

**TOWN OF CEDARBURG  
ORDINANCE NO. 2009-11**

**An Ordinance Amending Chapter 158: Fireworks relating to the surety bond.**

**WHEREAS,** the Town of Cedarburg has legal authority by Wisconsin State Statute 167.10(3)(a) to regulate the use of fireworks so that no person may possess or use fireworks without a user's permit from the mayor of the city, president of the village or chairperson of the town in which the possession or use is to occur or from an official or employee of that municipality designated by the mayor, president or chairperson; and

**WHEREAS,** the Town of Cedarburg so regulates the use of fireworks via Chapter 158 of the Town Code of Ordinances, permitting the use of said fireworks through a Permit to Display Fireworks that must be signed by the Town Chairperson or an official or employee of the Town as designated by the Town Board; and,

**WHEREAS,** the Town Board believes it to be in the best interest and protect the health, safety and welfare of Town Residents and the party displaying the fireworks to require an indemnity bond with good and sufficient sureties or policy of liability insurance for the payment of all claims that may arise by reason of injuries to person or property from the handling, use or discharge of fireworks under the permit;

**NOW, THEREFORE,** by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, do ordain as follows:

(text with an underline shall be added)

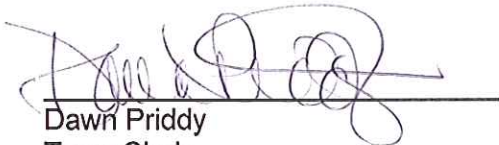
**CHAPTER 158. FIREWORKS**

**§ 158-3. Possession or use.**

E. Bond. The Town Chairperson or Town Administrator issuing a permit under this section shall require an indemnity bond with good and sufficient sureties or policy of liability insurance for the payment of all claims that may arise by reason of injuries to person or property from the handling, use or discharge of fireworks under the permit. The bond or policy shall be taken in the name of the Town, and any person injured thereby may bring an action on the bond or policy in the person's own name to recover the damage the person has sustained, but the aggregate liability of the surety or insurer to all persons shall not exceed the amount of the bond or policy. The bond or policy, together with a copy of the permit, shall be filed in the office of the Town Clerk.

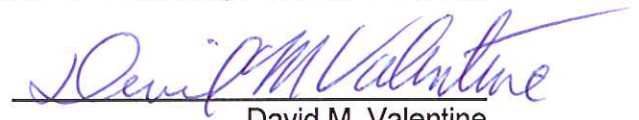
This ordinance shall be in full force and effect upon its passage and posting as provided by law.

**PASSED AND ADOPTED** by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, this 3<sup>rd</sup> day of June, 2009.



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Dawn Priddy  
Town Clerk



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David M. Valentine  
Town Chairman