

## TITLE EIGHT MISCELLANEOUS OFFENSES

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### CHAPTER 8-1 FIREWORKS

#### 8-1-1

#### **FIREWORK SALES AND ALLOWABLE USES**

It shall be unlawful for an individual, firm, partnership or corporation to sell, possess for sale, use, discharge or cause to be discharged within the City of Bowdle, South Dakota, any pyrotechnics (commonly known as fireworks) of any description whatsoever except those hereinafter enumerated and designated as safe and sane fireworks; That is, sparklers, vesuvios fountains, spray fountains, torches, color fire cones, star and comet type color aerial shells, without explosive charge for the purpose of making a noise, Roman candles, rockets, star mines, color wheels, Chinese made softshell firecrackers, not exceeding one and five-eighths (1 & 5/8) inches in length and one-fourth (1/4) inch outside diameter, toy cap pistols and toy caps where the caps used therein do not contain more than thirty-five hundredths (35/100th) grain of explosive material in each cap.

The safe and sane fireworks as set out in this section shall not be sold, used, discharged or caused to be discharged within the corporate limits of the City of Bowdle except on the fourth of July; except that toy cap pistols and toy caps may be sold or used at any time.

*Authority:*

*SDCL §§ 34-37-4, 34-37-16.1 and 34-27-5;*

*See Also § 9-29-3.*

#### 8-1-2

#### **DISCHARGING FIREWORKS ON MAIN**

The City Council will govern the area in which firework stands for selling may be located and written permission must be granted by the City Council for the selling of said fireworks.

*Authority:*

*SDCL §§ 34-37-4, 9-29-3 and*

*4-37-16.1.*

**8-1-3**

**FIREWORKS FROM A VEHICLE**

It shall be unlawful for any person to drop or throw any burning fireworks from any vehicle or other means of transportation or to set off, discharge or cause to be discharged any fireworks by dropping or throwing any fireworks from any vehicle or other means of transportation.

*Authority:*

*SDCL §§ 34-37-4, 9-29-3 and 34-37-16.1.*

**8-1-4**

**PUBLIC DISPLAYS**

Nothing in this chapter shall prohibit the use of a public display of fireworks provided that any individual, firm, partnership or corporation, prior to making such public display of fireworks shall first secure a written permit to do so from the governing board.

*Authority:*

*SDCL §§ 34-37-2, 34-37-4; See Also §§ 34-37-2 and 34-37-10.*

**8-1-5**

**BLANK CARTRIDGES**

Nothing in this chapter shall prohibit the sale or use of blank cartridges for ceremonial purposes, athletic or sporting events.

*Authority:*

*SDCL Try § 9-29-3.*