeal and replace any previous Ordinance which addressed Fireworks.
6. **Effective Date/Replacement:** This Ordinance shall take effect and be in force from the date of passage and publication or posting as provided by law.
7. **Severability:** The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town of Mercer would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the publication of such provisions to other persons or circumstances shall not be affected thereof.
8. **Enforcement:** This ordinance may be enforced by the Town Board or its designees.
9. **Penalties:** The first violation of this ordinance imposes a \$50.00 forfeiture plus Court costs upon the individual so violating; Second and subsequent violations impose a \$250.00 forfeiture, plus Court costs upon the individual so violating.

Moved by Supervisor Jim Lambert, Seconded by Supervisor Jeff Stenberg.
5 Supervisors voting Aye; 0 Supervisors voting Nay.

Ordinance declared adopted this 5th day of June 2008.