



Intent

The intent of this document is to describe the procedures related to applying for a temporary fireworks stand permit to sell Safe and Sane fireworks in the City of Villa Park. As prescribed in the Villa Park Municipal Code (VPMC), Section 11-2.5, a non-profit association or organization shall submit no more than one (1) application for a temporary stand permit each calendar year. If more than one (1) application is submitted on behalf of any non-profit organization, including an affiliated organization, only the first application will be accepted. There will be a maximum of three (3) temporary stand permits issued by the City each calendar year.

Timeline

1. Applications, as deemed complete by the City, must be filed between April 1st and April 30th. While applications are not given priority based on date of submittal, it is encouraged to submit your application in a timely manner during this time period. This provides ample time to the City for review to make the determination the application is complete.
2. When an application is submitted at City Hall, located at 17855 Santiago Blvd., the application will receive an over-the-counter review to determine completion. If it is determined that one or more of the major components have been excluded, the application will be returned at that time. If at a later date it is determined by the City to be incomplete, the organization will receive notification from the City in the writing.
3. The Villa Park Community Services Foundation, Friends of the Villa Park Library, Villa Park Rotary and Villa Park Women's League shall be issued one (1) temporary stand permit each year, to be shared as a joint venture, and the schools (SE, VPE, CVMS, VPHS) Parent Faculty Student Organizations shall be issued one (1) temporary stand permit each year, to be shared as a joint venture. The remaining permits shall be issued by lottery to qualified applicants. The lottery, if necessary, shall take place at a City Council meeting.
4. Inspections of the temporary stands will be conducted by City between June 15th and June 27th. Inspections are only conducted on Monday, Wednesday or Friday and the organization must call (714) 998-1500 twenty-four (24) hours in advance to schedule an inspection.
5. Final approval must be obtained from the City to ensure compliance with related codes prior to inspections by OCFA. The organization must contact OCFA to schedule an inspection.



Temporary Firework Stand Directions, Timeline and Checklist

6. Retail sales of safe and sane fireworks are authorized in the City by permit holders to occur between the hours of 10:00 a.m. and 10:00 p.m. between June 28th and July 3rd, and between the hours of 10:00 a.m. and 8:00 p.m. on July 4th.
7. From June 28th through July 4th random daily temporary stand inspections may be conducted by City personnel, as well as OCFA.
8. The City Manager or designee, or any public safety officer, may immediately suspend a permit and close a temporary stand, upon determining that the operation of the stand creates an imminent or substantial danger to the public health, safety or welfare.

The following items must be submitted in order to apply for and be considered for issuance of a temporary fireworks stand permit:

1. A completed Temporary Fireworks Stand application (as deemed complete by the City).
2. Completed "Seller Identification" Form (which shall be posted in the fireworks stand at all times, should the permit be approved).
3. \$1,000.00 Filing Fee made payable to the City of Villa Park. Note: a valid check for the filing fee must be submitted with the application; however, the check will only be deposited in the event a permit is awarded. If a permit is not awarded, the check will be returned.

If a temporary fireworks stand permit is approved for your organization, the following items will then be required:

1. Submit a copy of the organization's valid Seller's Permit to the City.
2. Submit a copy of a Certificate of liability insurance to the City. The City and its agents must be named as additional insured.



City of Villa Park

Temporary Firework Stand Permit Application

FILING FEE: \$1,000.00 PERMIT NO. _____

Applications must be filed between April 1st AND APRIL 30TH
Applications are not prioritized based on date of submittal
All applications received during the filing period will be reviewed based on eligibility.

No permit will be issued to any person, firm or corporation **EXCEPT** non-profit associations or corporations organized primarily for civic betterment or youth activities. Each organization must have its principal and permanent meeting place within the corporate limits of the City, must have a bona fide membership of at least twenty (20) Villa Park resident members, and must have been established in the City's corporate limits for a minimum of one (1) year continuously preceding the filing of the application for the temporary stand permit. (VPMC 11-2.5).

Eligible organizations shall be limited to ONE permit per year.
Each permit shall be limited to ONE fireworks stand.

The undersigned hereby applies for a permit to sell "Safe and Sane Fireworks" as a retailer between the hours of 10:00 a.m. and 10:00 p.m. during the days between June 28th, 2014 and July 3rd, 2014, and between the hours of 10:00 a.m. and 8:00 p.m. on July 4th, 2014. Further, the undersigned agrees to comply with any and all state, county or City of Villa Park requirements applicable to Safe and Sane Fireworks.

1. Organization(s): _____

is/are a non-profit association(s) or corporation(s) organized primarily for civic betterment or youth activities.

2. Address of Organization (s): _____

3. How long has your organization(s) been established in Villa Park?: _____



City of Villa Park

Temporary Firework Stand Permit Application

4. Please describe the type of non-profit, civic or charitable activity your organization provides or conducts: _____

5. Provide the following documents:

- Written authorization from the organization(s) authorizing application for a temporary firework stand permit.
- Proof of the organization's status and membership of at least twenty (20) Villa Park resident members.
- Written authorization from the owner of record or designee of the property for the location of the temporary fireworks stand.
- Two (2) site plans showing the location of the fireworks stand, utilities, location of permanent structures indicating distances to the fireworks stand, drive aisles and driveways.
- An agreement from the manufacturer and/or wholesaler of the Safe and Sane Fireworks to defend, indemnify and hold the City harmless from any claims, liability, litigation, damages or other injuries resulting from defective Safe and Sane Fireworks.

6. I, the undersigned, at the time of issuance of the temporary firework stand permit, will deliver to City evidence of public liability insurance in an amount not less than one hundred thousand dollars (per occurrence) / three hundred thousand dollars (aggregate) (\$100,000.00/\$300,000.00) and not less than fifty thousand dollars (\$50,000.00) property damage insurance in the form and content required by the City, certificated, **AND** a copy of the requisite permit from the State Fire Marshal.

7. Fireworks Wholesaler: _____ Phone: _____

Address: _____

Contact Person: _____ Title: _____

Applicant agrees to comply strictly with the terms of any temporary stand permit granted to it and furnish any additional information upon request of the City manager, the City Council or their authorized employees and/or representatives.

Applicant's Name: _____ Phone: _____

Signature: _____ Date: _____



**CITY OF VILLA PARK
TEMPORARY FIREWORKS STAND
Seller Identification Form**

(To be completed and posted in the fireworks stand
at all times in the event the permit is approved.)

17855 Santiago Boulevard, Villa Park, CA 92861

(714) 998-1500

Organization Name: _____

Primary Contact: _____

Phone Number: _____

E-Mail Address: _____

I, the undersigned, acknowledge and agree to comply with the below captioned rules and regulations, as prescribed in the Villa Park Municipal Code (VPMC), Section 11-2.6: Sales stands – Operation and employees; and Section 11-2.7: Sales stands – Construction specifications.

Section 11-2.6: Sales stands – Operation and Employees

- No person other than the permitted organization(s) shall operate the stand for which the temporary stand permit is issued or share or otherwise participate in the profits of the operation of such stand.
- No person other than the individuals who are members of the permitted organization(s), or the spouses or adult children of such members, shall sell or otherwise participate in the sale of Safe and Sane Fireworks at such stand(s) except that in no instance shall a person under the age of eighteen (18) years be permitted to sell or otherwise participate in the operation of the stand.
- No person shall be paid any consideration by a fireworks company or the non-profit organization for selling or otherwise participating in the sale of Safe and Sane Fireworks at a stand.
- All Safe and Sane Fireworks sales must be made from within a temporary stand, and sales from any other building or structure are prohibited.

- No person shall light, cause or permit to be lighted any “Safe and Sane Fireworks”, matches, or any other material within 100 feet of such temporary stand.
- Each temporary stand must have an adult, over the age of twenty-five (25), in attendance and in charge thereof while fireworks are stored therein. Sleeping or remaining in the temporary stand after close of business each day is forbidden. No person under the age of eighteen (18) shall be permitted within any temporary stand.
- All unsold stock and accompanying litter shall be removed from the temporary stand location by 5:00 p.m. on July 6th.
- Each temporary stand must have one or more designated persons over the age of twenty-five (25), who will act and serve as a watchperson for the temporary stand during all hours when the temporary stand is not in operation selling “Safe and Sane Fireworks”. The designated person must be per-approved by the City Manager or designee, prior to the installation of the temporary stand at the designated location. The designated person will remain outside but within eyesight of the temporary stand.
- Each organization or participating in a temporary stand shall submit to the City a financial statement of actual sales and profit by 5:00 p.m. on August 31 of the same calendar year following the sale, unless that day falls on a day when City Hall is closed, then the following business day shall be the last day. Failure to comply with this requirement may result in revocation of future permit eligibility for such organization.

Section 11-2.7: Sales stands – Construction Specifications

- Each temporary stand shall obtain a safety inspection and clearance from the City and Orange County Fire Authority (OCFA) prior to opening.
- No change of stand locations will be permitted without prior approval from the City and OCFA.
- Temporary stands need not comply with the provisions of the Building Code, provided, however, all stands shall be erected under the supervision of the Building Official, and must be constructed in a manner that will reasonably ensure the safety of attendants and patrons.
- No temporary stand shall be located within twenty-five (25) feet of any other building or within one hundred (100) feet of any gasoline pump.
- No temporary stand shall be located closer than twenty (20) feet from the shoulder of any public road or highway.

- No temporary stand shall have a floor area in excess of three hundred (300) square feet.
- Each temporary 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) unobstructed exits spaced approximately equidistant apart, provided, however, that in no case shall the distance between the exits exceed twenty-four (24) feet.
- Each temporary stand shall maintain two (2) and one-half (2-1/2) gallon “water pressure” type or 2A10BC dry chemical type fire extinguishers, underwriter approved, in good working order, with up-to-date inspection tag, and easily accessible for use in case of fire.
- All weeds and combustible materials shall be cleared from the location of the temporary stand and for a distance of at least fifty (50) feet from any point of the temporary stand.
- “No Smoking Within 100 feet” signs must be prominently displayed on the temporary stand.
- If stands are operated at night, only electric lights may be used and the wiring shall meet the requirements of the California Building Code. Minimum separation between generators and temporary stand is 20 feet.
- Each temporary stand shall display on the interior and exterior a sign of at least ten (10) square feet stating that 1; discharge of fireworks is only legal within the City limits between the hours of 12:00 noon and ten (10) p.m. on July 4th, and 2; stating that the minimum age to purchase Safe and Sane Fireworks is eighteen (18) years of age.
- Each person making a purchase at a temporary stand shall be given a City-approved flyer designating rules and safety guidelines for discharge of “Safe and Sane Fireworks”.
- There shall be no drinking or storage of alcoholic beverages in or around a temporary stand at any time.
- No temporary stand may be erected or constructed on any premises prior to June 15th. The temporary stand shall be removed, and the site cleared by 12:00 noon on July 7th.
- City approved barricades sufficient to prevent the parking of motor vehicles within twenty (20) feet of any temporary stand shall be provided and maintained.

- A City approved sign stating that the use of Safe and Sane Fireworks is not legal in many counties and cities shall be prominently displayed on the temporary stand.

Failure to comply with these regulations may result in revocation of a temporary stand permit when it is determined that the permittee has (a) failed to comply with any provision of Article 11-2 Fireworks Stands; (b) violated any condition of its temporary stand permit; and (c) operated or is operating a temporary stand in a manner which causes or threatens to cause a danger to the public health, safety or welfare.

Signature: _____ Date: _____