

## **TITLE VIII: NUSCELLANEOUS OFFENSES: FIREWORKS**

**8-1-1 FIREWORK SALES AND ALLOWABLE USES** It shall be lawful for an individual, firm, partnership or corporation to sell or possess for sale any pyrotechnics (commonly known as fireworks) within the City Limits in and along Highway 11 as set forth in SDCL 34-37-10 to wit: Period and times during which retail sales permitted. No person, firm, or corporation may offer fireworks for sale to individuals at retail except during the period beginning June twenty-seventh and extending through July fifth and during the period beginning December twenty-eighth and extending through January first.

Application for such sales shall be presented to the City Council provided approval has been granted by land owner for said location of fireworks concession and all applicable state and city sales tax will be submitted to the South Dakota Department of Revenue.

All prior ordinances and parts of prior ordinances, in conflict with the provisions of this Ordinance are hereby repealed.

That this Ordinance is necessary for the immediate preservation of public peace, health or safety or support of the municipal government and its existing public institution and shall take effect upon passage.

Legislative History: Ordinance 606

First Reading December 12, 2011

Second Reading January 9, 2012

Published January 19, 2012

Effective Date February 7, 2012

References SDCL 34-37-10

### **8-1-2 DISCHARGING FIREWORKS ON MAIN**

It shall be unlawful for any person to use, discharge or cause to be discharged fireworks of any kind on Main Street, and within one-half (1/2) block to the east and one-half (1/2) block to the west thereof, between Second Street and Fifth Street.

### 8-1-3 FIREWORKS FROM A VEHICLE

It shall be unlawful for any person to drop or throw any burning fireworks from any vehicle or other means of transportation or to set off, discharge or cause to be discharged any fireworks by dropping or throwing any fireworks from any vehicle or other means of transportation.

8-1-4 PUBLIC DISPLAYS Nothing in this chapter shall prohibit the use of a public display of fireworks provided that any individual, firm, partnership or corporation, prior to making such public display of fireworks shall first secure a written permit to do so from the governing board.

### 8-1-5 BLANK CARTRIDGES

Nothing in this chapter shall prohibit the sale or use of blank cartridges for ceremonial purposes, athletic or sporting events.