

also establish set-back building lines, outside the limits of incorporated villages and cities, as such county board may deem best suited to carry out the purposes of this section. For each such district, regulations may be imposed designating the trades, • • • industries or purposes that shall be included or subjected to special regulations and designating the uses for which buildings may not be erected or altered; provided, however, that the said county board shall before it adopts such ordinance or ordinances, submit the same to the town board or town boards of the town or towns in which may be situated any lands affected by such ordinance, and thereupon obtain the approval of said town board or town boards, so far as the same affects the lands in such town or towns, and in like manner any and all ordinances, which may amend any ordinance, which have been adopted as herein provided, shall be submitted to the said town boards and their approval obtained before the same shall be adopted by the county board. Such ordinance or amendments thereto may be adopted as to such town or towns which shall have given their approval thereto.

SECTION 2. A new subsection is added to section 59.97 of the statutes to read: (59.97) (2a) When any county acquires lands by tax deeds, the county board may exchange any such lands for other lands in the county for the purpose of promoting the regulation and restriction of agricultural and forestry lands.

SECTION 3. This act shall take effect upon passage and publication.

Approved August 2, 1929.

No. 301, A.]

[Published August 5, 1929.

CHAPTER 357.

AN ACT to repeal sections 340.70 and 340.78 and to create a new section to be numbered section 340.70 of the statutes, relating to fireworks and providing a penalty.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Sections 340.70 and 340.78 of the statutes are repealed.

SECTION 2. A new section is added to the statutes to be numbered and to read: 340.70 (1) The following kinds of fireworks

only shall be sold, stored and used in this state, without restrictions: Chinese and domestic firecrackers not more than two inches in length nor more than three-eighths inch in diameter, outside measurements of container; colored fire in covered containers; light torches with lighting ends covered; fountains, flowerpots and display wheels throwing a display, not more than six feet, and uncolored sparklers not more than ten inches in length over all and three-sixteenths of an inch in diameter.

(2) Under no circumstances shall any person sell, keep for sale, manufacture or bring into this state for use therein any fire balloon, mortars or cannon, or any explosive cane, toy pistol, toy revolver or other contrivance using explosive caps or cartridges, any Chinese firecrackers more than two inches in length or more than three-eighths inch in diameter, outside measurements of container, or any article containing a compound of mercury or yellow phosphorus.

(3) Fireworks other than those specified in subsections (1) and (2) shall be sold, stored and used only if the following requirements are complied with:

(a) Such fireworks may be used and displayed only in open fields, public parks, private parks, or on rivers, lakes or ponds, by public authorities or by private persons or organizations that have been granted a permit for such a display by the Fourth of July commission or the mayor of the city, president of the village or chairman of the town wherein the display is to be given. All persons granting any such permit shall have police power in the enforcement of this section.

(b) The issuing officers may require an indemnity bond in the sum of five thousand dollars with good and sufficient sureties for payment of all claims that may arise by reason of injuries to persons or property from the handling, use or discharge of fireworks under such permit. Such bond if required shall be taken in the name of the city, village or town wherein the fireworks display is to be given, and any person injured thereby may bring an action on said bond in his own name to recover the damage he has sustained.

(c) The bond together with a copy of the permit shall be filed in the office of the clerk of such city, village or town. The permit shall be valid for the term of one year from the date of issue unless sooner revoked by the issuing officer for cause. A new permit shall not be issued to any person or organization

while any judgment against the applicant for damage growing out of the handling, use or discharge of fireworks remains unsatisfied.

(d) Such fireworks shall not be stored, kept, sold or discharged within fifty feet of any gasoline pump, gasoline filling station or gasoline bulk station or any building in which gasoline or volatile liquid is sold in quantities in excess of one gallon.

(e) Any person who at any time sells any such fireworks other than to a person or organization which at the time has and produces an unexpired permit as required by this subsection shall be deemed guilty of a violation of this section and shall be liable for all damage caused by such fireworks. A parent or guardian of any minor who shall knowingly permit such minor to purchase or have in his possession or to discharge any such fireworks shall be deemed to have violated the provisions of this section and shall be personally liable for all damage caused by such fireworks.

(4) The mayor of each city, the president of each village, the chairman of each town, policemen and firemen and all other peace officers are charged with the duty of enforcing this section in their respective jurisdictions. Failure so to do shall constitute grounds for removal from office. It shall be the duty of the industrial commission to see that the provisions of this section are enforced throughout this state.

(5) Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than five hundred dollars, or by imprisonment in the county jail not less than thirty days nor more than six months, or by both such fine and imprisonment. Each day during which such violation continues shall constitute a separate and distinct offense.

(6) The penalties specified in subsection (5) of this section may be recovered by the state against the person guilty of the violation in an action for debt brought before any court of competent jurisdiction.

SECTION 3. This act shall take effect upon passage and publication.

Approved August 2, 1929.