

OMAHA TRIBAL CODE (2013)

TITLE 14. FIREWORKS DISPLAYS

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TITLE 14. FIREWORKS DISPLAYS

Source: Omaha Tribal Council Resolution No. 88-59 (5-18-88)

SECTION 14-1-1. Sale of Fireworks Prohibited.

Except as permitted in this Chapter, it shall be unlawful for any fireworks within the Omaha Reservation, or for any person to possess, sell, transport or use any fireworks on trust land within the Omaha Tribe of Nebraska Reservation.

"Fireworks" include any combustible or explosive composition or any substance, combination-of substances, or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation and includes sky-rockets, roman-candles, daygo bombs, blank cartridges, toy cannons, toy canes or toy guns in which explosives other than toy paper caps are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, sparklers, or other fireworks of like construction, any fireworks containing any explosive of flammable compound, or any tablets or other device containing any explosive substance.

SECTION 14-1-2. Exceptions

(a) Nothing in this chapter shall be construed to prohibit the sale and display of any kind of fireworks by a person holding a license from the Tribe.

(b) This chapter does not apply to toy paper caps containing less than one-fourth of a grain of explosive composition per cap, to the manufacture, storage, sale, or use of signals necessary for the safe operation of railroads or other classes of public or private transportation, to the armed forces of the United States or Nebraska, to peace officers, or to the sale or use of blank cartridges for ceremonial, theatrical, or athletic events.

SECTION 14-1-3. Sale and Use of Fireworks.

(a) It shall be lawful to sell or display or use the fireworks enumerated in Section 14-1-2 upon issuance of a license from the Omaha Tribe of Nebraska. Said license shall be valid between June 1 and July 15. There will be a charge of \$100.00 for each license.

SECTION 14-1-4. License for Display of Fireworks

(a) The Tribal Council may grant licenses for display of fireworks within the exterior boundaries of the Omaha Indian Reservation.

(b) Each such display shall:

(1) Be handled by a competent operator who must be approved by the Tribal Council;

(2) Be located, discharged or fired as, in the opinion of the Tribal Council, after, proper inspection, not to be hazardous to persons or property.

(c) Applications for license shall be made in writing at least thirty (30) days prior to the date of the proposed display.

(d) The Tribal Council may require a bond from the licensee conditioned for the payment of all damages which may be caused to persons or property by reason of the display.

(e) After a license has been granted, sale, possession, use and distribution of fireworks for the purpose of the licensed display shall be permitted.

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