

CHAPTER 6.5 FIREWORKS, FIRE ARMS AND EXPLOSIVES (SDCL 9-33-1)

6.501 Fireworks Prohibited

The use, throwing, lighting or firing of fireworks within the City shall be authorized only in accordance with SDCL 34-37 and these Ordinances. The provisions of this Section shall not apply to any person, firm or corporation duly-licensed by the City Council to discharge fireworks for public entertainment at any public celebration in the City.

No fireworks are to be used, exploded, set off or fired (at any time) if there is a danger of fire due to dry conditions, and/or if there is a burn ban established in Hanson County.

It shall at all times be unlawful to throw at or from moving vehicles, any type of fireworks and there shall be NO firing or use of fireworks from midnight until 8:00 am, and it shall be unlawful for a person to discharge fireworks in the City after the fifth day of July or prior to the twenty seventh day of June, unless a special permit is approved by the Emery City Council.

It shall at all times be unlawful to discharge fireworks on "Main Street", which is a portion of 3rd Street commonly known as the business district, between Hanson Street and 2nd Avenue. Nor shall it be allowed to discharge any fireworks within 300' (one city block) of any grain elevator equipment or structure, fuel pumps, or where other highly flammable objects may exist. Any violation of this Section shall be a misdemeanor.

6.502 Discharging Weapon

No person shall discharge any pistol, gun, revolver, or other firearm, or any device capable of firing a projectile either by air or compressed gas or any other means which would likely cause injury to any person, or discharge any dangerous weapon, within the City limits. Law enforcement officers in the performance of their duties are exempted. The City Council may grant exceptions for special events or activities after a public hearing. Any violation of this Section shall be a misdemeanor.

6.503 Discharging Fire Arms

No person shall discharge or shoot off any gun, pistol, air gun or other firearm. This section shall not apply to licensed shooting galleries.

6.504 Explosives on Car Tracks

No person shall place on any railway tracks or the tracks or ways of any public transportation carrier any dynamite caps, cartridges, torpedoes, powder or other explosives of any kind.

6.505 Transporting Explosive Substances

No person shall transport on the streets or in public places any quantity of explosive substances or blasting powder so as to endanger the safety of the public.

6.506 Storing Gun or Blasting Powder

No person shall keep in store any gun or blasting powder or other like substance, except in such place or magazine as shall have been approved by the City Council for that purpose, provided, that any person engaged in retailing powder may keep for purpose of retailing only a