

§ 130.05 FIREWORKS REGULATIONS.



(A) **Fireworks generally prohibited.** The use, throwing, lighting, firing, display, or sale of **fireworks** within the city shall only be authorized in accordance with SDCL Chapter 34-37. The provisions of this section shall not apply to any person, firm, or corporation duly licensed to discharge **fireworks** for public entertainment at any public celebration in the city.

(Prior Code, § 5.0201)

(B) **Fireworks - July 4th.** No **fireworks** are to be used, exploded, set off, or fired at any time other than between the hours of 8:00 a.m. and 11:00 p.m. on July 4, or if approved by the City Council, on July 3 and/ or July 5 to coincide with a July 4 weekend or recognition of the holiday as a state or federal holiday when July 4 falls on a weekend. It shall at all times be unlawful to throw at or from moving vehicles any type of **fireworks**. Any firing or use of **fireworks** other than on the 4th of July as provided herein shall not be allowed unless a special permit is approved by the City Council.

(Prior Code, § 5.0202)

(C) **Fireworks ban.** The City Council, or if insufficient time exists before July 4, then the Mayor, shall have the authority to ban the discharge of **fireworks** on July 4 or at any other time, if drought or other conditions necessitating the protection of public peace, safety, or welfare exist. Any such ban may apply to the entire city, or parts thereof, and to the area within one mile of the city limits.

(Prior Code, § 5.0203) (Ord. 294, passed 3-10-2022) Penalty, see § [10.99](#)

Statutory reference:

Similar state provisions, see SDCL § 9-33-1 and Chapter 34-47