

RESOLUTION 18-05-017

**ADOPTION OF RULES AND REGULATIONS
GOVERNING THE SALE AND USE OF FIREWORKS**

WHEREAS, pursuant to W.S. 35-10-203(a) and W.S. 35-10-208 (a)(ii), the Board gave notice on March 20, 2017 of their intent to adopt *Rules and Regulations Governing the Sale and Use of Fireworks*, and that all interested parties were invited to submit written comments to the Board of County Commission at, 224 S. Main Street, Sheridan WY 82801, or emailed to bocc@sheridancounty.com no later than May 7, 2018; and

WHEREAS, the purpose of the proposed rules and regulations is to authorize the limited sale and use of fireworks in the unincorporated areas of Sheridan County; and

WHEREAS, the proposed rules and regulations meet minimum substantive state statutory requirements; and

WHEREAS, the Board held a public hearing to receive oral comments on May 14, 2018 at 2:00 p.m. in the Commissioners Board Room, second floor of the County Courthouse, Sheridan WY; and

NOW, THEREFORE, BE IT RESOLVED THAT the *Rules and Regulations Governing the Sale and Use of Fireworks*, attached hereto, are hereby adopted.

ADOPTED this 15th day of May 2018

BOARD OF COUNTY COMMISSIONERS
Sheridan County, Wyoming

Attest:



Mike Nickel, Chairman



Eda Schunk Thompson, County Clerk

**RULES AND REGULATIONS GOVERNING THE
SALE AND USE OF FIREWORKS
SHERIDAN COUNTY, WYOMING**

- Section 1. Authority.
- Section 2. Purpose.
- Section 3. Sales.
- Section 4. Use.
- Section 5. Permits for Supervised Public Displays.

SECTION 1. Authority.

These rules and regulations are adopted under the authority of W.S. 35-10-203(a) and W.S. 35-10-208(a)(ii).

SECTION 2. Purpose.

The purpose of these rules and regulations is to authorize the limited sale and use of fireworks in the unincorporated areas of Sheridan County, as an exception to the general prohibition for “any person to offer or expose for sale, sell, at either wholesale or retail, give away, use, discharge or detonate any fireworks in the state of Wyoming” as provided at W.S. 35-10-202.

SECTION 3. Sales.

(a) Subject to applicable county zoning regulations, “fireworks,” as defined by W.S. 35-10-201(a), may be sold within the unincorporated areas of Sheridan County at any time of the year.

(b) Any person offering for sale any fireworks under this Section shall clearly display at the point of sale, and distribute to each purchaser of fireworks, a copy of these rules and regulations.

SECTION 4. Use.

(a) The term, “use” in these rules and regulations shall include the ignition, discharge or detonation of fireworks as defined by W.S. 35-10-201(a).

(b) The use of fireworks in the unincorporated areas of Sheridan County is authorized only on the following dates each year, except as specifically prohibited in Subsection (c) of this Section:

(i) Memorial Day Weekend (Friday through Monday);

(ii) Flag Day (June 14);

(iii) July 1 – 7; and

(iv) New Year’s (December 31 and January 1).

(c) The use of fireworks is prohibited:

(i) Within fifty (50) feet of any occupied structure without permission from the owner of structure; Occupied structure means a structure or vehicle whether or not a person is actually present; where any person lives or carries on business or other calling; where people assemble for purposes of business, government, education, religion, entertainment or public transportation; which is used for overnight accommodation of persons, or in which a person may reasonably be expected to be present;

(ii) On county and other public roads and highways;

(iii) On all lands or easements owned by Sheridan County and its agencies and departments; and

(iv) Between the hours of 11:30 pm and 6:00 am, provided that the prohibition of this Paragraph shall not apply between 11:30 pm on December 31 and 2:00 am on January 1.

SECTION 5. Permits for Supervised Public Displays.

(a) Individuals, amusement parks and other organizations and groups desiring to conduct a supervised public display of fireworks shall apply to the Board of County Commissioners, on a form supplied by the Board, for a permit.

(b) If the fireworks display is to occur on lands not owned by the Applicant, the application must be co-signed by the applicable landowner.

(c) Applications shall include the signature of the Fire Chief of the Fire Protection District in which the fireworks display will occur, or of the County Fire Warden, if the location is not within a Fire Protection District.

(d) Permits shall be issued for a specific date and location.