

## **CHAPTER 8 – PUBLIC SAFETY**

### **ARTICLE 1 – POLICE DEPARTMENT**

- SECTION 8-101: POWERS, DUTIES, RESPONSIBILITIES**
- SECTION 8-102: ARREST JURISDICTION**
- SECTION 8-103: OFFICERS; DISCIPLINE OR REMOVAL FROM DUTY**

### **ARTICLE 2 – FIRE DEPARTMENT**

- SECTION 8-201: AGREEMENT WITH RURAL FIRE DISTRICT**

### **ARTICLE 2 – FIRES**

- SECTION 8-301: PRESERVATION OF PROPERTY**
- SECTION 8-302: TRAFFIC**
- SECTION 8-303: PEDESTRIANS**
- SECTION 8-304: DRIVING OVER HOSE**
- SECTION 8-305: FALSE ALARM**
- SECTION 8-306: MANDATORY ASSISTANCE**
- SECTION 8-307: INTERFERENCE**
- SECTION 8-308: FIRE INVESTIGATION**

### **ARTICLE 3 – FIRE PREVENTION**

- SECTION 8-401: FIRE CODE**
- SECTION 8-402: LIFE SAFETY CODE**
- SECTION 8-403: CODE ENFORCEMENT**
- SECTION 8-404: OPEN BURNING BAN; WAIVER; PERMIT**
- SECTION 8-405: OUTDOOR FIRE PITS AND FIREPLACES**
- SECTION 8-406: FIRES OR COMBUSTIBLES ON PUBLIC PROPERTY**
- SECTION 8-407: STOVES, FURNACES AND CHIMNEYS**
- SECTION 8-408: INSPECTIONS; VIOLATION NOTICE**

### **ARTICLE 4 – HAZARDOUS MATERIALS**

- SECTION 8-501: EXPLOSIVES; STORAGE; REGISTRATION**
- SECTION 8-502: EXPLOSIVES; BULLETS**
- SECTION 8-503: EXPLOSIVES; BLASTING PERMITS**
- SECTION 8-504: POISONOUS OR FLAMMABLE GASES**

### **ARTICLE 5 – FIREWORKS**

- SECTION 8-601: REGULATION OF USE, SALE, POSSESSION OF FIREWORKS**

### **ARTICLE 6 – PENAL PROVISION**

- SECTION 8-601: VIOLATION; PENALTY**

## **CHAPTER 8 – PUBLIC SAFETY**

### **Article 1 – Police Department**

## **SECTION 8-101: POWERS, DUTIES, RESPONSIBILITIES**

A. Every police officer shall be expected to be conversant and knowledgeable of village and state laws. The village police shall have the duty to file such complaints and reports as may be required by village ordinances and state laws and shall have the power to arrest all offenders against the laws of the State or the Village and keep the said offenders in the village jail or some other place to prevent their escape until trial can be held before the proper official. It shall be the duty of the department to protect the rights of persons and property.

B. The department shall take notice of all nuisances, impediments, obstructions, and defects in the streets, avenues, alleys, business places, and residences of the Village. The department shall execute, or cause to be executed, all processes issued. No law enforcement official shall have any interest in any establishment having a liquor license.

C. Village police who shall purposely and willfully fail, neglect, or refuse to make an arrest or purposely and willfully fail to make a complaint after an arrest is made shall be charged with a misdemeanor and upon conviction shall be fined. It shall be unlawful for the Village Board to retain any village police officer in such position upon conviction of any Class I misdemeanor, Class W misdemeanor, or any felony violation of the United States, the State of Nebraska, or any other comparable offenses of any other jurisdiction.

D. It shall be the duty of every village police officer making a lawful arrest to search all persons in the presence of some other person whenever possible and shall carefully keep and produce to the proper judicial official upon the trial everything found upon the person of such prisoners. All personal effects so taken from prisoners aforesaid shall be restored to them upon their release.

E. Suitable uniforms and badges shall be furnished to the village police by the Village. Any member who shall lose or destroy the same shall be required to pay the replacement costs, and in the event that any member shall leave the force, he or she shall immediately deliver his or her badge to the police chief. The Village Board may from time to time provide the police with such uniforms, equipment and transportation as may be essential in the performance of their official duties.

(Neb. Rev. Stat. §§17-118, 17-124)

## **SECTION 8-102: ARREST JURISDICTION**

A. The police chief or any other village police officer shall have the power and authority to enforce the laws of this state and the Village or otherwise perform the functions of that office anywhere within his or her primary jurisdiction. "Primary jurisdiction" shall mean the geographic area within territorial limits of the Village.

B. The police chief and any other village police officer who is within this state but beyond the territorial limits of his or her primary jurisdiction shall have the power and authority to enforce the laws of this state or any legal ordinance of the Village or otherwise perform the functions of his or her office, including the authority to arrest and detain suspects, as if enforcing the laws or performing the functions within the territorial limits of his or her primary jurisdiction in the following cases:

1. The police chief or any other village police officer, if in a fresh attempt to apprehend a person suspected of committing a felony, may follow such person into any other jurisdiction in this state and there arrest and detain such person and return such person to the officer's primary jurisdiction;

2. The police chief or any other village police officer, if in a fresh attempt to

apprehend a person suspected of committing a misdemeanor or a traffic infraction, may follow such person anywhere in an area within 25 miles of the boundaries of the officer's primary jurisdiction and there arrest and detain such person and return such person to the officer's primary jurisdiction;

3. The police chief or any other village police officer shall have enforcement, arrest and detention authority when responding to a call in which a local, state or federal law enforcement officer is in need of assistance, which shall mean a law enforcement officer whose life is in danger or who needs assistance in making an arrest and the suspect (a) will not be apprehended unless immediately arrested, (b) may cause injury to himself, herself or others or damage to property unless immediately arrested, or (c) may destroy or conceal evidence of the commission of a crime; and
4. If the Village, under the provisions of the Interlocal Cooperation Act, enters into a contract with any other municipality or county for law enforcement services or joint law enforcement services, law enforcement personnel may have such enforcement authority within the jurisdiction of each of the participating political subdivisions if provided for in the agreement. Unless otherwise provided in the agreement, the Village shall provide liability insurance coverage for its own law enforcement personnel as provided in Neb. Rev. Stat. §13-1802.

C. When probable cause exists to believe that a person is operating or is in the actual physical control of any motor vehicle, motorboat, or aircraft while under the influence of alcoholic liquor or of any drug or otherwise in violation of Neb. Rev. Stat. §28-1465, 28-1466, 28-1472, 37-1254.01, 37-1254.02, 60-4,163, 60-4,164, 60-6,196, 60-6,197, 60-6.211.01 or 60-6,211.02, a village law enforcement officer has the power and authority to do any of the following or any combination thereof:

1. Transport such person to a facility outside of the law enforcement officer's primary jurisdiction for appropriate chemical testing of the person;
2. Administer outside of the law enforcement officer's primary jurisdiction any post-arrest test advisement to the person; or
3. With respect to such person, perform other procedures or functions outside of the law enforcement officer's primary jurisdiction which are directly and solely related to enforcing the laws that concern a person operating or being in the actual physical control of any motor vehicle, motorboat, or aircraft while under the influence of alcoholic liquor or of any other drug or otherwise in violation of Neb. Rev. Stat. §28-1465, 28-1466, 28-1472, 37-1254.01, 37-1254.02, 60-4,163, 60-4,164, 60-6,196, 60-6,197, 60-6,211.01 or 60-6,211.02.

D. If village law enforcement personnel are rendering aid in their law enforcement capacity outside the limits of the Village in the event of disaster, emergency or civil defense emergency or in connection with any program of practice or training for such disaster, emergency or civil defense emergency when such program is conducted or participated in by the Nebraska Emergency Management Agency or with any other related training program, such law enforcement personnel have the power and authority to enforce the laws of this state or any legal ordinances or resolutions of the local government where they are rendering aid or otherwise perform the functions of their office, including the authority to arrest and detain suspects, as if enforcing the laws or performing the functions within their primary jurisdiction. The Village shall self-insure or contract for insurance against any liability for personal injuries or property damage that may be incurred by it or by its personnel as the result of any movement made pursuant to this section.

## **SECTION 8-103: OFFICERS; DISCIPLINE OR REMOVAL FROM DUTY**

A. No police officer, including the chief of police, shall be disciplined, suspended with or without pay, demoted, removed, or discharged except upon written notice from the chairman of the Village Board stating the reasons for such disciplinary action, suspension with or without pay, demotion, removal, or discharge. Such notice shall also contain a statement informing the police officer of his or her right to a hearing before the Village Board.

B. The chairman of the Village Board shall decide whether to discipline, suspend with or without pay, demote, remove, or discharge a police officer, including the chief of police. Any such decision of the chairman to discipline, suspend with or without pay, demote, remove, or discharge any officer may be prompted by the chief of police or any citizen or taxpayer who resides within the corporate limits of the Village delivering to the chairman a written accusation pertaining to the officer's performance of his or her duties, which the chairman must carefully consider when determining to discipline, suspend with or without pay, demote, remove, or discharge the officer.

C. Any police officer so disciplined, suspended with or without pay, demoted, removed, or discharged may, within ten days after being notified of such disciplinary action, suspension with or without pay, demotion, removal, or discharge, file with the village clerk a written demand for hearing before the Village Board. The board shall set the matter for hearing not less than ten or more than 20 days after the filing of the written demand for a hearing. The Village Board shall give the officer written notice of the hearing not less than seven or more than 14 days prior to the hearing.

D. At the hearing, the police officer shall have the right:

1. To respond in person to the charges and to present witnesses and documentary evidence;
2. To confront and cross-examine available adverse witnesses;
3. To be represented by counsel retained by the officer, at the officer's expense; and
4. To record the hearing, at the officer's expense; provided, however, the recording shall be at the Village's expense in the event the chairman or any member of the Village Board wishes to record the hearing.

E. Not later than 30 days following the adjournment of the meeting at which the hearing was held, the Village Board shall vote to uphold, reverse, or modify the disciplinary action, suspension, demotion, removal, or discharge. The failure of the board to act within 30 days or the failure of a majority of the trustees to vote to reverse or modify the disciplinary action, suspension, demotion, removal, or discharge shall be construed as a vote to uphold the disciplinary action, suspension, demotion, removal, or discharge. The decision of the Village Board shall be based upon its determination that, under the facts and evidence presented at the hearing, the challenged disciplinary action, suspension, demotion, removal, or discharge was necessary for the proper management and the effective operation of the Police Department in the performance of its duties under state statutes.

F. Nothing in this section shall be construed to prevent the preemptory suspension or immediate removal from duty of an officer, with or without pay as determined by the chairman of the Village Board, pending the hearing authorized by this section, in cases

of gross misconduct, neglect of duty, or disobedience of orders. In all other cases, action on the chairman's decision to discipline, suspend with or without pay, demote, remove, or discharge the officer shall be stayed pending the hearing authorized by this section and the Village Board's action thereon.

G. The chairman shall not be considered a member of the Village Board for purposes of the appeal from his or her decision to discipline, suspend, demote, remove, or discharge a police officer, including the chief of police.

H. This section shall not apply to a police officer, including the chief of police, during his or her probationary period.

(Neb. Rev. Stat. §17-208) (Ord. No. 2012-4, 7/10/12)

## **Article 2 – Fire Department**

### **SECTION 8-201: AGREEMENT WITH RURAL FIRE DISTRICT**

A. The Village has entered into an agreement with the Rural Fire Protection District for fire protection within the Village. The rules and regulations of the Rural Fire Protection District shall be incorporated by reference as the rules and regulations of the Village for the purposes of fire protection.

B. All references to "Fire Department" or "fire chief" in this chapter shall mean the Rural Fire Protection District and its fire chief.

(Neb. Rev. Stat. §35-501)

## **Article 2 – Fires**

### **SECTION 8-301: PRESERVATION OF PROPERTY**

Any police officer or official of the Fire Department shall have the power during the time of a fire to cause the removal of any private or public property whenever it shall become necessary to do so for the preservation of such property from fire, to prevent the spreading of fire, or to protect adjoining property. The said officials may direct the firemen to remove any building, structure, or fence for the purpose of checking the progress of any fire.

### **SECTION 8-302: TRAFFIC**

The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where fire apparatus have stopped in answer to a fire alarm. Parking is not allowed within 500 feet of any fire hydrant to which a hose is connected.

(Neb. Rev. Stat. §60-6,183)

### **SECTION 8-303: PEDESTRIANS**

It shall be unlawful for any pedestrian to enter or remain in any street after a fire alarm has sounded until the fire trucks have completely passed. (Neb. Rev. Stat. §28-908)

### **SECTION 8-304: DRIVING OVER HOSE**

It shall be unlawful for any person, without the consent of the fire chief or assistant fire chief, to drive any vehicle over unprotected hose of the Fire Department. (Neb. Rev. Stat. §60-6,184)

### **SECTION 8-305: FALSE ALARM**

It shall be unlawful for any person to raise any false alarm of fire intentionally and without good and reasonable cause. (Neb. Rev. Stat. §§28-907, 35-520)

### **SECTION 8-306: MANDATORY ASSISTANCE**

Any official of the Fire Department may command the assistance and services of any person present at a fire to help in extinguishing the fire or in the removal and protection of property. Any spectator who refuses, neglects, or fails to assist after a lawful order to do so shall be deemed guilty of a misdemeanor.

### **SECTION 8-307: INTERFERENCE**

It shall be unlawful for any person or persons to hinder or obstruct the fire chief or the members of the Fire Department in the performance of their duties. A person commits the offense of interfering with a fireman if at any time and place where any fireman is discharging or attempting to discharge any official duties he or she willfully:

A. Resists or interferes with the lawful efforts of any fireman in the discharge or attempt to discharge an official duty; or

B. Disobeys the lawful orders given by any fireman while performing his or her duties; or

C. Engages in any disorderly conduct which delays or prevents a fire from being extinguished within a reasonable time; or

D. Forbids or prevents others from assisting or extinguishing a fire or exhorts another person, as to whom he or she has no legal right or obligation to protect or control, not to assist in extinguishing a fire.

(Neb. Rev. Stat. §28-908)

### **SECTION 8-308: FIRE INVESTIGATION**

It shall be the duty of the Fire Department, or the village clerk if the Village has no Fire Department, to investigate or cause to be investigated the cause, origin, and circumstances of every fire occurring in the Village in which property has been destroyed or damaged. Any fire of unknown origin shall be reported and such officers shall especially make an investigation and report as to whether such fire was the result of carelessness, accident, or design. Such investigation shall be in compliance with the rules and regulations of the state fire marshal. The officer making the investigation of fires occurring within the Village shall immediately notify the state fire marshal and shall, within one week of the occurrence of the fire, furnish him or her with a written statement of all the facts relating to the cause and origin of the fire and such further information as he or she may call for. (Neb. Rev. Stat. §81-506)

## **Article 3 – Fire Prevention**

### **SECTION 8-401: FIRE CODE**

All of the provisions of the most recent edition of the Fire Code, as published by the National Fire Protection Association and recommended by the American Insurance Association, are hereby adopted by reference as part of this chapter. In the event that any of the provisions of said code are in conflict with any of the provisions of the municipal code, the provisions of the municipal code shall prevail. (Neb. Rev. Stat. §§18-132, 19-902, 19-922, 81-502)

## **SECTION 8-402: LIFE SAFETY CODE**

Incorporated by reference into this municipal code are the standards recommended by the National Fire Protection Association known as the Life Safety Code, most recent edition and all subsequent amendments. This code shall have the same force and effect as if set out verbatim herein. (Neb. Rev. Stat. §§18-132, 19-902, 81-502)

## **SECTION 8-403: CODE ENFORCEMENT**

It shall be the duty of all village officials to enforce the incorporated fire code provisions as provided in Sections 8-401 and 8-402, and all infractions shall be immediately brought to the attention of the fire chief.

## **SECTION 8-404: OPEN BURNING BAN; WAIVER; PERMIT**

A. There shall be a statewide open burning ban on all bonfires, outdoor rubbish fires, and fires for the purpose of clearing land.

B. The fire chief may waive an open burning ban under subsection (A) of this section for an area under the Fire Department's jurisdiction by issuing an open burning permit to a person requesting permission to conduct open burning. Said person shall make application on a form provided by the state fire marshal. The permit shall be signed by the fire chief. He or she may adopt standards listing the conditions acceptable for issuing a permit to conduct open burning under this section.

C. The fire chief may waive an open burning ban under the local Fire Department's jurisdiction when conditions are acceptable to the chief. Anyone intending to burn in such jurisdiction when the open burning ban has been waived shall notify the fire chief beforehand of his or her intention to burn.

D. The Fire Department may set and charge a fee not exceeding \$10.00 for each such permit issued. Such fees shall be remitted to the Village Board for inclusion in the general funds allocated to the Fire Department. Such funds shall not reduce the tax requirements for the Fire Department. No such fee shall be collected from any state or political subdivision to which such a permit is issued to conduct open burning under subsection (B) of this section in the course of such state's or political subdivision's official duties.

(Neb. Rev. Stat. §81-520.01)

## **SECTION 8-405: OUTDOOR FIRE PITS AND FIREPLACES**

A. The following definitions shall apply in this section:

1. "Outdoor fireplaces" shall include fire pits, portable fire pits, and chimineas. These residential outdoor fireplaces use wood as a fuel and are used for containing recreational fires located at a private residence for the purpose of outdoor cooking and personal enjoyment. Outdoor fireplaces do not include barbeque grills that use propane or charcoal as a fuel and are used primarily for outdoor cooking.
2. "Portable fire pits" are defined as being commercially designed and intended to confine and control outdoor wood fires.
3. "Chimineas" are defined as outdoor patio fireplaces, usually made from clay, intended to confine and control outdoor wood fires.

4. "Fire pits" are usually constructed of steel, concrete and/or stone, and constructed above ground with a heavy steel screen cover.

B. All outdoor fireplaces shall meet the following requirements:

1. *Clearances.* A minimum ten-foot clearance shall be maintained between the outdoor fireplace and combustible structure or materials such as walls, roofs, fences, decks, wood piles, and other combustible material.
2. *Construction.* Outdoor fireplaces shall be constructed of concrete or approved non-combustible materials. Not permitted are drums, barrels, half-barrels, or similarly constructed devices.
3. *Size.* The fuel area for a fire pit shall not be larger than 3 feet in diameter and not more than 3 feet in height.
4. *Location.* An outdoor fireplace shall be placed on a stable non-combustible surface such as a concrete pad and only at grade level and shall not be located on a combustible balcony or deck nor under any combustible balcony or any overhanging portion of a structure.
5. *Type of Materials Being Burnt.* Materials allowed by this section shall be limited to untreated wood or approved fireplace starter logs. Petroleum products, rubbish, grass, leaves, cardboard, plastics, rubber, or any material that may flow out of the containment or cause excessive heat, smoke, or offensive smell shall not be permitted.
6. *Amount of Materials Being Burnt.* Users must (a) limit the amount of material being burnt to ensure the flames are confined inside the fuel area of the outdoor fireplace and the flames do not extend above the pit or into the chimney and (b) follow the manufacturer's recommendation on the maximum amount of fuel to be used at one time with the spark guard in place.
7. *Supervision.* Every outdoor fireplace shall be under constant supervision by at least one responsible person age 18 or older from the ignition of the fire until the fire is completely extinguished and embers are cooled so as to prohibit the fire from rekindling.
8. *Provisions for Protection.* A garden hose connected to a water supply or other approved fire extinguishing equipment shall be readily available for use.
9. *Weather Conditions.* Outdoor fireplaces shall not be operated when weather conditions are extremely dry.
10. *Hazard.* Outdoor fireplaces shall be completely extinguished and/or not be operated when breezes or winds are blowing which will cause smoke, embers, or other burning materials to be carried toward any building or other combustible materials. The fire chief or an authorized representative shall have the authority to require that use of the outdoor fireplace be immediately discontinued if such use is determined to constitute a hazardous condition to occupants of surrounding property.
11. *Nuisance to Neighbors.* Smoke from any outdoor fireplace shall not create a nuisance for neighboring property owners. The fire shall be extinguished immediately upon the complaint of any neighboring property owner of any smoke nuisance.

12. *Maintenance.* The owner is responsible to ensure proper maintenance and care is accomplished in accordance with manufacturer's instructions. At a minimum, the outdoor fireplace will be checked regularly for the appearance of cracks and other physical deterioration or loose parts.

(Neb. Rev. Stat. §§17-549, 17-556, 81-520.01)

#### **SECTION 8-406: FIRES OR COMBUSTIBLES ON PUBLIC PROPERTY**

It shall be unlawful for any person to burn any material on any concrete or asphalt pavement, or to scatter any combustible material of any kind on the streets, alleys or public ground in the Village. (Neb. Rev. Stat. §17-556)

#### **SECTION 8-407: STOVES, FURNACES AND CHIMNEYS**

All furnaces, stoves and other heating devices shall be installed at a proper distance from combustible materials and portions of the building. Any combustible materials or portions of the building that are dangerously close to such heating devices shall be protected by noncombustible material. This section shall apply both to existing structures and those which may hereafter be erected.

#### **SECTION 8-408: INSPECTIONS; VIOLATION NOTICE**

A. It shall be the duty of the fire chief, when directed to do so by the Village Board, to inspect or cause to be inspected by a Fire Department officer, member, or some other official as often as may be necessary all buildings, premises, and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to create a fire hazard. It shall be the duty of the owner, lessee, or occupant of any building or structure, except the interiors of private dwellings, to allow the fire inspector to inspect the structure for purposes of ascertaining and enumerating all conditions therein that are likely to cause fire or any other violations of the provisions of the village ordinances affecting the hazard of fire.

B. The inspection shall be of the storage, sale, and use of flammable liquids, combustibles, and explosives; electric wiring and heating; and the means and adequacy of exits in case of fire in schools, churches, hotels, halls, theaters, factories, hospitals, and all other buildings in which numbers of persons congregate from time to time for any purpose, whether publicly or privately owned; the design, construction, location, installation, and operation of equipment for storing, handling, and utilizing of liquefied petroleum gases, specifying the odorization of said gases and the degree thereof; and chemicals, prozylin plastics, nitrocellulose films, or any other hazardous material that may now or hereafter exist.

C. It shall be the duty of the owner, lessee, or occupant of any building or structure that was lawfully inspected as herein prescribed and who receives written or verbal notice of a violation of any of the provisions of the village ordinances to correct such condition within five days from the receipt of such notice.

(Neb. Rev. Stat. §81-512)

### **Article 4 – Hazardous Materials**

#### **SECTION 8-501: EXPLOSIVES; STORAGE; REGISTRATION**

A. Any person, firm, or corporation storing or keeping dynamite, gunpowder, nitroglycerine, or other high explosives within the Village for any period of time shall register such information with the village clerk 24 hours prior to being brought into the Village. The

clerk shall forward such information to the fire chief and to the Village Board. Transfer of explosives to another individual within the Village shall require the recipient to register the transfer and the new location of the explosives with the clerk. Also, moving explosives to a new location by the owner shall require registration of that fact to the clerk.

B. Any high explosives including dynamite, gunpowder, and nitroglycerine shall be stored in a proper receptacle which shall be closed at all times except when actually in use. Such concrete, metal, or stone receptacle shall not be located in any room where there is a flame or flammable materials. The area surrounding the storage facility shall be kept clear of rubbish, brush, dry grass, or trees for not less than 25 feet in all directions. Any other combustible materials shall be kept a distance of not less than 50 feet from outdoor storage facilities.

(Neb. Rev. Stat. §§17-549, 17-556, 28-1213, 28-1229, 28-1233)

### **SECTION 8-502: EXPLOSIVES; BULLETS**

Cartridges, shells, and percussion caps shall be kept in their original containers away from flame, flammable materials, and high explosives.

### **SECTION 8-503: EXPLOSIVES; BLASTING PERMITS**

Any person wishing to discharge high explosives within the Village must secure a permit from the Village Board 24 hours prior to such discharge and shall discharge such explosives in conformance with its direction and under its supervision. In no case shall any person perform blasting operations unless operating under the direct supervision of a person in possession of a valid user's permit issued by the Nebraska State Patrol. (Neb. Rev. Stat. §§17-556, 28-1229)

### **SECTION 8-504: POISONOUS OR FLAMMABLE GASES**

Any person, firm, or corporation desiring to store or keep in the Village any form of poisonous or flammable gas or liquefied petroleum gas in excess of 100 gallons or to add to, enlarge, or replace any facility used for the storage of such gases must first get a permit from the Village Board, which shall require the name of the gas, the place of storage, and the amount of gas stored. If permission is granted, the board shall prescribe such rules, regulations, and precautionary actions as it may deem necessary. (Neb. Rev. Stat. §17-549)

## **Article 5 – Fireworks**

### **SECTION 8-601: REGULATION OF USE, SALE, POSSESSION OF FIREWORKS**

The use, sale, offer for sale, and possession of permissible fireworks in the Village as defined by Neb. Rev. Stat. §28-1241 shall be governed and regulated by Neb. Rev. Stat. §§28-1241 to 28-1252, including any and all amendments thereto, together with any rules and regulations adopted by the state fire marshal for the enforcement of said sections.

## **Article 6 – Penal Provision**

### **SECTION 8-601: VIOLATION; PENALTY**

Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this chapter, set forth at full length herein or incorporated by reference, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$500.00 for each offense. A new violation shall be deemed to have been committed every 24 hours of such failure to comply.