

ORDINANCE No. 281

AN ORDINANCE REGULATING THE SALE AND DISCHARGE OF FIREWORKS WITHIN THE CITY OF LAKE NORDEN, SOUTH DAKOTA, AND REPEALING ALL PREVIOUS ORDINANCES PERTAINING TO THE SUBJECT.

BE IT HEREBY ORDAINED by the City of Lake Norden as follows:

SECTION I LICENSE REQUIRED

It shall be unlawful for any person to sell, barter, deal in or engage to any extent in the business of selling or dealing of fireworks or any implement, device or apparatus designed for pyrotechnics display within the boundaries of the Town of Lake Norden. However, the foregoing is subject to the business of selling or dealing in fireworks or any implement, device or apparatus designed for pyrotechnics display being allowed at 44994 S.D. Highway 28, Lake Norden, South Dakota, which is located within the boundaries of the City of Lake Norden at Lot 1 of Antonen Addition in the SE¼SE¼ of 17-113-53, because the location thereof was annexed into the city boundaries on November 6, 2006, and therefore, this business at this location for many of the past years is “grandfathered”, subject to a state license being obtained each year.

SECTION II HOW LICENSE IS OBTAINED

Any person who may desire to sell or engage in the business of selling or dealing in fireworks or other articles enumerated in Section I as permitted only at the location set forth hereinbefore shall first obtain a license from the South Dakota Department of Revenue to do so.

SECTION III SALE OF OR DISPLAY LIMITED

It shall be unlawful for any person within the City of Lake Norden to sell, offer for sale, display or expose for sale any firecrackers, sky rockets, roman candles, torpedoes, or other articles used and generally known as “fireworks” except from the 27th day of June through the 5th day of July each year. However, if it appears to the governing body of the municipality that anyone has violated this section, then the dealer’s license may be revoked immediately by the governing body of the municipality.

SECTION IV USING FIREWORKS LIMITED

No person within the City of Lake Norden shall fire, shoot off or otherwise discharge or use firecrackers, sky rockets, roman candles, torpedoes or any other articles used and generally known as “fireworks” used in connection with the Fourth of July celebration except on the third and fourth days of July each year.

**SECTION V
PENALTY**

Any person or persons, corporation or firms violating any of the provisions set forth in this ordinance shall be deemed guilty of a misdemeanor (except as permitted hereinbefore in this ordinance) and shall upon conviction thereof be punished by a fine not to exceed the sum of Two Hundred (\$200.00) Dollars or imprisoned in jail for a period not to exceed thirty (30) days, or by both such fine and imprisonment, for each violation.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

CITY OF LAKE NORDEN

(SEAL)

Janet Andrews, Mayor

ATTEST:

Delores Kangas, Finance Officer

PASSED FIRST READING: April 2, 2007

PASSED SECOND READING: May 7, 2007

ORDINANCE NO. 325

**AN ORDINANCE AMENDING
ORDINANCE NO. 281 REGARDING FIREWORKS.**

BE IT HEREBY ORDAINED by the City Council of the City of Lake Norden that Ordinance No. 281 be amended as follows:

FIREWORKS:

It shall be unlawful for any person or persons to use or cause to be used or burn, or ignite, or cause to be burned or ignited, any firecracker, Roman candle, torpedo, sky rocket, or powder, either alone or combined with any other substance, or to burn, ignite or use or cause to be burned, ignited or used any explosive or combustible matter or material of any kind, including all kinds of fireworks anywhere within the limits of the City except caps for toy cap pistols, and also except for those periods allowed by South Dakota Codified Law 34-37-10, and any amendments thereto.

Dated this 2nd day of November, 2015.

CITY OF LAKE NORDEN

(SEAL)

Jason Aho, Mayor

ATTEST:
Delores Kangas, Finance Officer

First Reading: October 15, 2015

Second Reading: November 2, 2015

Published: November 11, 2015