

APPLICATION FOR GENERAL LICENSE OR PERMIT

TRADE NAME

Wisconsin Seller's Permit Number: _____

Applicants Name _____ Phone _____

Address _____

Length of Time At This Address _____ If less than a year, please list previous address below:

Address _____

respectfully applies for a license/permit under and pursuant to § 347 of the Municipal Code of the City of Fond du Lac to carry on the following business:

SEASONAL NOVELTY PERMIT

in the City of Fond du Lac, at _____

(Address)

(Proof of ownership or written permission to use property)

Full names, address and dates of birth of persons selling at this location & also a copy of their driver's license (Attach extra sheet if needed.)

Name of Person Selling _____ DOB _____

Address _____

Name of Person Selling _____ DOB _____

Address _____

Name of Person Selling _____ DOB _____

Address _____

Name of Person Selling _____ DOB _____

Address _____

This license is valid for one year after the issuance date.

Dated this _____ day of _____, _____.

Description, amount & ingredients of each type of fireworks to be sold (Attach sheet)

*** Certificate of Liability Insurance for business owner: (Not less than \$1,000,000)**

Must name the City of Fond du Lac as an insured party. Attached: Yes No

*** Must also obtain a temporary land use permit from Inspection Services.**

CONTROL NO. _____

**NON REFUNDABLE FEE:
\$120.00 per stand**

Notice of Sworn Statement & Signature of Applicant
(Each piece of type of said seasonal novelties conforms to the requirements of this chapter and Wisconsin state law.)

Receipt No. _____

Date: _____

Date of Issuance _____

License No. _____

CITY OF FOND DU LAC

Memorandum

Date:

To: Chief of Police Attn: Records Division

From: City Clerk

Subject: Fireworks Dealer

The application copied on the reverse side was filed with this office within the preceding forty-eight hours.

It is respectfully requested that your recommendation on the granting and issuance of a license be provide to this office.

CITY OF FOND DU LAC

Memorandum

Date:

To: City Clerk

From: Chief of Police

Subject: Fireworks Dealer

I hereby recommend that the application be:

_____ Granted a license

_____ Denied a license

Comments _____



City of Fond du Lac Fire/Rescue

815 South Main Street • Fond du Lac, WI 54935-5738
Office: (920) 322-3800 • Fax: (920) 322-3801
www.ci.fond-du-lac.wi.us

REQUIREMENTS FOR FIREWORKS STANDS

- Must have city issued permit.**
- Extinguishers: Must be mounted, annual service and accessible.**
- No smoking signs must be visible inside and out.**
- No parking vehicles with 25 ft. of stand.**
- No generators within 25 ft. of stand.**
- No grills or cooking equipment with 25 ft. of stand.**
- All extension cords must be UL approved, proper size and be off the floor.**
- All aisles must be kept at a minimum 36 inches and kept clear.**



WISCONSIN

CONSUMER FIREWORKS

Specifically permitted

Cylinder fountains, cone fountains, sparklers containing no magnesium, chlorate or perchlorate; snakes containing no mercury, small smoke devices.

Specifically prohibited

Firecrackers, wheels, torpedoes, skyrockets, roman candles, aerial salutes, and bombs.

DISPLAY FIREWORKS

Display permit

Apply to local authorities.

Insurance

None specifically required in state law; may be required at local level.

MANUFACTURE, STORAGE, TRANSPORTATION

Wholesalers, dealers and distributors must notify local authorities of location where fireworks are stored and handled. Safe storage areas specified in law. License required to manufacture.

ENFORCING AUTHORITY

All enforcement at local level, except manufacturing enforced by:

Wisconsin Department of Commerce
Division of Safety and Buildings
201 W. Washington Ave., 4th Floor
Madison, WI 53701
Phone: 608-266-3151
<http://www.commerce.state.wi.us/SB/>

LAW NUMBER

167.10 Wisconsin Statutes

Updated: 6/08

Chapter 347
FIREWORKS

ARTICLE I
Sale of Fireworks

- § 347-1. Fireworks defined.
- § 347-2. Sale of fireworks prohibited.
- § 347-3. through § 347-5. (Reserved)

ARTICLE II
Seasonal Novelties

- § 347-6. Seasonal novelty defined.
- § 347-7. License required for sale of seasonal novelties.
- § 347-8. Application for license.
- § 347-9. License fee and term.
- § 347-10. Description of seasonal novelty required.
- § 347-11. Certificate of insurance required.
- § 347-12. Regulations.
- § 347-13. Display of seasonal novelty license and list required.
- § 347-14. Revocation of seasonal novelty license.

§ 347-15. through § 347-19. (Reserved)

ARTICLE III
Pyrotechnic Displays

- § 347-20. Pyrotechnic display defined.
- § 347-21. Permit required.
- § 347-22. Application for license.
- § 347-23. Permit fee and term.
- § 347-24. Certificate of insurance required.
- § 347-25. Site inspections.
- § 347-26. Site regulations.
- § 347-27. Cancellation of displays.
- § 347-28. Revocation of pyrotechnic display permit.
- § 347-29. through § 347-30. (Reserved)

ARTICLE IV
Enforcement

- § 347-31. Violations and penalties.

[**HISTORY:** Adopted by the City Council of the City of Fond du Lac 9-27-2017 by Ord. No. 3645.¹ (§ 12.135 of the 1993 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Fires and fire prevention — See Ch. 343.

Licenses and permits — See Ch. 433.

1. Editor's Note: This ordinance also repealed former Ch. 347, Fireworks, adopted 2-26-2003 by Ord. No. 3144 (§ 12.135 of the 1993 Code).

ARTICLE I
Sale of Fireworks

§ 347-1. Fireworks defined.

As used in this chapter, "fireworks" will be defined as set forth and subsequently amended in § 167.10(1), Wis. Stats., but will not include a device listed under § 167.10(1)(a) through (p), Wis. Stats.

§ 347-2. Sale of fireworks prohibited.

No person shall manufacture, sell, display, or offer for sale any firework within the City of Fond du Lac.

§ 347-3. through § 347-5. (Reserved)

ARTICLE II
Seasonal Novelties

§ 347-6. Seasonal novelty defined.

As used in this chapter, "seasonal novelty" will be defined as a device set forth and subsequently amended in § 167.10(1)(e), (f), (i), (j), (k), (l), (m), and (n), Wis. Stats., (See the statute, but this list includes caps of 1/4 grain or less of explosive, snakes, sparklers, poppers and fountains), in addition to free-floating sky lanterns, Chinese lanterns, and similar devices that utilize an open flame and are unmanned.

§ 347-7. License required for sale of seasonal novelties.

No person shall sell, display, or offer for sale, whether as a retail or wholesale dealer, any seasonal novelty within the City of Fond du Lac without having first procured a seasonal novelty license from the City. Applications for such licenses will be filed with the City Clerk, or his or her designees, and approved by the City Clerk, Fire Chief, Police Chief, and Chief Building Inspector, or their respective designees.

§ 347-8. Application for license.

An application for a seasonal novelty license will be made upon forms provided by the City Clerk and will contain the following information:

- A. The full name and address of the person, company, corporation or other organization applying for said license; the length of time of residence at that address; and, if the length of time of residence at that address is less than one year, the previous address;
- B. The address at which such activity is intended to be carried out; and

- C. The full names, addresses, and dates of birth of all such persons who will act as sales personnel at the premises. Sales personnel excluded from the application shall not be allowed to sell seasonal novelties under a seasonal novelty license without first obtaining approval from the City.

§ 347-9. License fee and term.

Each application will be accompanied by a license fee which will be shown in the schedule of fees, which is adopted annually by resolution of the City Council. The fee is nonrefundable. The license term will be for one year from the date of issuance.

§ 347-10. Description of seasonal novelty required.

Each application shall be accompanied by a list fully describing each type and amount of seasonal novelties intended to be sold, the ingredients of said seasonal novelties, and a sworn statement setting out that each piece or type of said seasonal novelties conforms to the requirements of this chapter and Wisconsin state law. No dealer shall sell any piece or type of any seasonal novelty on which a statement has not been filed with the City Clerk, or his or her designees, and approved by the City Clerk, Fire Chief, Police Chief, and Chief Building Inspector, or their respective designees.

§ 347-11. Certificate of insurance required.

Each application will be accompanied by a certificate of insurance issued by a company licensed to do business in the State of Wisconsin providing liability coverage for injury to persons, property or loss of life with limits of coverage not less than \$1,000,000.

§ 347-12. Regulations.

The following provisions will apply to all places where seasonal novelties are sold, stored, and handled in the City, as permitted by this chapter and Wisconsin state law:

- A. All premises shall be equipped with approved fire extinguishers and any other fire prevention and safety equipment required by the Fire Chief, or his or her designee.
- B. Smoking shall be prohibited where seasonal novelties are sold, stored, or handled.
- C. Seasonal novelties shall not be sold, stored, or handled within 50 feet of a public assemblage or place where gasoline or volatile liquid is dispensed in quantities exceeding one gallon or within 50 feet of any dwelling.

§ 347-13. Display of seasonal novelty license and list required.

No person shall sell, display, or offer for sale any seasonal novelty unless the seasonal novelty license required to be obtained under this chapter is openly displayed upon the premises where such activity is permitted. A copy of the description set forth in § 347-7 of this chapter will also be openly displayed upon said premises.

§ 347-14. Revocation of seasonal novelty license.

The City Clerk, Fire Chief, Police Chief, or Chief Building Inspector, or his or her designee, may, at any time for good cause shown, revoke, suspend, or deny issuance of any license issued under this chapter. Good cause will include, without limitation for lack of enumeration herein, the following:

- A. Any violation of the provisions of this chapter;
- B. Any violation of building, zoning, or fire codes applicable to the licensed premises;
- C. Any violation of Wisconsin state law or this Code that is relevant to the operation of such business; and/or
- D. Any conviction of the licensee for the illegal sale or use of fireworks.

§ 347-15. through § 347-19. (Reserved)