

ORDINANCE NO. 2013-01

AN ORDINANCE TO REGULATE THE SALE AND DISCHARGE OF FIREWORKS  
WITHIN THE COUNTY.

BE IT ORDAINED BY THE MOODY COUNTY COMMISSION, MOODY COUNTY  
SOUTH DAKOTA, THAT THE SALE AND DISCHARGE OF FIREWORKS WITHIN  
MOODY COUNTY SHALL BE AS FOLLOWS:

SECTION 1. DEFINITION. The term "fireworks" under this ordinance shall refer to fireworks that are authorized by state law to be used by or sold to the general public.

SECTION 2. SALE AND USE PROHIBITED. It shall be unlawful to keep for sale, display or use any fireworks within Moody County, South Dakota, except as hereinafter permitted.

SECTION 3. AUTHORIZED PERIOD OF SALE. Fireworks, as set out in this section, shall only be sold during the period beginning June twenty-seventh and extending through July fifth and during the period beginning December twenty-eighth and extending through January first. Sales are not permitted after twelve a.m. or prior to seven a.m. from the twenty-seventh day of June through the fifth day of July and from the twenty-eighth day of December through the first day of January.

SECTION 4. AUTHORIZED PERIOD OF DISCHARGE. The use of the following described fireworks and firecrackers will be permitted as hereinafter set forth: sparklers, Vesuvius 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 soft shell firecrackers not exceeding one and five-eighths inches in length and one-fourth inch outside diameter, toy cap pistols and toy caps where the caps used therein do not contain more than thirty-five hundreds grain of explosive material in each one.

ARTICLE 4.1. The discharge of fireworks in Moody County, South Dakota, shall be permitted during the period beginning June twenty-seventh and extending through the end of the first Sunday after July fourth and during the period beginning December twenty-eighth and extending through January first.

ARTICLE 4.2. Application for a special exception to this section for a fireworks display at any other time may be made to the County Commission, and the Commission may grant the application setting forth any conditions and restrictions as they may deem appropriate.

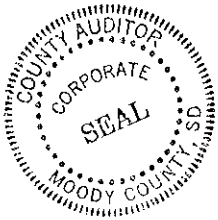
MOODY COUNTY COMMISSION

By: Rick Veldkamp

Its: Chairman

ATTEST:

W. Schaefer  
Moody County Auditor



FIRST READING: August 6, 2013  
SECOND READING: August 20, 2013  
PUBLISHED: August 28, 2013  
EFFECTIVE DATE: September 17, 2013