

**CITY OF WEST ALLIS
RESOLUTION R-2022-0090**

**RESOLUTION SEEKING ENHANCED LEGISLATION AND ENFORCEMENT ON
FIREWORK DISTRIBUTORS**

WHEREAS, The City of West Allis has prohibited the sale of fireworks pursuant to Wisconsin Statute § 167.10(5)(a)2; and

WHEREAS, Pursuant to Wis. Stat. § 167.10(2), no person may sell or possess with the intent to sell fireworks unless, 1) the person sells the fireworks to a person holding a permit to use the fireworks, 2) the person sells the fireworks to a city, village, or town, 3) the person sells the fireworks to a person who is not a resident of the state, or 4) the person sells the fireworks for a purpose described in Wis. Stat. § 167.10(3)b2-6; and

WHEREAS, West Allis has elected to not issue permits for the use or possession of fireworks pursuant to the authority granted in Wis. Stat. 167.10(5), and

WHEREAS, due to limited or frequently non-existent enforcement of Wis. Stat. §167.10(2) to restrict the sale of fireworks to only statutorily authorized individuals outside the city of West Allis, the City's authority and intent to limit firework sales and use within City limits is substantially harmed thereby impacting the health and enjoyment of the citizens of West Allis; and

WHEREAS, stronger enforcement and penalties for unlawful sale of fireworks in violation of Wis. Stat. 167.10(2) would support the state legislature's intent of allowing local regulation of the sale and use of fireworks under Wis. Stat. 167.10(5) by holding firework distributors accountable to only selling to those individuals or organization demonstrating the statutory qualifications to possess or purchase fireworks, such as possessing a local permit to use fireworks.;

NOW THEREFORE, be it resolved by the Council of the City Of West Allis, in the State of Wisconsin, that the City of West Allis requests the State Legislature create enhanced penalties and enforcement for firework distributors violating Wis. Stat. § 167.10(2) by selling to unauthorized persons.

SECTION 1: **ADOPTION** "R-2022-0090" of the City Of West Allis Municipal Resolutions is hereby *added* as follows:

ADOPTION

R-2022-0090(*Added*)

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL FEBRUARY 01, 2022.

	AYE	NAY	ABSENT	ABSTAIN
Ald. Angelito Tenorio	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Vince Vitale	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Tracy Stefanski	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Marty Weigel	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Suzzette Grisham	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Danna Kuehn	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Thomas Lajsic	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Dan Roadt	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Rosalie Reinke	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Kevin Haass	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer

Rebecca Grill, City Clerk, City Of West Allis

Dan Devine, Mayor City Of West Allis

