

FIREWORKS IN THE TOWN OF MIDDLETON

The possession and use of fireworks in the Town of Middleton are regulated by state law and Town ordinance. Wisconsin Statute section 167.10 regulates fireworks statewide. Section 4.25 of the Town Code regulates fireworks in the Town.

What are fireworks?

“Fireworks” means anything manufactured, processed or packaged for exploding, emitting sparks or combustion which does not have another common use. This includes small, consumer fireworks such as bottle rockets, firecrackers, roman candles and mortars. It also includes what federal law describes as “display fireworks,” which include large fireworks designed primarily to produce visible or audible effects by combustion, deflagration, or detonation.

As a general rule, if a device described above explodes or leaves the ground, it is a firework.

What are not fireworks?

Although not a complete list, the following are not fireworks:

- Emergency flares
- A cap containing not more than ¼ grain of explosive mixture, if the cap is used or possessed or sold for use in a device which prevents direct bodily contact with a cap when it is in place for explosion
- A toy snake that contains no mercury
- Sparklers on a wire or wood stick not exceeding 36 inches in length or 0.25 inches in outside diameter which does not contain magnesium, chlorate or perchlorate
- A device designed to spray out paper confetti or streamers and which contains less than ¼ grain of explosive mixture.
- A device designed to produce an audible sound but not explode, spark, move or emit an external flame after ignition and which does not exceed three grams in total weight
- A device that emits smoke with no external flame and does not leave the ground.
- A cylindrical fountain not exceeding 100 grams in total weight with an inside tube diameter not exceeding 0.75 inches, designed to sit on the ground and emit only sparks and smoke or a cone fountain not exceeding 75 grams in total weight, designed to sit on the ground and emit only sparks and smoke.

Can I get a fireworks permit?

Fireworks permits are available to Town residents, civic organizations and some other organizations. In order to obtain a permit, an application must be filed with the Town Clerk. Application forms are available at the Town Hall. Applications must be filed at least 60 days prior to the date on which the applicant wishes to use the fireworks.

Applicants must provide proof of insurance covering the activity or a bond in an amount determined by the Town Board. The Town must be named as an additional insured, or the bond taken in the name of the Town. Applications are approved or disapproved by the Town Chair after consultation with the Fire Chief.

What is the penalty for using fireworks without a permit?

The penalty is a forfeiture of up to \$2,000 for each offense.