

PERMIT FEE:	\$97.00
FILING DEADLINE:	March 31st
TEMPORARY BUSINESS LICENSE:	Fee Waived

CITY OF TEMPLE CITY

APPLICATION FOR PERMIT TO SELL FIREWORKS

NAME OF ORGANIZATION: _____
CONTACT PERSON: _____ PHONE: _____
MAILING ADDRESS: _____ EMAIL: _____
ADDRESS OF PRINCIPAL AND PERMANENT MEETING PLACE: _____

ORGANIZATION OFFICERS:

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

HOW LONG HAS THE ORGANIZATION BEEN ESTABLISHED IN THIS CITY: _____

NON-PROFIT ORGANIZATION: YES _____ NO _____

ACTIVE MEMBERS: _____

COPY OF STATE BOARD OF EQUALIZATION'S STATE, LOCAL AND DISTRICT SALES AND USE TAX RETURN FOR 2010 FILED WITH THE CITY: YES _____ NO _____

LOCATION OF PROPOSED FIREWORKS STAND: _____

NAME	ADDRESS	PHONE
_____	_____	_____

PRESENT USE OF PROPERTY: _____

NOTE:	Written permission from property owner of proposed site for fireworks stand must accompany this application.
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LENGTH OF PROPOSED FIREWORKS STAND: _____

NOTE: A cash deposit of \$100 for each 24' in length or portion thereof of the proposed fireworks stand is required as a condition of granting a permit.

FIREWORKS SUPPLIER: _____

SALES TAX NUMBER: _____

INSURANCE: Application for permit to sell fireworks shall be accompanied by an assurance that if the permit is issued, applicant shall, at the time of receipt of said receipt of said permit, deliver to the City a \$1,000,000 public liability insurance policy. The City's General Liability Special Endorsement must be completed by an authorized representative of your insurance company and attached to the policy.

I DECLARE UNDER PENALTY OF PERJURY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. AS A CONDITION FOR THE ISSUANCE OF THE PERMIT APPLIED FOR, I AGREE TO SUBMIT ANY ADDITIONAL INFORMATION THAT MAY BE REQUIRED; CONDUCT ALL PHASES OF THIS BUSINESS IN ACCORDANCE WITH REGULATIONS ESTABLISHED FOR SUCH BUSINESS AND TO MAINTAIN ALL PERSONNEL, VEHICLES

SIGNATURE OF APPLICANT: _____ **DATE:** _____

OR

OFFICER OF ORGANIZATION: _____ **DATE:** _____

NOTE: A SALES AND USE TAX RETURN SHALL BE SUBMITTED TO THE CITY OF TEMPLE CITY NO LATER THAN OCTOBER 30TH. NONCOMPLIANCE SHALL RESULT IN LOSS OF DEPOSIT.

<u>FOR OFFICE USE ONLY</u>	
Received by:	_____
Receipt No.:	_____
Amount:	\$ _____

NOTE: No door-to-door solicitation is permitted without special permit. Application may be made at City Hall.



CITY OF TEMPLE CITY
 9701 LAS TUNAS DRIVE
 TEMPLE CITY, CA 91780
 (626) 285-2171

DATE: _____

ZONING CLASS: _____

PLANNING'S INITIALS: _____

APPLICATION FOR BUSINESS LICENSE

PLEASE CHECK APPLICABLE STATUS/CLASSIFICATION				
NEW BUSINESS _____	CHANGE OF:	OWNERSHIP _____	LOCATION _____	BUSINESS _____
RETAILER _____	WHOLSALER/MFG _____	HOME OCCUPATION _____	SPECIALTY BUSINESS _____	
SERVICE _____	PROFESSIONAL _____	BUSINESS BY VEHICLE _____	Specify: _____	
BUSINESS NAME (DBA): _____				
BUSINESS ADDRESS: _____				
MAILING ADDRESS (IF DIFFERENT): _____				
BUSINESS PHONE #:		ANTICIPATED BUSINESS START DATE:		
STATE/REG LICENSE #:	EXPIRATION DATE:	RESALE/ SALES TAX #:		
FEDERAL EMPLOYEE I.D. OR SOCIAL SECURITY NUMBER:		STATE EMPLOYEE I.D. NUMBER:		
BUSINESS OWNER'S NAME:		TITLE:	CA DRIVER'S LICENSE #:	
HOME ADDRESS:		HOME PHONE #:		
NUMBER OF EMPLOYEES WORKING MORE THAN 20 HOURS/WEEK (NOT INCLUDING OWNERS): _____ <i>If you have employees, please provide the City with proof of Worker's Compensation</i>				
NUMBER OF VEHICLES USED FOR PURPOSE OF YOUR BUSINESS? _____				
DO YOU HAVE VENDING/VIDEO MACHINES? <i>circle one</i> YES NO IF YES, HOW MANY? _____				
ARE YOU A FIREARMS DEALER? <i>circle one</i> YES NO				
IS THE BUSINESS OWNED BY AN: INDIVIDUAL _____ PARTNERSHIP _____ CORPORATION _____ ?				
<i>If applicable, please provide a copy of Articles of Incorporation and the following information on all principal officers:</i>				
NAME:		TITLE:	CA DRIVER'S LICENSE #:	
HOME ADDRESS:		HOME PHONE #:		
NAME:		TITLE:	CA DRIVER'S LICENSE #:	
HOME ADDRESS:		HOME PHONE #:		
PROPERTY OWNER'S NAME:			PHONE #:	
ADDRESS: _____				

HAVE YOU OPERATED THIS BUSINESS UNDER ANOTHER NAME AND/OR AT ANOTHER LOCATION? *If yes, state other name/location:*

WILL THERE BE ANY OUTSIDE STORAGE? *If yes, describe the kind below and indicate the location on the site/floor plan:*

WILL THERE BE ANY HANDLING, TRANSPORTATION, STORAGE OR MANUFACTURING OF ANY EXPLOSIVE, FLAMMABLE, TOXIC OR OTHER HAZARDOUS GASES, LIQUIDS OR SOLIDS? *If yes, describe the kind and location – tanks and other principle storage must be shown on the plot/floor plans:*

WILL THERE BE ANY ALTERATION(S) TO THE STRUCTURE TO ACCOMMODATE YOUR BUSINESS USE? *For example, new rooms, walls, interior offices, installation or removal of major equipment. If yes, show on plot/floor plan and describe below:*

DESCRIBE YOUR BUSINESS ACTIVITIES IN DETAIL:

Article V Section 5135: NO PART OF THE LICENSE FEE COLLECTED SHALL BE RETURNED BUT SHALL BE FORFEITED TO THE CITY.

I DECLARE UNDER PENALTY OF PERJURY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. AS A CONDITION FOR THE ISSUANCE OF THE CERTIFICATE APPLIED FOR, I MUST AGREE TO SUBMIT ANY ADDITIONAL INFORMATION THAT MAY BE REQUIRED; CONDUCT ALL PHASES OF THIS BUSINESS IN ACCORDANCE WITH REGULATIONS ESTABLISH FOR SUCH BUSINESS AND TO MAINTAIN ALL PERSONNEL, VEHICLES, AND/OR EQUIPMENT THAT MAY BE USED IN CONNECTION THERWITH, IN CONFORMANCE WITH ALL APPLICABLE LAWS, ORDINANCES AND REGULATIONS.

APPLICANT'S SIGNATURE: _____ DATE: _____

PARTNER/OFFICER'S SIGNATURE: _____ DATE: _____

Please return this application as well as the attached forms along with your remittance to the City Hall. Make all checks payable to the "City of Temple City." The amount to be paid is shown on the fee schedule. If you have any questions, call the Business License Division at (626) 285-2171.

FOR OFFICE USE ONLY

LICENSE FEE	\$ _____	RECEIPT # BL	_____
PRORATION	\$ _____	AMT RECEIVED	\$ _____
PERMIT FEE	\$ _____	DATE RECEIVED	_____
SHERIFF FEE	\$ _____	RECEIVED BY	_____
OCCUPANCY FEE	\$ _____	C.U.P	_____
EMPLOYEE FEE	\$ _____		
TOTAL	\$ _____		

TITLE 3
PUBLIC SAFETY

Subject	Chapter
Fire Code	1
Public Health Code	2
General	2A
Phosphates	2B
Traffic Regulations	3
Vehicular Traffic Regulations	3A
Bicycle Regulations	3B
Wheeled Toy Regulations	3C
Streets And Sidewalks	4
Obstructions	4A
Street Benches	4B
Umbrellas	4C
Roadside Trees	4D
Encroachments	4E
Parks And Civic Center	5
General	5A
Park Property	5B
Traffic Regulations	5C
Park Activities	5D
Operations Policy	5E
Animal Control	6
General	6A
Powers And Duties	6B
Dog Licenses	6C
Rabies Vaccinations	6D
Animals At Large	6E
Impounding	6F
Animals; General Regulations	6G
Firearms	7

CHAPTER 1

FIRE CODE

SECTION:

- 3100: Adoption
- 3101: Application To City
- 3102: Open Fires
- 3103: Fire Hydrants
- 3104: Enforcement Of Chapter
- 3105: Manufacture Of Fireworks
- 3106: Possession And Sale Of Fireworks
- 3107: Bond/Insurance Required For Permits
- 3108: Disposal Of Unused Fireworks
- 3109: Fireworks Used By Transportation Agencies
- 3110: Seizure Of Goods In Violation Of Chapter
- 3111: Sale/Discharge Of Fireworks
- 3112: Unlawful Discharge
- 3113: Permit Application Procedure
- 3114: Qualifications Of Permittees
- 3115: Permit Application Filing
- 3116: Permit Application Contents
- 3117: Operation Of Stands
- 3118: Sales From Designated Structures

3100: **ADOPTION¹:** The city of Temple City hereby adopts the consolidated fire protection district of Los Angeles County (district) fire code as the fire code for the city of Temple City. Said district fire code is codified in title 32 of the Los Angeles County code. (Ord. 11-946)

3101: **APPLICATION TO CITY:** The city hereby adopts the Los Angeles County fire department as the city fire department and the county fire chief as the city fire chief. (1960 Code)

1. See also section 7110 of this code.

3102: **OPEN FIRES:** Section 27.101, reading as follows, is hereby added to said ordinance 2947:

Section 27.101. Open Fires.

There shall be excepted from this section:

- A. The burning of charcoal, briquettes, natural gas or similar fuel, for the purpose of cooking food products in containers or pits located in yards of improved properties; and
- B. The burning of wicks, lanterns or torches for lighting or ornamental effects.
(1960 Code)

3103: **FIRE HYDRANTS:** All premises where buildings or portions of buildings, other than single-family or duplex dwellings, are hereafter constructed shall be provided as may be required by the chief with approved fire hydrants connected to a water system capable of supplying the fire flow required by the chief. Access to fire hydrants shall be provided and maintained to accommodate firefighting apparatus. (1960 Code)

3104: **ENFORCEMENT OF CHAPTER:** All provisions of this chapter shall be carried out and enforced in conjunction with the law enforcement agency of the city and by the fire chief. The general supervision of conditions and equipment which aid in control of fire, conditions constituting fire hazards or danger to life or property, and the abatement or minimizing of such fire hazards or dangerous conditions shall be the responsibility of the said fire chief. (1960 Code)

3105: **MANUFACTURE OF FIREWORKS:** The manufacture of fireworks within the city is prohibited. (1960 Code)

3106: **POSSESSION AND SALE OF FIREWORKS:** Except as hereinafter provided, it shall be unlawful for any person to possess, store, to offer for sale, expose for sale, sell at retail or use or explode any fireworks; provided that the fire chief shall have power to adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks. Every such display shall be handled by a competent operator approved by said fire chief, and shall be of such character and so located, discharged or fired as in the opinion of the fire chief, after proper inspection, so as not to be hazardous to property or endanger any person. Application for permits shall be made in writing at least ten (10) days in advance of the date of the display. After such privilege shall have been granted, sale, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted thereunder shall be transferable. (1960 Code)

3107: **BOND/INSURANCE REQUIRED FOR PERMITS:** The permittee for a fireworks display, shall furnish a bond or certificate of insurance in an amount deemed adequate by the city manager for the payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any acts of the permittee, his agents, employees or subcontractors. (1960 Code)

3108: **DISPOSAL OF UNUSED FIREWORKS:** The permittee for a fireworks display, having any fireworks that are unfired after the display is concluded shall immediately dispose of same in a way safe for the particular type of fireworks remaining. (1960 Code)

3109: **FIREWORKS USED BY TRANSPORTATION AGENCIES:** Nothing in this title shall be construed to prohibit the use of fireworks by railroads or other transportation agencies for signal purposes or illumination or the sale or use of blank cartridges for a show or theater, or for signal or ceremonial purposes in athletics or sports or for use by military organizations. (1960 Code)

3110: **SEIZURE OF GOODS IN VIOLATION OF CHAPTER:** The fire chief shall seize, take, remove or cause to be removed at the expense of the owner of same all stocks of fireworks offered or exposed for sale, stored or held in violation of this code. (1960 Code)

3111: **SALE/DISCHARGE OF FIREWORKS:** Safe and sane fireworks as defined by section 12504 of the Health and Safety Code of the state of California may be sold and discharged within the city of Temple City during the period beginning twelve o'clock (12:00) noon on June 30 and ending at twelve o'clock (12:00) noon on July 5 of each year and not otherwise. No other fireworks shall be sold or offered for sale or discharged within the city. Safe and sane fireworks shall include only those fireworks that have been classified and registered as "safe and sane" by the state fire marshal. (1960 Code)

3112: **UNLAWFUL DISCHARGE:** No person shall sell fireworks within the city without first having applied for and received a permit therefor in compliance with the terms of this code. (1960 Code)

3113: **PERMIT APPLICATION PROCEDURE:** Upon receipt of written application for a fireworks permit, the city manager shall make an investigation and submit to the city council a report of his findings and his recommendations for or against the issuance of a permit, together with his reasons therefor. After receipt of such recommendations and report, the city council shall have the power, in its discretion, to grant or deny the application. Any permit granted by the city council may be subject to such reasonable conditions and restrictions as may be imposed by the city council and such conditions and restrictions shall be complied with by the permittee. The city council shall require a cash deposit with the city clerk in the sum of one hundred dollars (\$100.00) for each twenty four feet (24') in length or portion thereof, of the fireworks stand to be used by the applicant as a condition of granting a permit. Such deposit shall be refunded to the permittee upon compliance with all code provisions, but such deposit shall be forfeited and retained by the city in the event of noncompliance. (1960 Code)

3114: **QUALIFICATIONS OF PERMITTEES:**

- A. No permit shall be issued to any person except nonprofit associations or corporations organized primarily for veteran, patriotic, welfare, civic betterment or charitable purposes. Each such organization must have its principal and permanent meeting place in the city and must have been organized and established in the area that is within the city for a minimum of two (2) years continuously preceding the filing of the application for the permit and must have a bona fide membership of at least twenty (20) members.

- B. Every stand shall submit to the city by October 30 of each year, a copy of the state board of equalization's state, local and district sales and use tax return from the operation of the fireworks stand for the prior July. Failure to do so shall result in the following:

1. Unable to get a permit for the following year; and

2. The deposit placed with the city shall be held until such time the report is filed but no longer than one year from the due date, at which time the deposit is thereby forfeited to the city.

- C. In calendar year 1997, fireworks permits shall be issued only to those organizations that held fireworks permits in calendar year 1996 and fully complied with all requirements attached thereto.

Should any 1996 fireworks permittee fail to apply or qualify for a fireworks permit in any succeeding year, the number of issued permits shall be reduced by the number of organizations so failing to apply or qualify. The number of issued permits shall continue to be reduced in this manner until the target number of twelve (12) issued fireworks permits is reached.

Should the number of qualified permit applicants drop below the number twelve (12), permit applications will be considered in the order received to meet but not exceed twelve (12) fireworks permits in any given year. (1960 Code; amd. Ord. 91-691; Ord. 96-792)

3115: **PERMIT APPLICATION FILING:** Applications for such permit:

- A. Shall be made in writing.
- B. Shall be accompanied by a current roster of members.
- C. Shall be filed with the city manager between January 1 and March 31 of each year.
- D. Shall set forth the proposed location of any and all fireworks stands applied for, and the length thereof.
- E. Shall be accompanied by a certificate of insurance in the amount of one million dollars (\$1,000,000.00) public liability with an endorsement attached to the policy designating the city of Temple City as additional insured.

- F. Shall be accompanied by a nonrefundable permit fee as set and/or modified by resolution of the city council.
- G. Applicants for any such permits shall be notified by the city manager of the granting or rejection of their application for permit on or before May 1 of each calendar year.
- H. Upon approval of permit, applicant shall be issued a separate temporary business license. The fee shall be waived by the city council. (1960 Code; amd. Ord. 92-715; Ord. 96-792)

3116: **PERMIT APPLICATION CONTENTS:** Each such application shall show the following:

- A. Name and address of applicant.
- B. The applicant's status as a nonprofit organization.
- C. The name and address of the officers, if any, of the applicant.
- D. The location where the applicant will sell fireworks.
- E. When the applicant was organized and established.
- F. The location of the applicant's principal and permanent meeting place.
- G. The applicant's state board of equalization sales tax permit number. (1960 Code)

3117: **OPERATION OF STANDS:** The following regulations shall be complied with in the operation of fireworks stands:

- A. No person other than the licensee organization, its members and members of their families, shall operate the stand for which the license is issued, or share or otherwise participate in the profits of such stand. No assignment or licensing or other use of the permit may be permitted.
- B. No person other than the individuals who are members of the licensee organization, or the spouses or adult children of such members, shall sell or otherwise participate in the sale of fireworks at such stand.

- C. No person shall be paid consideration for selling or otherwise participating in the sale of fireworks at such stand.
- D. Each person, group or organization shall be limited to one permit per year and each permit shall be limited to one stand. (1960 Code)

3118: **SALES FROM DESIGNATED STRUCTURES:** All retail sales of safe and sane fireworks shall be permitted only from within a temporary fireworks stand and the sale from any other building or structure is hereby prohibited. Such temporary stands shall be subject to the following provisions:

- A. Fireworks stands need not comply with the provisions of the building code of the city provided, however, that all stands shall be erected under the supervision of the inspector who shall require that stands be constructed in a manner which will reasonably ensure the safety of attendants and patrons, and any stands constructed shall obtain an electrical permit from the city.
- B. If, in the judgement of the fire department and the building inspector of the city, the construction of the stands or the conduct of the operators therein do not conform to the provisions of this code, such officers, or either of them, may order the stands immediately to close.
- C. No person shall be allowed in the interior of the stand except those directly employed in the sale of fireworks.
- D. There shall be at least one supervisor, twenty one (21) years of age or older, on duty at all times. No person under eighteen (18) years of age shall be allowed inside the booth at any time.
- E. No fireworks shall remain unattended at any time regardless of whether the fireworks stand is open for business or not. No person shall sleep in the stand.
- F. No stand shall be placed closer than twenty five feet (25') to any other building.
- G. "NO SMOKING" signs shall be prominently displayed both inside and outside the stand. No smoking shall be permitted within the stand, or within fifteen feet (15') of the stand.

- H. All weeds and combustible material shall be cleared from the location of the stand. No rubbish shall be allowed to accumulate in or around any fireworks stand, nor shall a fire nuisance be permitted to exist.
- I. No stand shall be erected before June 15 of any year. The premises on which the stand is erected shall be cleared of all structures and debris within seventy two (72) hours after midnight of July 4.
- J. All stands must be equipped with at least one fire extinguisher, type 2A, for each exit in the stand, which fire extinguishers must be approved as to efficiency and safety by the fire department.
- K. Each stand in excess of twenty feet (20') in length must have at least two (2) exits and each stand in excess of forty feet (40') in length must have at least three (3) exits spaced approximately equidistant apart, provided however, that in no case shall the distance between exits exceed twenty feet (20').
- L. No stand shall be constructed with a depth of more than twelve feet (12').
- M. "No Drinking of Alcoholic Beverages" signs shall be prominently displayed both inside and outside the stand. No drinking of alcoholic beverages shall be permitted within the stand, or within fifteen feet (15') of the stand; nor shall any person handling or selling fireworks be under the influence of alcohol or any other controlled substances; nor shall any alcoholic beverages or controlled substances be contained within the stand. (Ord. 85-563)