

13.0303: FIREWORKS

No person shall discharge or set off any firecracker, skyrocket, Roman candle, torpedo or other kind of fireworks or pyrotechnic display, except when the same is permitted by Order or Proclamation of the Mayor of this City. Each act of discharging or setting off any article of fireworks or pyrotechnic display shall be a separate offense, except it shall be legal to discharge such fireworks in the area annexed to the City by Resolution Y-1832 on the Fourth of July and during the period beginning at dusk on December 28th and extending through 10:00 p.m. on January 1st. (E-679) (Ord. 11-26 Rev 12-02-11)

13.0304: DISPLAYING OR SELLING FIREWORKS

No person shall sell or display to the view of the public in any store or other place of business, any roman candles, skyrockets, pinwheels, firecrackers, torpedoes or any other kind of what are commonly known as fireworks. Each sale and each day of display to the view of the public shall be a separate offense. The provisions of this section shall not be deemed to apply to any store or public place that, prior to the effective date of this ordinance, was actively engaged in the sale of firework items other than those identified in the American Pyrotechnic Association Standard 87-1 for Construction and Approval for Transportation of Fireworks; and all amendments thereto which include, the following items: Party Poppers (not to exceed 0.25 grains); Snappers (not to exceed 0.02 grain); Sparklers (not to exceed 3.5 oz); Toy caps (not to exceed 0.25 grain); Flitter Sparklers (not to exceed 0.2 oz). (E-679) (Ord 09-23: Rev 11-27-09)

13.0316: OPEN BURNING

1. Open burning is the burning of a bonfire, recreational fire, rubbish fire, or other fire in an outdoor location where fuel being burned is not contained in an incinerator, outdoor fireplace or barbecue grill.
2. Permits are required for open burning from the Fire Chief of the Fire Department.
3. Recreational fires are not required to be permitted but shall be regulated as follows:
 - a. A recreational fire is the burning of cut trees, charcoal, or commercial fire logs, with a total fuel area of three (3) feet or less in diameter and two (2) feet or less in height for pleasure, religious, ceremonial, cooking, or similar purposes.
 - b. A recreational fire must be contained in an earthen pit with sidewalls, fireplace, or other device, which must be capable of containing the fire.
 - c. A recreational fire may not be located within ten (10) feet from any structure and may not be located within ten (10) feet from any property line.
 - d. Commercially produced outdoor fireplaces may be used for recreational fires provided manufacturer's recommendations are followed.
 - e. A fire extinguisher, garden hose or other instrumentation capable of immediately extinguishing a recreational fire must be available at all times during burning.
 - f. The provisions of this subsection shall not be deemed to apply to any commercially operated campground or any campground licensed by the South Dakota Department of Health or operated by the State of South Dakota.
 - g. Commercial gas, propane or charcoal grills, when used for cooking purposes, are not considered recreational fires for the purposes of this ordinance.
4. All open burning fires, and recreational fires must be attended by an adult during any time combustion is occurring. (E-679) (E-692)
5. If any open burning fire or recreational fire results in a sustainable complaint by adjacent residents or property owners; or poses a threat to persons or property, the Fire Department or other law enforcement personnel may order the property owner to extinguish the fire. In the event the property owner refuses or fails to obey a lawful command to extinguish any fire, the Fire Department may extinguish the fire and a citation may be issued. (Ord 10-28: Rev 10-12-10)

This is also in the International Fire Code 2012

13.0306: FALSE FIRE ALARM

No person shall intentionally create a false alarm of fire by outcry, by ringing of a bell or other signal, or by telephone message or by setting off a fire alarm box. (E-679)