

AMENDED
COMMON COUNCIL - CITY OF MUSKEGO
ORDINANCE #912

AN ORDINANCE TO AMEND CHAPTER 9, SECTION 9.03 (3),
OF THE MUNICIPAL CODE OF THE CITY OF MUSKEGO
(Fireworks)

THE COMMON COUNCIL OF THE CITY OF MUSKEGO, WAUKESHA COUNTY,
WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION 1: Section 9.03 (3) (d) of Chapter 9 of the Municipal
Code of the City of Muskego is hereby amended to read as follows:

(3) USE OF FIREWORKS

(d) Only the permit holder may discharge fireworks.

SECTION 2: Section 9.03 (3) of Chapter 9 of the Municipal Code of
the City of Muskego is hereby amended to add the following
subsections:

(3) USE OF FIREWORKS

(g) The permit the City issues for the use of fireworks
will be printed on bright colored paper stock and
must be displayed by people taking out such permit so
that it is visible from the street.

(h) The type of indemnity bond or liability insurance
that may be required pursuant to Wisconsin Statutes
§167.10(3)(e) is required in the City of Muskego


(i) A fee for said permit, shall be established from time
to time by Resolution of the Common Council,
and must be submitted at the time of application.

SECTION 3: The several sections of this Ordinance are declared to
be severable. If any section or portion thereof shall be declared
by a decision of a court of competent jurisdiction to be invalid,
unlawful, or unenforceable, such decision shall apply only to the
specific section or portion thereof directly specified in the
decision, and not affect the validity of all other provisions,
sections, or portion thereof of the Ordinance which shall remain
in full force and effect. Any other Ordinance whose terms are in
conflict with the provisions of this Ordinance are hereby repealed
as to those terms that conflict.

SECTION 4: This ordinance shall be in full force and effect from
and after its passage and publication.

PASSED AND APPROVED THIS 11TH DAY OF MARCH, 1997.

CITY OF MUSKEGO



David L. De Angelis, Mayor

ATTEST:

First Reading 1/14/97
Deferred 1/28/97, 2/11/97



Clerk-Treasurer

1/97jmb

Published on the 20th day
of March, 1997.



STATE OF WISCONSIN)
) ss.
Milwaukee County)

Judith Ziolkowski being duly sworn,
doth depose and say that he is an authorized representative of
TheMUSKEGO. SUN.....
a newspaper published at .. MUSKEGO ..
Wisconsin and that an advertisement of which the annexed is a
true copy, taken from said paper, was published therein on

.....
..... March 20 ..
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Official Notice

COMMON COUNCIL -
CITY OF MUSKEGO
AMENDED ORDINANCE #912
AN ORDINANCE TO AMEND
CHAPTER 9, SECTION 9.03 (3), OF THE
MUNICIPAL CODE OF THE CITY OF
MUSKEGO
(Fireworks)

THE COMMON COUNCIL OF THE CITY
OF MUSKEGO, WAUKESHA COUNTY,
WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION 1: Section 9.03 (3) (d) of Chapter 9 of the Municipal Code of the City of Muskego is hereby amended to read as follows:

(3)USE OF FIREWORKS

(d)Only the permit holder may discharge fireworks.

SECTION 2: Section 9.03 (3) of Chapter 9 of the Municipal Code of the City of Muskego is hereby amended to add the following subsections:

(3)USE OF FIREWORKS

(g)The permit the City issues for the use of fireworks will be printed on bright colored paper stock and must be displayed by people taking out such permit so that it is visible from the street.

(h)The type of indemnity bond or liability insurance that may be required pursuant to Wisconsin Statutes 5167.10(3)(e) is required in the City of Muskego

(i)A fee for said permit, shall be established from time to time by Resolution of the Common Council, and must be submitted at the time of application.

SECTION 3: The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of a court of competent

jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and not affect the validity of all other provisions, sections, or portion thereof of the Ordinance which shall remain in full force and effect. Any other Ordinance whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict:

SECTION 4: This ordinance shall be in full force and effect from and after its passage and publication.

PASSED AND APPROVED THIS 11th DAY OF MARCH, 1997.

/s/ David L. DeAngelis, Mayor

(Signed) *Judith Ziolkowski*
BOOKKEEPER.


Subscribed and sworn to before me this 20th day of March 1997.

Margaret Beuge
Notary Public, Milwaukee County Wisconsin

My Commission expires October 22, 2000

CITY OF MUSKEGO
Office of the City Clerk
W182 S8200 Racine Avenue, Muskego, WI 53150
Phone (414) 679-5625
Fax (414) 679-4106

TO: Mayor De Angelis
Aldermen

FROM: Jill 

DATE: 1/24/97

RE: Proposed Amendment to Ord. #912 - Fireworks

Attached is a proposed Amendment to Ord. #912 which is on the 1/28 Council agenda for second reading. The amendment incorporates the recommendations from the Public Services Committee regarding Use of Fireworks.

Also attached is the current ordinance regarding the sale and use of fireworks. Please note that 9.03 (3)(d) states that "Only the permit holder may discharge fireworks." However, one of the items proposed to be added, Section 9.03 (3) (g), states "Any use of fireworks in the City by permit will be supervised by an adult over the age of 18 years."

You may want to review what is currently in the Municipal Code and the proposed amendment prior to Council in the event that you want to make any further amendments at Council.

Thanks.

cc: Clerk-Treasurer
Atty. Molter

COMMON COUNCIL - CITY OF MUSKEGO
ORDINANCE #912

AN ORDINANCE TO AMEND CHAPTER 9, SECTION 9.03 (2),
OF THE MUNICIPAL CODE OF THE CITY OF MUSKEGO
(Sale of Fireworks)

THE COMMON COUNCIL OF THE CITY OF MUSKEGO, WAUKESHA COUNTY,
WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION 1: Section 9.03 (2) of Chapter 9 of the Municipal Code of
the City of Muskego, Wisconsin, is hereby deleted in its entirety
and recreated to read as follows:

9.03 (2) SALE OF FIREWORKS

- (a) The sale of "fireworks," as that term is defined
in Section 167.10(1), Wis. Stats., is prohibited
within the City of Muskego.
- (b) The sale of those items defined in Section
167.10(1) (e), (f), (i), (j), (k), (l), (m), and
(n), Wis. Stats., is prohibited within the City of
Muskego and these items by this ordinance are
defined as "fireworks."

SECTION 2: The several sections of this Ordinance are declared to
be severable. If any section or portion thereof shall be declared
by a decision of a court of competent jurisdiction to be invalid,
unlawful, or unenforceable, such decision shall apply only to the
specific section or portion thereof directly specified in the
decision, and not affect the validity of all other provisions,
sections, or portion thereof of the Ordinance which shall remain
in full force and effect. Any other Ordinance whose terms are in
conflict with the provisions of this Ordinance are hereby repealed
as to those terms that conflict.

SECTION 3: This ordinance shall be in full force and effect from
and after its passage and publication.

PASSED AND APPROVED THIS _____ DAY OF _____, 1997.

CITY OF MUSKEGO

David L. De Angelis, Mayor

ATTEST:

First Reading 1/14/97
Deferred 1/28/97, 2/11/97

Clerk-Treasurer

Published on the _____ day
of _____, 1997.

1/97jmb