



City of Adelanto

Business License Division

FIREWORKS PERMIT APPLICATION

INSTRUCTIONS FOR FILING AN APPLICATION FOR A LICENSE TO SELL FIREWORKS

NOTE: PLEASE READ CAREFULLY TO AVOID UNDUE DELAY.

PROCEDURES AND TIMING:

This application must be filled out completely and submitted together with the required forms between March 1, and March 31, during normal business hours.

Applicants shall be notified, by the Planning Department, whether the application for the sale of fireworks was granted or rejected. If there are more applicants than there are licenses available a drawing will be conducted.

FORM(S) REQUIRED:

The applicant must complete the attached form(s) as prescribed and all of the following information must be attached prior to filing with the Planning Department.

- a. A statement, that if the license is issued to applicant, the applicant shall, at the time of filing the application for said license, deliver to the Planning Department a policy of liability insurance in the amount \$100,000/\$300,000 and a \$50,000 property insurance certificate indemnifying and to hold harmless the City of Adelanto and its applicant(s) from any damage that should occur from the sale of said fireworks. Also required is a copy of the requisite permit, indemnifying and holding harmless the City of Adelanto and its applicant(s), from the State Fire Marshall.
- b. An agreement between the manufacturer and/or wholesaler of the fireworks that indemnifies and holds harmless the City of Adelanto and its applicant(s) from damage resulting from defective fireworks.
- c. A license **fee of \$200.00** shall be made payable to the City of Adelanto. This application fee is non-refundable and shall be due and payable at the time of application submittal.
- d. Prior to the issuance of a license, each applicant shall pay a clean-up fee determined by the Planning Department, pro-rated using last year's gross sales, or \$400.00 for new participants. This fee is to offset the cost of the City clean up in areas where fireworks are set off.

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- e. Temporary Use Permit: A Temporary Use Permit is required and shall be subject to review and approval or conditional approval by the Director of Planning pursuant to Chapter 17.155 of the Adelanto Municipal Code. PLEASE PROVIDE A PLOT PLAN AND OTHER GRAPHICS NECESSARY TO INDICATE THE LOCATION. The fee is \$275.00.

UPON ISSUANCE OF APPROVED LICENSE THE FOLLOWING IS REQUIRED:

- a. A temporary "Sales Tax Permit" from the Regional Office of the State Board of Equalization.

Section 2. Fireworks; Sale of; License required. Except as provided herein, no person shall offer for sale or sell any fireworks of any kind in said City without having first applied for and received a license therefore.

Section 3. Prerequisites to Issuance of License; The following qualifications must be met by each applicant for a license issued hereunder.

- a. No license shall be issued to any person, firm or corporation except non-profit associations or corporations organized primarily for civic betterment or youth activities. Such organizations, groups or individuals shall be limited to one (1) license.
- b. Each such organization must have its principal and permanent meeting place in the corporate limits of said City, must maintain a bona fide membership of at least twenty (20) members, and must have been organized and established in said City's corporate limits for a minimum of one (1) year continuously preceding the filing of the application for the license.
- c. No organization may receive more than one (1) license for fireworks sale during any one (1) calendar year. One (1) license may be issued to two (2) or more qualifying applicants as a joint venture, but may only operate one (1) stand. The maximum number of licenses which may be issued pursuant to this Ordinance during any one (1) calendar year shall not exceed one (1) license for each three thousand (3,000) residents of the City, or fraction thereof, based on the latest official roster, State of California census estimate.
- d. If the number of applications exceed the number of licenses allowed to be issued, the license shall be granted by a drawing supervised by the City Clerk. The drawing will be held at a council meeting and notification of selection will be performed the following day.

Section 4. Operation of Stand;

- a. No person other than the licensee organization shall operate the stand for which the license is issued or share or otherwise participate in the profits of the operation of such stand.
- b. No other person other than the individuals who are members of the license organization, or wives, or husbands or adult children of such members, shall sell or otherwise

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participate in the sale of fireworks at such stand except that in no instance shall a person under the age of eighteen (18) years be permitted to sell or otherwise participate.

- c. No person shall be paid any consideration for selling or otherwise participating in the sale of fireworks at such stand.

Section 5. Temporary Firework Stands. All sales of "Safe and Sane" fireworks shall be permitted only from within a temporary fireworks stand, and sales from any other building or structure is hereby prohibited. Temporary stands shall be subject to the following provisions:

- a. No fireworks stand shall be located within twenty-five (25) feet of any other building not within one hundred (100) feet of any gasoline pump.
- b. Fireworks stands need not comply with the provisions of the building code of said City, provided, however, that all stands shall be erected under the supervision of the Superintendent of the Department of Building and Safety, who shall require that the stands be constructed in a manner that will reasonably insure the safety of attendants and patrons.
- c. No stand shall have a floor area in excess of three hundred (300) square feet.
- d. Each stand must have at least two (2) unobstructed exits; and each stand in excess of forty (40) feet in length must have at least three (3) exits spaced approximately equidistance apart, provided, however, that in no case shall the distance between exits exceed twenty-four (24) feet.

Section 6. General requirements for Licensees.

- a. All weeds and combustible material shall be cleared from the location of the stand including a distance of at least fifty (50) feet surrounding the stand.
- b. "No Smoking Within 100 Feet" signs shall be prominently displayed on the fireworks stand.
- c. Each stand must have an adult in attendance and in charge thereof while fireworks are stored therein. **Sleeping or remaining in stand after close of business each day is forbidden.**
- d. Each fireworks stand shall obtain a safety inspection by the San Bernardino County Fire Department prior to opening.
- e. The sale of fireworks shall not begin before 12 noon on the 28th day of June, and shall not continue after 12 noon on the 6th day of July.
- f. Each stand shall display a sign of at least ten (10) square feet stating that discharge of fireworks is only legal within Adelanto City limits between noon of June 28th, and midnight of July 5th.
- g. During the days allowed for sale of fireworks, no sales shall be made except between the hours of 7:00 A.M. and 12:00 midnight.

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- h. All unsold stock and accompanying litter shall be removed from the location by 5:00 P.M. on the 7th day of July.
- i. Upon request, each person making purchase at a fireworks stand will be provided a City approved flyer designating rules and safety guidelines for discharge of fireworks.
- j. The fireworks stand shall be removed from the temporary location by 12:00 noon on the 10th day of July and all accompanying litter shall be cleared from said location by said time and date.

Section 7. Display of License and Sales Tax Permit; License to sell fireworks and temporary sales tax permit shall be displayed in a prominent place in the fireworks stand.

Section 8. Prohibitions on Discharge; It shall be unlawful for any person to ignite, explode, project, or otherwise fire or use, any fireworks, or permit the ignition, explosion or projection thereof, upon or over onto the property of another without his consent, or to ignite, explode, project, or otherwise fire or make use of, any fireworks within ten (10) feet of any resident, dwelling or other structure used as a place of habitation by human beings or within one hundred (100) feet of any fireworks stand.

I, WE, HEREBY CERTIFY that I (We) have read and understand the information contained within this application and furthermore agree to comply strictly with the terms of this license and the provisions of the Ordinance.

Signature of Applicant Print Name/Title Date

Approved by Print Name/Title Date

FOR OFFICE USE ONLY			
ORD. #: _____ SEC. #: _____	BL #: _____	ISSUE DATE: ____/____/20____ EXPIRATION DATE: ____/____/20____	
<input type="checkbox"/> Fire Department <input type="checkbox"/> YES <input type="checkbox"/> NO BY: _____ DATE: ____/____/____	<input type="checkbox"/> Building Department <input type="checkbox"/> YES <input type="checkbox"/> NO BY: _____ DATE: ____/____/____	License Fee	\$200.00
<input type="checkbox"/> Planning Department <input type="checkbox"/> YES <input type="checkbox"/> NO BY: _____ DATE: ____/____/____	<input type="checkbox"/> _____ <input type="checkbox"/> YES <input type="checkbox"/> NO BY: _____ DATE: ____/____/____	Cleanup Fee	\$400.00
		Penalty	\$
		Adjustments	\$
		TOTAL	\$

APPLICATION FOR SALE OF FIREWORKS

APPLICATION IS HEREBY made to the City Clerk of the City of Adelanto, California, pursuant to the provisions of Ordinance No.392, for a license to sell fireworks for the Forth of July.

IF NOT COMPLETED CORRECTLY IT MAY DELAY PROCESSING YOUR APPLICATION.

<u>OWNER/APPLICANT INFORMATION</u>				
APPLICANT/AUTHORIZED AGENT <small>(Applicant must be the owner of the land, the lessee having a lease hold interest, or the agent of the foregoing, duly authorized in writing.)</small>				AREA CODE/TELEPHONE
MAILING ADDRESS OF APPLICANT/AUTHORIZED AGENT		CITY	STATE	ZIP
To the City Clerk's Office of the City of Adelanto, I the undersigned <input type="checkbox"/> AM OWNER <input type="checkbox"/> LESSEE <input type="checkbox"/> AGENT of the property				
STAND LOCATION/PHYSICAL ADDRESS	CITY	STATE	ZIP	APN#
THE EXACT LEGAL DESCRIPTION OF THE PROPERTY IS:				

FOR FIRE AND POLICE PROTECTION, LIST TELEPHONE NUMBER OF PERSON(S) TO BE CONTACTED.

EMERGENCY CONTACT NAME	AREA CODE/TELEPHONE	<input type="checkbox"/> HOME <input type="checkbox"/> WORK <input type="checkbox"/> MOBILE
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PLEASE ATTACH THE FOLLOWING

The following items are attached hereto and made part of this application.

- | | | |
|---|--|----------------|
| 1. Notarized property owner authorization. | <input type="checkbox"/> YES <input type="checkbox"/> NO | INITIALS _____ |
| 2. Requisite permit for State Fire Marshall. | <input type="checkbox"/> YES <input type="checkbox"/> NO | INITIALS _____ |
| 3. Agreement from fireworks manufacturer/wholesaler. | <input type="checkbox"/> YES <input type="checkbox"/> NO | INITIALS _____ |
| 4. \$100,000.00/\$300,000.00 public liability and \$50,000.000 property damage insurance certification. | <input type="checkbox"/> YES <input type="checkbox"/> NO | INITIALS _____ |

EXCERPT FROM ORDINANCE NO. 392 OF THE CITY COUNCIL OF THE CITY OF ADELANTO REGULATING STORAGE, USE AND SALE OF SAFE AND SANE FIREWORKS WITHIN SAID CITY:

SECTION 1. DEFINITION; SALE OF. Safe and Sane Fireworks as defined in Section 12504 of the California Health and Safety Code may be sold and discharged within the City of Adelanto during the period beginning at 12:00 noon on the 28th day of June and ending at 12:00 P.M. on the 5th day of July each year pursuant to the provision of this Ordinance and not otherwise.

Signature

Print Name/Title

Date

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FIREWORKS LOTTERY APPLICATION

Date Received: _____

Application No: _____

IF NOT COMPLETED CORRECTLY IT MAY DELAY PROCESSING YOUR APPLICATION.

<u>OWNER/APPLICANT INFORMATION</u>			
NAME OF ORGANIZATION			AREA CODE/TELEPHONE
ADDRESS OF ORGANIZATION	CITY	STATE	ZIP
STATE OF CALIFORNIA NON-PROFIT NUMBER			
COPY OF CURRENT MEMBER LIST: (Must be a least twenty (20) members) Note: During the first City Council meeting in April, the number assigned to this application will be placed in a drum and the City Clerk or a representative of the City of Adelanto will select a number at random.			

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**FIREWORKS FINANCIAL STATEMENT
YEAR 2016**

ORGANIZATION:	DATE:
LOCATION:	
VENDOR:	
TOTAL DEPOSIT: _____ (All monies collected during fundraiser)	
SALES TAX: _____ (Total Deposit minus Gross Sales)	
GROSS SALES: _____ (Total Deposit divided by 1.08)	
EXPENSES	
TOTAL PAID TO VENDOR: _____ (Fireworks cost, company charges, licenses)	
TOTAL PAID TO OTHER: _____ (Security, power supply, advertising, etc.)	
MISCELLANEOUS PAID: _____ (Food, supplies, give-away fireworks, etc.)	
TOTAL EXPENSES PAID: _____ (Total of the above 3 lines)	
PROFIT	
TOTAL NET PROFIT: _____ (Total of gross sales less total expenses)	
_____ AUTHORIZED REPRESENTATIVE (please print name)	
_____ SIGNATURE OF AUTHORIZED REPRESENTATIVE:	

Each organization operating or participating in a fireworks stand shall submit to the City a financial statement of actual sales and profit by 5:00 P.M. August 31, following the fireworks sale. Failure to comply may result in revocation of future license eligibility. (City of Adelanto Ordinance No. 392 Section m)