

**APPLICATION FOR TEMPORARY PERMIT TO SELL
"SAFE AND SANE" FIREWORKS AT RETAIL**



City of Madera

205 West 4th Street, Madera, CA 93637
(559) 661-5440 www.madera.gov

OFFICE USE ONLY	
Date Received:	
Received By:	
Date Approved :	
Approved By:	

Your early attention is suggested to the approval process from other entities or agencies such as the State Fire Marshal, IRS and the State Board of Equalization. These other agencies may have requirements that could significantly affect the review and approval process. A Building Permit will not be issued by the Building Division if proof of clearance from all other agencies has not been obtained and submitted with your permit application.

Fill out this application completely. Incomplete Submittals cannot be processed.

Checklist for Fireworks Application

Please take a moment to compare your submittal package with the checklist below. This checklist is to assist permit applicants in determining the adequacy of their submittal package. As complete submittals allow the City to maintain an expedited review process, incomplete submittals cannot be accepted and will be returned to the applicant without the benefit of a full review. **ALL** the listed items below shall be checked and submitted.

- A. Application
- B. Statement of Organization Eligibility
- C. Property Owner's Permission
- D. Storage Form
- E. Temporary Seller's Permit Copy
- F. State Fire Marshal's License Copy
- G. Certificate of Insurance
- H. Receipt for Business License/TUP (\$206) Copy
- I. Fireworks Stand Site Plan.....
- J. Non-Profit Organization Form (1st time only)N/A or

MADERA FIRE DEPARTMENT

APPLICATION FOR TEMPORARY PERMIT TO SELL "SAFE AND SANE" FIREWORKS AT RETAIL

We, _____, Phone # _____,
(Organization Name)

Organization Mailing Address: _____

hereby make application for a permit to sell, at retail, "Safe and Sane" fireworks in the City of Madera at the location hereafter set forth:

Location of stand: _____

Person(s) responsible for maintaining and running the fireworks stand:

Responsible Person #1: _____

Contact Phone Numbers: _____

Responsible Person #2: _____

Contact Phone Numbers: _____

Fireworks Supplier: _____

Completed applications and all required supplementary documentation shall be submitted, in electronic format (PDF), via email to buildingpermits@madera.gov no earlier than 9AM, May 4, and no later than 5PM, on June 15, of the current year. Any eligible organization making an application for a Temporary Permit to Sell "Safe and Sane" Fireworks that fails to return the completed application by **5PM, June 15, of the current year shall not be issued a permit** to sell "Safe and Sane" fireworks. Non-eligible/other organizations must submit their completed applications and all required supplementary documentation during this same period to be included in the waiting list lottery. In the event permits become available to non-eligible organizations, any organizations on the lottery list will be selected by random drawing by the Chief Building Official or his designee on June 19, of the current year.

Signed acknowledgment of requirements for fireworks sales.

I have read and understand the City of Madera regulations pertaining to the sale of fireworks and will comply with these regulations.

Signed: _____ Date: _____
(Officer of Organization)

Title: _____ Print Name: _____

Phone # of officer: _____ Address: _____

All organizations wishing to participate shall submit to the City of Madera as part of the application process the following completed forms:

- A. Application** - Any organization desiring to sell "Safe and Sane" fireworks in the City shall complete an application each year. PDF fillable applications are available in the City's website and can be downloaded at: <https://www.madera.gov/business-building-development/building-development/>

Applications shall be signed by a bona fide officer of the organization, wherein the officer, on behalf of the organization and its agents, agrees to abide by State law and Administrative Regulations and all the provisions of the adopted City Code and the permit, if permission to operate a fireworks stand is granted to the organization.

B. Statement of Organization Eligibility Form

- C. Property Owner's Permission** - The original or copy of currently dated property owner's permission form signed by the property owner giving permission to erect a fireworks stand on their property.

- D. Fireworks storage form** - Indicating where the fireworks will be stored when not in the approved stands.

- E. A copy of the temporary seller's permit issued by the State Board of Equalization.**

- F. A copy of the State Fire Marshal's license to sell "Safe and Sane" fireworks.**

- G. Certificate of Insurance** - Prior to issuance of a permit, the organization shall procure a Certificate of Insurance acceptable to the City. The certificate shall name the City, its officers, agents and employees as additional insureds in the amount of no less than one million dollars (\$1,000,000.00) combined bodily injury and property damage for each occurrence. The certificate must specify the time, location and dates to be covered by the policy.

- H. Copy of receipt** for the Temporary Fireworks Booth Permit \$206 fee. Each organization shall pay to the Finance Department the sum of Two Hundred Six and no/100ths (\$206.00) Dollars for the Temporary Fireworks Booth Permit and provide a copy of the receipt to the Front Counter of the Building Department.

- I. Fireworks stand location** - Submit a site plan drawing, 8-1/2" x 11", for review and approval. The drawing must show all required clearances to structures, property lines and parking. No change of stand locations will be permitted without prior approval of the City of Madera.

- J. Statement of Non-Profit Status** - Submit a copy of your non-profit status issued by the State of California or the IRS verifying your organization has received such non-profit status.

Permits will be effective only when issued by the City of Madera after the final inspection of the stand shows compliance with all requirements of this ordinance. Call the Inspection Request line at (559) 661-5445 after your application has been approved but no later than **June 24, of the current year** to schedule your inspection appointment. Appointments are given on a first-come, first served basis. Please see that your stand is completely set up for the inspection. **No product may be sold until final clearance has been received from the City of Madera.**

REQUIREMENTS FOR FIREWORKS STANDS

Reference – California Health & Safety Code Section 12500. Madera Municipal Code Title 3, Chapter 13B.

1. Fireworks stands will be allowed only on property in the City which is **not** currently zoned for any residential use. An exception may be allowed where the property is currently zoned for residential use but is designated on an adopted general or specific plan for a future nonresidential use. Public safety, ingress, egress and adequate parking will be additional factors considered by the City of Madera before approving any site for fireworks sales.
2. The sale of "Safe and Sane" fireworks shall commence not earlier than 12 noon on the 28th day of June and shall terminate at 12 noon on the 5th day of July.
3. All fireworks stands must be removed by the 11th day of July of the same year.
4. Fireworks will not be displayed or moved into the stands until the day of the Fire Department Inspection.
5. No person shall sell or offer for sale any fireworks within a distance of one-hundred feet (100') of any pump or dispensing device for flammable liquids or gases.
6. No stand shall be located within thirty feet (30') of any adjacent buildings, burnable materials, grass, paper, etc. Flammable or burnable materials within thirty (30') feet of any stand must be cleared and maintained during the period prescribed for the sale of fireworks. This rule applies to movable shade structures and temporary canopies.
7. All firework stands must meet with the approval of an officer of the City of Madera. No fireworks stand shall be located closer than ten feet (10') from any public roadway or back of curb where parking is not permitted on that street, and no vehicle shall be parked closer than twenty feet (25') from the stand. Provide cones or barricades to indicate "no parking" areas.
8. No sale or display of fireworks will be allowed inside any permanent building.
9. Each stand will have a minimum of two exits to be located on opposite sides. Each exit shall be at least thirty-two inches (32") wide.
10. Fireworks stands shall be secured and enclosed so that fireworks displays and storage are out of reach of the customers.
11. No stand shall have a floor area in excess of 300 square feet and no stand shall have a depth greater than 12 feet.
12. If stands are operated at night, light fixtures shall be equipped with guards to protect from injury if the bulb is broken. All electrical wiring and cords shall be in good condition and protected to avoid tripping, physical damage and disconnection. Over-current devices shall be adequate to protect all connected loads. All temporary receptacles must be grounded. Electrical supplies served by generators must have disconnecting switches or plugs to permit the disconnection of all electrical loads supplied by the generator.

13. **"NO SMOKING"** signs shall be located on all sides of the stand. Each sign shall have the words **"NO SMOKING"** in red letters not less than two inches (2") in height with a minimum one-half inch (1/2") stroke on a white background. Smoking shall be prohibited where fireworks are stored or handled.
14. One (1) approved 2-½ gallon pressurized, water-type fire extinguisher and one (1) ABC type fire extinguisher (2A-10BC minimum) must be provided in the stand sale area. NO EXCEPTIONS. It must be in operating condition, with an up-to-date SFM inspection tag indicating that the fire extinguisher has been serviced within the past year.
15. Fireworks signs shall be approved by the City of Madera and shall not create a traffic hazard.
16. Only members of the organization listed on the permit may work in the stand, with all proceeds going to the permitted stand organization.
17. The employer (organization) shall instruct its employees (organization members) who handle fireworks in any capacity, of the hazards and safety precautions governing fireworks. Employees shall be trained in emergency procedures including use of the fire extinguishers.
18. Persons **employed in the sale of "Safe and Sane" fireworks shall be at least 18 years of age**. Proof must be shown at any time when requested by fire officials.
19. No person **under 16 years of age shall purchase "Safe and Sane" fireworks**.
20. No sleeping inside a fireworks stand will be permitted at any time.
21. The premises shall be maintained in a clean, neat and orderly condition at all times and free from any condition that would create a "fire nuisance."
22. No person shall use or handle fireworks while under the influence of intoxicating liquids or narcotics. Alcohol and narcotics are prohibited within fireworks stands.
23. Generators shall be used in a safe location and not within ten feet (10') of the fireworks stand.
24. No open flames (camp stove, BBQ's, candles, etc.) within thirty feet (30') of the fireworks stand.
25. No fireworks are to be used within one-hundred feet (100') of the fireworks stand.
26. PDF fillable applications are available in the City's website and can be downloaded at: . <https://www.madera.gov/business-building-development/building-development/>. Completed applications and all required supplementary documentation shall be submitted, in electronic format (PDF), via email to buildingpermits@madera.gov no earlier than 9AM, May 4, and no later than 5PM, on June 15, of the current year.
27. Each permit shall be for only one stand and is not transferable.
28. Any violation of this standard or other City ordinances, or the terms and conditions of the permit, or State Law or Administrative Regulations, or safety rules of the Fire Department shall be grounds for immediate revocation of the permit. All officers, agents and employees of the eligible organization shall be responsible for compliance with all provisions of this ordinance.

STATEMENT OF ORGANIZATION ELIGIBILITY

Eligible organizations may be issued a permit to operate one fireworks stand in the City of Madera. Other organizations complying with all other requirements for the operation of temporary fireworks sales booths may be permitted if there are available spaces. The names of such "Other Organizations" shall be placed into a drawing and if such spaces are available shall be selected by the Chief Building Official, or his designee on or about June 19, of the current year.

An "eligible organization" shall mean an organization which has met all of the following criteria for a continuous period of not less than one full year preceding submittal of an application for the permit required by 3-13B.04 of the MMC (and which continues to do so thereafter):

- 1) The organization must be a duly organized not-for-profit charitable, religious, civic, patriotic or community service organization; and
- 2) The organization must be one which provides direct and regular community services and benefits to the citizens of the City of Madera.

Please answer each of the following questions:

1. Has your organization met the requirements listed in 1 and 2 above for a continuous period of at least one year?

2. Please identify the purpose of your organization. (Use the statement in the organization bylaws or Articles of Incorporation-Nonprofit.)

3. What is the address of your headquarters?

4. How is your organization affiliated or identified with the City of Madera?

5. What is the mailing address of your organization?

6. Please identify the direct and regular community services and benefits to the citizens of the City of Madera by your organization.

I, the undersigned, do swear that the above information is true and accurate to the best of my knowledge and that I am an officer of the organization authorized to sign for same.

Signature (Officer of Organization)

Date

Please Print (Officer of Organization)

Title

Phone Number

**PROPERTY OWNER'S PERMISSION
TO ERECT A FIREWORKS STAND**

Name of Organization: _____

Location of Proposed Fireworks Stand: _____

Assessor's Parcel Number (APN#): _____ **(required)**

The above-named organization has informed me of its plan to erect a stand for the retail sale of fireworks at the above location. As the owner of the above property, I understand that the organization must obtain my written permission before they can be issued a permit to sell fireworks.

To receive this permit, the organization must comply with all the rules and regulations for selling fireworks. The fireworks stand must also conform to the standards set by the local jurisdiction.

The _____ (organization) agrees to abide by all the rules set forth by the local jurisdiction for the retail sale of fireworks.

Signed: _____
Officer of Organization

Officer of organization (**please print**): _____

With regard to the above, I, the property owner, give my permission for the erection of a fireworks stand on this property for the following year(s): _____

Owner's Name (**please print**): _____

Owner's Signature: _____

Owner's Mailing Address: _____

Telephone Number: _____

Date: _____

STORAGE OF "SAFE AND SANE" FIREWORKS

In order to provide safe storage of "Safe and Sane" fireworks, the following methods shall be approved ways in which storage will be allowed. This storage shall apply any time the "Safe and Sane" fireworks are not in the sales stand.

All fireworks shall be stored separately from any possible ignition source.

1. Storage will be allowed in the bed of a pickup or trailer with an enclosed, lockable shell and the **battery disconnected** when the vehicle is parked unattended. The vehicle shall not be placed in any garage or immediately adjacent to any structure, see below. When stored in vehicle trailers all 4 sides of the trailer must be posted with "Dangerous" placards on all 4 sides.
2. Storage will **not** be allowed within any residential areas within the Madera city limits.
3. A Site Plan must be submitted to the City of Madera that contains all setback dimensions, property address, and locations of structures and fuel sources. Storage site must be 30 feet from inhabited buildings, 25 feet from property lines and 100 feet from locations where flammable liquids are used/dispensed/stored.
4. "No Smoking" signs shall be posted on all sides of the storage container.
5. One (1) approved 2-½ gallon pressurized, water-type fire extinguisher and one (1) ABC type fire extinguisher (2A-10BC minimum) must be provided in the storage area. NO EXCEPTIONS. It must be in operating condition, with an up-to-date SFM inspection tag indicating that the fire extinguisher has been serviced within the past year.
6. Indicate the location where the fireworks will be stored when not in the stand. If the fireworks are located outside of the City of Madera they must be contained in an approved explosives depot or **proof of approval from the local fire authority where they are stored** must be provided to the City of Madera.

Is the storage on the site of the stand?

Yes

No

If not, please indicate the location below:

Address: _____

Date: _____

Signature: _____

7. Regarding the storage of the fireworks, the property owner of the storage area must be advised of the contents in the storage container.

Failure to provide an approved storage location would be grounds to revoke the approval to sell "Safe and Sane" fireworks.