

**ORDINANCE NO. 20-22**

**AN ORDINANCE AMENDING SECTIONS 13.0303 AND 13.0304 OF THE REVISED ORDINANCES OF THE CITY OF WATERTOWN PROVIDING FOR THE CITY COUNCIL'S ABILITY TO PERIODICALLY DESIGNATE ADDITIONAL PERMISSIBLE FIREWORKS DISCHARGE LOCATIONS AND TO UPDATE THE ORDINANCE FOR CONSISTENCY WITH RECENT STATE LAW REVISIONS**

**BE IT ORDAINED** by the City of Watertown, South Dakota, that Sections 13.0303 and 13.0304 of the Revised Ordinances of the City of Watertown be amended as follows:

**13.0303: FIREWORKS**

Pursuant to SDCL 34-37-13 and 34-37-13.1, n~~No person shall discharge or set off any "display fireworks" or "consumer fireworks," as defined by SDCL 34-37-1~~freeracker, skyrocket, roman candle, torpedo or other kind of fireworks or pyrotechnic display, except with~~when the same is permitted as a public display of fireworks by written a~~written permit approved by from the City Council, per SDCL 34-37-13 and, with the~~recommendation of the Fire Chief or the Chief's designee. Said permit shall only be effective after payment to the Finance Officer of a fee in an amount established by resolution of the City Council. Said permit shall be revocable at any time at the full discretion of the Fire Chief or the Chief's designee, and the permit fee refunded if revoked prior to the designated time for the public display.~~

Each act of discharging or setting off "display fireworks" or "consumer fireworks" without a permit~~any article of fireworks or pyrotechnic display shall be a separate offense, except that it shall be legal to discharge "consumer fireworks" shall be allowed without a permit such fireworks in the area annexed to the City by Resolution Y-1832, and at other locations designated periodically by resolution of the City Council, if any, on the Fourth of July and during the period beginning at dusk on December 28 and extending through 10:00 p.m. on January 1.~~

Neither "consumer fireworks" nor "display fireworks" shall be deemed to include "novelties" as defined under National Fire Protection Association (NFPA) Standards (e.g. Party Poppers, Snappers, Toy Smoke Devices, Snakes, Glow Worms, Wire Sparklers, Dipped Sticks, and Toy Caps).

Notwithstanding the above, discharging any type of fireworks at, with the exception of Sandy Shore State Park and Recreation Area, Memorial Park, and Stokes-Thomas Lake City Park, where discharging or setting off fireworks at any time requires additional the written approval~~authorization from of the South Dakota Department of Game, Fish and Parks, the Codington County Commission, or the City of Watertown Parks, Recreation, and Forestry Board, respectively.~~

**Agenda Item 7.(a) Second Reading of Ordinance No. 20-22 providing for th...**

The use, discharge, manufacture, transportation, and storage of all types of fireworks and pyrotechnic articles in the City of Watertown shall comply with NFPA Standards 1123 and 1124.

**13.0304: DISPLAYING OR SELLING FIREWORKS**

The warehousing, packaging, and sales of Class 1.3G and Class 1.4G Fireworks within the City of Watertown shall be allowed only at locations meeting the requirements of Chapters 21.32, 21.36, and 21.81 of the Revised Ordinances of the City of Watertown. Each sale and each day of display to the view of the public shall be a separate offense. The provisions of this section ~~do~~ shall not be deemed to apply to any store or public place that is actively engaged in the sale of "novelties" as defined under National Fire Protection Association (NFPA) Standards (e.g. Party Poppers, Snappers, Toy Smoke Devices, Snakes, Glow Worms, Wire Sparklers, Dipped Sticks, and Toy Caps). ~~the following items: Party Poppers (not to exceed 0.25 grains); Snappers (not to exceed 0.02 grain); Sparklers (not to exceed 3.5 oz); Toy caps (not to exceed 0.25 grain); Flitter Sparklers (not to exceed 0.2 oz).~~

DATED this \_\_\_\_ day of June, 2020

CITY OF WATERTOWN

ATTEST:

\_\_\_\_\_  
Sarah Caron, PE, CFM  
Mayor

\_\_\_\_\_  
Kristen Bobzien  
Finance Officer

The above and foregoing Ordinance was moved for adoption by Alderperson \_\_\_\_\_, seconded by Alderperson \_\_\_\_\_, and upon voice vote motion carried, whereupon the Mayor declared the Ordinance duly passed and adopted.

I certify that Ordinance No 20-22 was published in the Watertown Public Opinion, the official newspaper of said City, on this 13<sup>th</sup> day of June, 2020.

Kristen Bobzien, Finance Officer

First Reading: June 1, 2020  
Second Reading: June 8, 2020  
Published: June 13, 2020  
Effective: July 3, 2020