

Prepared By:  
City of Box Elder  
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Box Elder, SD 57719  
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**RESOLUTION 19-05**

**A RESOLUTION TO APPROVE THE DISCHARGE OF FIREWORKS WITHIN THE CITY LIMITS OF BOX ELDER FOR THE FOURTH OF JULY HOLIDAY DURING THE YEAR 2019 FOR CITY OF BOX ELDER, MEADE COUNTY AND PENNINGTON COUNTY, SOUTH DAKOTA**

**WHEREAS**, the City of Box Elder has Ordinance 510 which bans the use or discharge of fireworks as defined in SDCL 34-37 within the jurisdiction of the City unless allowed by resolution by the Council;

**WHEREAS**, the South Dakota grassland fire danger index is below or is expected to remain below the very high or extreme category in those areas in and around the City of Box Elder, South Dakota; and

**WHEREAS**, the Common Council of the City of Box Elder deems that fireworks should be allowed in and around the Fourth of July holiday (July 3rd through July 6th ), New Year’s holiday (December 31<sup>st</sup>, 2019 through January 1<sup>st</sup>, 2020) and Founders Day (August 7, 2019).

**NOW THEREFORE BE IT RESOLVED** by the Common Council of the City of Box Elder, South Dakota, that the discharge of fireworks will be allowed within the City Limits of Box Elder for the Fourth of July, New Year’s Holiday, and Founders Day during the Year 2019, as designated in Ordinance #510 and SDCL 34-37. Local fireworks discharge may commence on the following dates and during the following times:

- July 3rd beginning at 9:00 am and ceasing at 11:00pm.
- July 4th beginning at 9:00 am and ceasing at 11:00 pm.
- July 5th beginning at 9:00 am and ceasing at 11:00 pm.
- July 6th beginning at 9:00 am and ceasing at 11:00 pm.
- August 7<sup>th</sup> beginning at 9:00 am and ceasing at 11:00 pm.
- December 31st, 2019 beginning and 9:00 am and ceasing at 1:00 am on January 1st 2020.

Citizens are responsible for all firework discharge clean up. Children, 18 and under, must be supervised by a parent or guardian when discharging fireworks. The parent or guardian is responsible for any liability for the child discharging fireworks. In the event that the grassland fire danger exceeds the “High” level, private or citizen use of fireworks would be prohibited.

Furthermore, fireworks may be discharged only on private property, with the permission of the landowner. Discharge of fireworks on public property is strictly prohibited.

Dated at Box Elder, South Dakota, this 16th day of April 2019.

BOX ELDER COMMON COUNCIL

Seal:  
Attest:

\_\_\_\_\_  
Larry Larson  
Mayor

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Nicole Schneider  
Finance Officer