
Sec. 16-219. Certain public display permitted; fireworks permit required.

- (a) Fireworks and other devices otherwise prohibited under this article may be used, display and discharge by public authorities or private persons or organizations only for public display, only in the manner allowed by this subsection and only by those to whom the City Manager has issued a nontransferable fireworks display permit.
- (b) The City Manager is hereby vested with and shall have the sole and final authority to grant or deny the issuance of a fireworks display permit to any public or private person or organization for pyrotechnic displays for any reason, including, but not limited to, considerations of public health, welfare, safety, peace and tranquility, operator experience, display location or traffic congestion.
- (c) Any public or private person or organization which desires a fireworks display permit shall file a written request with the City Manager not less than 30 days prior to the first day of the intended display. The written request shall contain such information as required by the City Manager.
- (d) A fireworks display permit shall not be issued unless the applicant:
 - (1) In writing fully indemnifies and holds harmless the City of Janesville from any and all liability of whatever kind and nature arising from the purchase, transport, handling, storage, use, display, and discharge of fireworks and other devices allowed under this section;
 - (2) Provides to the City certificate of liability insurance in an amount not less than \$1,000,000.00 for payment of any and all claims which may arise by reason of injury to person or property directly or indirectly arising from the purchase, transport, handling, storage, use, display, and discharge of fireworks and other devices allowed under this Subsection (d). The City shall be named as an additional or co-insured and the certificate of liability insurance shall be in such form as required by the City Manager;
 - (3) In writing indemnifies and holds harmless the City from any and all loss and injury of whatever kind or nature directly and indirectly arising from the revocation of the fireworks display permit;
 - (4) In writing permits the City to confiscate any and all fireworks and other devices at any time in the manner and for the reasons set forth in this article;
 - (5) In writing fully indemnifies and holds harmless the City from any and all loss and injury of whatever kind or nature directly and indirectly arising from such confiscation;
 - (6) Provides to the City evidence that all pyrotechnic operators used shall be at least 21 years old; and
 - (7) Provides to the City evidence that all pyrotechnic operators have actual experience as an operator or assistant as part of demonstrating competency to the Janesville Fire Chief or his or her designee.
- (e) The fireworks display permit shall be granted for a period not to exceed six days.
- (f) The fireworks display permit shall be nonrefundable, and shall not be waived. The permit shall be in an amount as established by the City Council from time to time and set forth in the fee schedule that appears in this Code.
- (g) The public use and display shall take place only upon open fields, public parks, rivers, lakes or ponds and upon such other public or private locations that are adequate for the safe and enjoyable display of the proposed fireworks or devices, and that are approved by the City Manager.
- (h) No public or private person or organization shall engage in any fireworks display or activity otherwise prohibited by this article without having been issued a fireworks display permit.

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- (i) The City and each of its employees and authorized representatives may demand inspection of the fireworks display permit any time. The permittee shall immediately produce and display the fireworks display permit upon such demand.
 - (j) The City Manager, the Chief of Police and the Chief of the Fire Department, jointly and severally, are hereby vested with and shall have the authority to, at any time, revoke the fireworks display permit, terminate and prohibit any display or other fireworks activity, and confiscate any and all fireworks and other firework devices when, in the opinion of any one of them, the proposed or continued display or other fireworks activity presents or tends to present a danger to any person or property.
 - (k) The fireworks display permit is a privilege and not a right. Nothing in this article shall be construed as bestowing or in any manner creating or vesting a right in any person.
 - (l) Fireworks and other devices shall not be stored, handled, kept, sold, used, displayed or discharged within 500 feet of any gasoline pump, storage facility, service station, filling station, bulk station, or any structure in which gasoline or other volatile liquids are kept in quantities in excess of one gallon.

(Code 1976, § 8.40.040; Ord. No. 2018-742, § VIII, 11-26-2018)