

## PENNINGTON COUNTY RESOLUTION

### A RESOLUTION PROHIBITING THE USE OF FIREWORKS AS PROVIDED IN SDCL § 34-37-19

**WHEREAS**, the use of fireworks is a time-honored tradition in this Country that the Pennington County Commission must balance with the health and safety of citizens and protection of property when warm and dry weather conditions create an environment that is dangerously prone to the threat of fire; and

**WHEREAS**, South Dakota Codified Law (SDCL) § 34-37-19 authorizes the County Commission, by resolution, to prohibit the use of fireworks outside the boundaries of any municipality during specific days of the year and under certain conditions related to the South Dakota grassland fire danger index; and

**WHEREAS**, the Commissioners of Pennington County deem it necessary, in the interest of public health and safety, to adopt this Resolution to reduce the threat posed to the citizens and property of Pennington County by fires.

**NOW, THEREFORE BE IT RESOLVED**, that pursuant to SDCL § 34-37-19, Pennington County does hereby prohibit the use of fireworks outside the boundaries of any municipality in those areas of the County where the fire danger, as determined by use of the South Dakota grassland fire danger index published by the National Weather Service, has reached the extreme category in the County during the period from June twentieth (20<sup>th</sup>) to July second (2<sup>nd</sup>), inclusive, and during the period from December twenty-eighth (28<sup>th</sup>) to January first (1<sup>st</sup>), inclusive; and


**BE IT FURTHER RESOLVED**, that during the time periods stated in § 34-37-19, this Resolution shall be suspended if the grassland fire danger index falls below the very high category in the County and again becomes effective if the grassland fire danger index reaches the extreme category; and

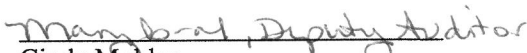
**BE IT FURTHER RESOLVED**, that a violation of this Resolution is a Class 2 Misdemeanor punishable by up to 30 days in the Pennington County Jail, a \$500.00 fine or both; and

**BE IT FURTHER RESOLVED**, that this Resolution does not apply inside the Black Hills Forest Fire Protection District or to land in Pennington County owned or under the jurisdiction of the Federal Government or State of South Dakota; and

**BE IT FURTHER RESOLVED**, that any prior Resolution(s) of the Pennington County Commission adopted pursuant to the provisions of SDCL § 34-37-19 are hereby repealed.

Approved by the Pennington County Commission this 4<sup>th</sup> day of May, 2021.

  
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Gary Drewes, Chair  
Pennington County Commission

  
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Cindy Mohler  
Pennington County Auditor

