

FIREWORK STAND

2018 REQUIREMENTS

1. Must be a non-profit association as defined by Section 21000.
2. The association or corporation must have its principal and permanent meeting place in El Monte for more than five (5) years continuously maintained a local unit, branch, lodge or club with a bona fide membership of at least twenty members within the City of El Monte, has a valid and current certificate of tax exemption as provided in Section 214 of the Revenue and Taxation Code.
3. The net proceeds of the sale of fireworks shall be expended solely for charitable purposes within the City.
4. On or before August 31 of the current year, the applicant shall file an itemized account of the receipts and expenditures (Form FW-4) in connection with the purchase and sale of fireworks.
5. No more than twenty (25) fireworks permits shall be issued in a year.
6. Application shall be submitted between 3/1 and 5/1 of the current calendar year. No application shall be accepted prior to or after this period each year.
7. No more than one (1) fireworks permit shall be issued to the same organization during any calendar year.
8. Each fireworks permit shall authorize the sale of fireworks at no more than one (1) location within the City and the use of not more than one (1) fireworks stand, not exceeding 33 feet in length, at any such location.
9. Require written permission from the property owner.
10. Submit Certificate of Insurance.

PERMIT FEES & LICENSE TAXES:

Non-refundable filing fee	\$569.76
Refundable Deposit for Completion Bond	\$50.00

CITY OF EL MONTE
PERMIT COMMITTEE

INSTRUCTIONS FOR FIREWORKS STAND PERMIT/LICENSE
APPLICATION

1. Complete standard permit application form and return it to the License Department along with the **\$569.76** non-refundable filing fee and the **\$50.00** refundable deposit. (FEES SUBJECT TO CHANGE)
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.
2. Permit Application must be accompanied by Written permission from the property owner as per sample attached.
3. Submit a Copy of Insurance Certificate.
4. Complete “Supplemental Application for Fireworks Stand” Form (**FW-1 and FW-2**) and submit documents required by these forms.
5. Upon approval of the permit, comply with all permit requirements, conditions and obtain building and electrical permits from the Building Department.
6. Comply with attachment **FW-3** form from the Fire Department.
7. **Complete and file form FW-4 by August 31st.**

FAILURE TO FILE FW-4 WILL PROHIBIT YOU FROM RECEIVING A PERMIT THE FOLLOWING YEAR.

8. Complete and file form **FW-5** concurrent with the Fireworks permit application between **MARCH 1st and MAY 1st.**

FAILURE TO FILE FW-5 WILL PROHIBIT YOU FROM RECEIVING A PERMIT FOR THE FOLLOWING YEAR.

9. An application for such a permit shall be submitted between **MARCH 1ST AND MAY 1ST** of the current calendar year.

NO APPLICATION FOR SUCH A PERMIT SHALL BE ACCEPTED TO OR AFTER THIS PERIOD EACH YEAR.

CITY OF EL MONTE
PERMIT COMMITTEE

SUPPLEMENTAL APPLICATION FOR FIREWORKS STAND

Name of Organization: _____

Street Address: _____

City: _____ Zip: _____ Phone # : _____

Location of Fireworks Stand: _____

Current California Board of Equalization Seller's Permit Number : _____
(Attach copy of Permit)

Current California State Fire Marshall's Retail Fireworks License # : _____
(Attach copy of License)

Current Certificate of Tax Exemption (Sec. 214-Rev & Tax Code) _____
(Attach copy of Permit)

I certify that this organization has maintained a local unit, branch, lodge or club
In the City of El Monte continuously for the last five (5) years.

Individual in organization applying for this permit:

Name: _____ Title: _____

Mailing address: _____

Street Address: _____

City: _____ Zip: _____ Phone # : _____

(Complete Sketch of proposed selling location on the attached form (FW-2))

I do declare under penalty of perjury that the above statements are true:

Signature

Date

Signature

Date

CITY OF EL MONTE
PERMIT COMMITTEE

SKETCH OF PROPOSED SELLING LOCATION

Pursuant to the provisions of the Health and Safety Code, State of California, and the City of El Monte Municipal Code:

I (we) hereby make application for permit to sell as a retailer “Safe and Same Fireworks” as defined by the California State Health and Safety Code, at:

El Monte, Ca. A sketch of the proposed selling location, showing buildings, property lines, and streets in relation to fireworks stand site, is as follows:

FIREWORKS STAND SHALL BE INSTALLED ON PAVED LOTS ONLY

I (we) hereby certify that all fireworks now on hand are not “dangerous fireworks” as defined in above mentioned Health and Safety Code and that any merchandise hereafter purchased and/or offered for sale by me (us), shall be in strict compliance with the provisions of said Code, and/or local laws or ordinances as pertaining thereto.

I (we) understand that storage and sales of all fireworks shall be subject to such restrictions as may be deemed advisable by the Chief of the Fire Department.

Signature of Applicant

Organization

Date

CITY OF EL MONTE
PERMIT COMMITTEE

FIRE DEPARTMENT REQUIREMENTS FOR FIREWORKS STANDS

EMMC 3114.3.15 Section 78.107 of the UFC 1982 Safe and Sane Fireworks. The City may permit the sale and use of Safe and Sane Fireworks as described in the California Administrative Code, Title 19, Article 8 subject to the following provisions:

1. No person shall fire, discharge, set off or use any fireworks of any kind within the City. No parent, guardian or other person having the legal care and custody of any minor child shall allow such child to violate the provisions of this Section.
2. The preceding subsection shall not prohibit the use or discharge of safe and sane fireworks on the 3rd and 4th of July. From 10:00 am to 11:00pm.
3. No person shall sell any fireworks in the City other than safe and sane fireworks except upon the 1st, 2nd, 3rd, and 4th days of July of any year. No person shall sell fireworks within the City without having first obtained a permit from the City to do so, as provided in Part 1 of Chapter 3 of Article 6 of the El Monte Municipal Code, and then only upon the terms and conditions specified in the granting of such a permit.
4. All applicants, at the time of application, must have in their possession a valid "Retailers' License" issued by the State Fire Marshall.
5. After the permit application has been approved by the Permit committee permits shall also be obtained from the City of El Monte Building Department for the erection of fireworks stands and for the installation of any electrical equipment required for such stands. For the purpose of this part, every premises or structure from which fireworks are sold is hereby defined as a "fireworks stand".
6. Every fireworks stand shall be equipped with signs bearing the words "No Smoking" in Red lettering at least four (4) inches in height. Such signs shall be visible to every person working in the stand and every customer while being served.
7. Every fireworks stand shall be equipped with two (2) exits.
8. Every fireworks stand shall be equipped with and approved fire extinguisher, subject to the approval of the Fire Prevention Department, and such extinguishers shall be maintained in working condition.

9. No later than **July 31st** of each year, all unsold stocks of safe and sane fireworks shall be returned to the wholesaler from whom they were purchased, or stored in a location approved by the Chief of the Fire Department.
10. No fireworks stand shall be located within twenty-five (25) feet of any building or side property line or within fifteen (15) feet of any street property line.
11. No automobile or other vehicle shall be parked within twenty-five (25) feet of any fireworks stand, except that vehicles may park upon a public street a distance of less than twenty-five (25) feet from such stands. Stands on public or private parking lots shall be provided with barriers to maintain the twenty-five (25) foot distance.
12. All combustible waste material, ground cover or other material liable to cause or spread fire shall be removed from the area surrounding the fireworks and a distance of twenty-five (25) feet,
13. There shall be at least one person **21 years** of age or older on duty at fireworks stands during the time such stands are open for business. No person under **18 years** of age shall be allowed in such stands at any time. No persons employed as a watchman shall remain inside any such stand during the time the stand is not open for business.
14. All paper, packing boxes and other combustible waste material shall be removed from every fireworks stand premises at least once daily. Stands shall be equipped with two (2) fifty-gallon metal trash containers with metal lids.
15. The sides of all fireworks stands shall be constructed of sheet metal or one-quarter inch gauge hardware cloth.
16. All fireworks on display, unless confined within a carton or package or provided with a taped fuse, shall be separated from the public by either a solid glass or solid metal partition.
17. All persons engaged in the operation of any fireworks stand shall be instructed as to the operation of the fire extinguishers required and provided for such stands and shall be familiar with all provisions contained herein.
18. No fireworks stand shall be erected more than ten (10) calendar days prior to the time on which fireworks may lawfully be sold pursuant to Section 18.107 c of said Code. Every fireworks stand shall be removed from the premises within seven calendar days after the time during which fireworks may be lawfully sold pursuant to Section 18.107 c of said Code. For every day or portion thereof that a fireworks stand is erected, maintained or left standing contrary to the provisions

of this Section, the sum of Ten dollars (\$10.00) shall be deducted from the deposit required by Section 8.16.030 of the El Monte Municipal Code and shall be retained by the City.

19. The Chief of the Fire Department and/or his designated representative shall have the power to suspend the operation of any activity which is in violation of any state or local ordinance, or which is in his opinion constitutes or creates a condition contributing to the cause or spread of fire.

CITY OF EL MONTE
PERMIT COMMITTEE

FIREWORKS STAND CONDITIONS

POLICE DEPARTMENT

1. Fireworks shall **not be sold** to anyone **under eighteen (18) years** of age.
2. Public consumption of alcoholic beverages is prohibited.

FIRE DEPARTMENT

1. Must comply with all local and state codes.
2. Fireworks stand must be located at least 15 ft from street property lines.
3. Safe and sane fireworks **may be sold** only on **July 1st, 2nd, 3rd, 4th**.
4. Post sign on stand visible to the public which states: **“FIREWORKS MAY BE USED OR DISCHARGED ONLY ON JULY 3RD & 4TH.” FROM 10:00AM TO 11:00PM. VIOLATION IS A MISDEMEANOR OFFENSE.”**

BUILDING DEPARTMENT

1. A building permit must be obtained before stand is erected. Have a licensed electrician obtain electrical permit, if applicable.

PLANNING DEPARTMENT

1. Fireworks stand shall be installed on paved lots **ONLY**.
2. Let no fireworks stand be placed in front of any existing landscape planter.

LICENSING DEPARTMENT

1. Applicant must provide proof of insurance, which meets the standards set forth in EMMC Section 3.24.160. This insurance must be in effect throughout the term of the permit. Expiration/cancellation of policy during the term of the permit shall be cause for immediate revocation of the permit.
2. Pursuant to EMMC Section 5.12.260 and all other city fees and taxes must be paid in full as a prerequisite to the issuance of this permit should the permit holder default on the payment on any fee or tax due the City by any provision of law or of this code, this permit shall become invalid.
3. Fireworks stand may not be erected prior to **6/21** and must be removed by **7/11**.

4. On or before **August 31st** of the current year, the applicant shall file and itemized account of the receipts and expenditures made in connection with the purchase and sale of fireworks.
5. No person other than the permittee organization shall operate the stand for which the permit is issued or share or otherwise participate in the profits of the operation of such stand.
6. No person other than the individuals who are members of the permittee organization, or the spouses or adult children of such members, shall sell or otherwise participate in the sale of fireworks at such stand.
7. No person shall be paid any consideration for selling or otherwise participate in the sale of fireworks at such stand.
8. Written permission from legal property owner must be submitted to the license department.

CODE ENFORCEMENT

1. Must have site manager/contact with address & phone number.
2. “No smoking shall occur within or next to the fireworks stand.” “**NO SMOKING**” sign shall be installed on the fireworks stand visible to the public.
3. A supervisor at least **twenty-one (21)** years of age or older must be on duty at all times the stand is open to the public.
4. The stand must be secured in a way that when closed, no one may easily or readily insert their hand(s) inside the stand from outside the stand.

CITY OF EL MONTE
PERMIT COMMITTEE

PERMITTEE:

1. Comply with all local and state codes.
2. Fireworks stand shall be installed on paved lots **ONLY**.
3. Obtain a building permit before stand is erected. Have licensed electrician obtain electrical permit, if applicable.
4. Fireworks stand must be located at least 15ft. from street property lines.
5. Fireworks stand may not be erected prior to **June 21**, and must be removed by **July 11**.
6. No person shall sell safe and sane fireworks except upon the **1st, 2nd, 3rd, 4th** days of July.
7. Fireworks shall not be sold to anyone under **eighteen (18)** years of age.
8. Fireworks stand shall be facing **AWAY** from planters.
9. On or before the end of the calendar year, the permittee shall file an itemized account of the receipts and expenditures made in connection with the purchase and sale of fireworks.
10. No person other than the permittee organization shall operate the stand for which the permit is issued or share or otherwise participate in the profits of the operation of such stand.
11. No person other than the individuals who are members of the permittee organization, or the wives or husbands or adult children of such members, shall sell or otherwise participate in the sale of fireworks at such stand.
12. No person shall be paid **ANY** consideration for selling or otherwise participating in the sale of fireworks at such stand.
13. Written permission from legal property owner must be submitted to the License Department.
14. Public consumption of alcoholic beverages is prohibited.
15. Post sign which states: **“Fireworks may be used or discharged on only July 3rd and 4th”**.

**I HEREBY ACKNOWLEDGE MY ORGANIZATION’S
COMPLIANCE WITH EACH OF THE CONDITIONS LISTED.**

NAME: _____ **DATE:** _____

ORGANIZATION: _____

CITY OF EL MONTE
PERMIT COMMITTEE

**ITEMIZED REPORT OF RECEIPTS & EXPENDITURES
FOR SALE OF FIREWORKS FOR THE YEAR 20_____**

1. GROSS RECEIPTS FROM THE SALE OF FIREWORKS \$ _____
2. ITEMIZED EXPENDITURES: *
 - a. Fireworks Distribution** _____
 - b. Fireworks \$ _____
 - c. Construction of stand \$ _____
 - d. Taxes (itemized) \$ _____
 - e. Permit Fees (itemized) \$ _____
 - f. Insurance \$ _____
 - g. Utilities \$ _____
 - h. Advertising \$ _____
 - i. Other (specify) \$ _____
3. TOTAL EXPENDITURES \$ _____
4. NET PROCEEDS
(Line 1 minus Line 3) \$ _____

*No expenditures may be made for compensation or remuneration paid to any person assisting in the sale of fireworks. All expenditures must be itemized, otherwise this form will be returned to you for re-submittal.

**List name and address of distributor on back of this form.

I certify that this is a true and accurate accounting. SUBJECT TO AUDIT

SIGNATURE: _____ TITLE: _____

ORGANIZATION: _____ DATE: _____

This report must be filed with the license department on or before **AUGUST 31ST for the year in which fireworks are sold. Failure to file this form will prohibit the issuance of a fireworks permit the following year.**

CITY OF EL MONTE
PERMIT COMMITTEE

**REPORT OF DISBURSEMENTS OF NET PROCEEDS
FROM SALE OF FIREWORKS IN 20_____**

BALANCE FORWARD (From previous year form FW-5) \$_____

NET PROCEEDS (From line #4 of form FW-4) \$_____

*ITEMIZED EXPENDITURES:

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

TOTAL EXPENDITURES \$_____

NET \$_____

*Must be completed in detail. Each line item expense must be listed. Failure to do so will result in rejection of this form.

**I certify that all expenditures of net proceeds from the sale of fireworks were expended solely for charitable purposes within the City of El Monte.
(SUBJECT TO AUDIT)**

SIGNATURE: _____ **TITLE:** _____

ORGANIZATION: _____ **DATE:** _____

THIS FORM MUST BE FILED BY **MAY 1ST, CONCURRENT WITH THE FILING OF AN APPLICATION FOR A FIREWORKS PERMIT FOR THE CURRENT YEAR.**

FW-5

**THIS FORM MUST BE COMPLETED BY THE OWNER OF RECORD OF
THE PROPERTY AND IF LEASED OF LESSOR.**

S A M P L E

Permission is hereby granted to _____
_____ **And** _____

For the exclusive right to use the property located at _____,
El Monte, Ca for their 20__ Fireworks stand.

It is understood that this sale will be conducted in accordance with all City, County
and State regulations.

OWNER/LESSOR

NAME: _____

ADDRESS: _____

TELEPHONE # : _____

SIGNATURE: _____

DATED THIS _____ DAY OF _____, 20_____

FIREWORK STAND

Definition:

Nonprofit business

Requirement:

Supplemental Packet

Business Permit Fee

\$569.76

License Fee

License Tax Schedule (29)

Fire work completion bond \$50.00

City of El Monte
Permit Committee

FIREWORKS STAND
Standard Conditions

FIRE DEPARTMENT

92. Must comply with all local and state codes.
97. Safe and sane fireworks may be SOLD only on July 1st, 2nd, 3rd, 4th. Between the house of 8:00am and 10:00pm.
105. Post sign on stand visible to the public which states: "Fireworks **may be used or discharged** only July 3rd, 4th from 10:00am to 11:00pm." Violation is a misdemeanor offense.
95. Fireworks stand must be located at least five **(15)** feet from street property lines.

PLANNING DEPARTMENT

93. Fireworks stand shall be installed on paved lots only.
99. Let no fireworks stand be placed in front of any existing landscape planter.

BUILDING DEPARTMENT

94. A building permit must be obtained before stand is erected. Have licensed electrician obtain electrical permit, if applicable.
903. On July 4th commencing at 10:00pm all sales of fireworks and related inventory within the City of El Monte must cease and all structures, temporary or otherwise, from which such sales are conducted must be locked and secured so as to prevent unauthorized entry and/or the unauthorized removal of any unsold fireworks or related inventory. A unsold fireworks and related merchandise must remain locked and secured within the confines of the structure until the arrival of the fireworks manufacturer or their duly authorized agent for lawful pick up. The applicant shall provide a security guard for all structures so as to safeguard against the unauthorized removal of fireworks and related inventory prior to the arrival of the fireworks manufacturer or their duly authorized representative for the collection of all unsold inventory. No fireworks stand or fireworks shall be left unattended until all merchandise has been removed by the fireworks manufacturer or their duly authorized representative.

POLICE DEPARTMENT

98. Fireworks shall not be sold to anyone under **eighteen (18)** years of age.
104. Public consumption of alcoholic beverages is prohibited.

LICENSE DEPARTMENT

96. Fireworks stand may not be erected prior to 6/21, and must be removed by 7/11.

100. On or before December 31st of the current year, the permittee shall file an itemized account of the receipts and expenditures made in connection with the purchase and sale of fireworks.
101. No person other than the permittee organization shall operate the stand for which the permit is issued or share of otherwise participate in the profits of the operation of such stand.
102. No person other than the individuals who are members of the permittee organization, or the spouses or adult children of such members, shall sell or otherwise participate in the sale of fireworks at such stand.
103. No person shall be paid any consideration for selling or otherwise participating in the sale of fireworks at such stand.
106. Written permission from legal property owner must be submitted to the License Department.
51. Pursuant to **EMMC Section 5.12.260**, all other City fees and taxes must be paid in full as a prerequisite to the issuance of this permit. Should the permit holder default on the payment of any fee or tax due the City by any provision of law or of this Code, this permit shall become invalid.
42. Applicant must provide proof of insurance which meets the standards set forth in **EMMC Section 3.24.160**. This insurance must be in effect throughout the term of the Permit. Expiration/cancellation of a policy during the term of the permit shall be cause for Immediate revocation of the permit.

CODE ENFORCEMENT

778. No smoking shall occur within or next to the fireworks stand. No smoking signs shall be installed on the fireworks stand visible to the public.
608. Must have site manager/contact with address and phone number.
816. No one under the age of eighteen (18) shall be allowed inside the stand at any time, and A supervisor at least twenty one (21) years of age or older must be on duty at all times the stand is open to the public.
817. The stand must be secured in a way that when closed , no one may easily or readily insert their hand(s) inside the stand from outside the stand.