



P.O. Box 86, 803 Eighth St. | Baldwin City, KS 66006 | (785) 594-6427 | FAX 594-6586 | www.baldwincity.org

RE: Fireworks Stand

Firework Vendor,

Please find enclosed an application and current code.

- **Application deadline:** June 1, annually. Applications received after this date will not be considered.
- **Permit Fee:** \$200.00.

Please mark your calendar with the application deadline, June 1. Application after this date will not be accepted.

Questions? Feel free to contact either the City Clerk.

Laura Hartman, City Clerk – 785.594.6427 or email lhartman@baldwincity.org

Thank you,

Laura E. Hartman

City Clerk/Human Resources



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FIREWORKS STAND APPLICATION

PRIOR TO OPENING THE FIREWORKS TENTS AND BUILDINGS THEY WILL BE INSPECTED TO INSURE THAT THEY MEET CHAPTER VII, ARTICLE 3 of the CODE OF THE CITY OF BALDWIN CITY, ARTICLE #9 OF THE UNIFORM FIRE CODE AND STATE STATUTE K.A.R. 22-6-1 THROUGH K.A.R. 22-6-16. ALL INSPECTIONS WILL BE COMPLETED BY THE CITY OF BALDWIN CITY AND THE OPERATOR WILL CORRECT ANY DISCREPANCIES PRIOR TO THE OPENING OF THE BUSINESS FAILURE TO COMPLY MAY RESULT IN CLOSING THE FIREWORKS SALES. THE SALE OF FIREWORKS BEGINS JUNE 29 THRU JULY 4.

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Application Date: _____

D.B.A.: _____

Insurance Company: _____

Insurance Policy #: _____ Policy Valid From: _____ To: _____

(Policy Must Be Attached)

Sales Tax Registration # _____

Fireworks stand Location: _____

Storage Location of Fireworks: _____

Applicant's Signature: _____



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REQUIRED DOCUMENTS CHECKLIST:

- Completed Application**
- Map** - Attach a map showing street(s) and location of the event as described above.
- Insurance coverage** – Applications for all events *held on public property and/or assisted by the City of Baldwin City* must be accompanied by a Certificate of Insurance identifying the City as "Additional Insured." Proof of liability and bodily injury insurance coverage at a minimum amount of \$500,000.00 combined single limit per occurrence with a minimum aggregate limit of \$1,000,000 is required. Insurance certificates must reference the event to be held and be dated within 30 days of the event.
- Application fees:** \$200.00
- Non-Profit:** Application fee may be waived by the City Administrator if a letter showing non-profit status is included with application.
- Utility fees:** If electric service is requested, a fee of \$25.00 plus the cost of electricity used will be assessed. Applicants must complete a utility card in advance and include with the application.
- Alcohol:** If alcohol is to be served or sold a copy of the *approved KSDR Form ABC-830 Temporary Permit Application and Agreement* on file with the City Clerk.

I certify that the information contained in and attached to this application is correct, and I agree to abide by the terms of the Code of the City of Baldwin City, Kansas, which regulate special events, and by the specific terms and stipulations of this permit.

ARTICLE 3. FIREWORKS

7-301. Fireworks prohibited.

(a) It shall be unlawful for any person, firm or corporation to keep, store, display for sale, fire, discharge or explode any fireworks, as defined by the rules and regulations of the Kansas state fire marshal, within the first fire zone of Baldwin City at any time, and the fire zone comprising the business area of the city.

(b) It shall be unlawful for any person, firm or corporation to keep, store, display for sale, fire or discharge any fireworks as defined by the rules and regulations of the Kansas state fire marshal within any other portion of the city, except as provided hereinafter.

(c) The term "fireworks" shall mean and include any combustible or deflagrating composition, article, or device suitable for the use of public for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation and previously approved for transportation by the chemical laboratory of the United States Department of Transportation.

(Code 1971, 5-301,304; Ord. 1047, Sec. 1; Code 2005)

7-302. Same: exceptions; discharges.

(a) It shall be unlawful for any person or persons to discharge, ignite, explode, or use any fireworks in the city except from 8:00 a.m. to 10:00 p.m. on July 1st and 2nd in any year and from 8:00 a.m. to Midnight on July 3rd and 4th in any year, in accordance with section 7-301(a) of this code.

(b) The governing body of the city may, in its discretion, grant permission at any time for the public display of fireworks by responsible individuals or organizations when such display or displays shall be of such a character and so located, discharged and fired as shall not be a fire hazard or endanger persons or surrounding property.

(c) It shall be unlawful for any person, firm or corporation to give any public display of fireworks without having first obtained a permit thereof.

(d) It shall be unlawful for any person, firm or corporation to explode or fire any fireworks in or about any motor vehicle or near any animal.

(Code 1971, 5-302, 5-305; Ord. 1047, Sec. 1; Code 2005; Ord. 1230, Sec. 1)

7-303. Same: exception; sale of fireworks.

It shall be unlawful for any person, firm, or corporation to sell, display for sale or offer to sell, within the city, any fireworks except between the hours of 8:00 a.m. and 10:00 p.m. on July 1st and 2nd in any year and between the hours of 8:00 a.m. and Midnight on July 3rd and 4th in any year, in accordance with section 7-301(a) of this code.

(Code 1985; Ord. 1230, Sec. 2)

7-304. Same; permits for sale of fireworks.

It shall be unlawful for any person, firm or corporation to sell at retail any type of fireworks without first securing a permit at a cost of \$200.00 per stand from the city clerk on or before June 1 of each year. No application will be processed after June 1. Before the permit can be issued, the permit applicant shall submit a plan for approval of location of stand, storage and parking facilities. If electricity is needed, applicant will be assessed \$25.00 for a temporary electric application.

(Ord. 1047, Sec. 1; Code 2005; Ord. 1360)

7-305. Sign posting.

Persons or entities receiving permits for the sale of fireworks within the city limits shall display in a prominent location of the stand with bold letters that are a minimum of two inches in height the following statement: "City Code section 7-302 permits the discharge of fireworks within the city limits from 8:00 a.m. to 10:00 p.m. on July 1 and 2 and from 8:00 a.m. to Midnight on July 3 and 4."

(Ord. 1047, Sec. 1; Code 2005; Ord. 1230, Sec. 3; Code 2011)

7-306. Bottle rockets prohibited.

It shall be unlawful for any person to sell, fire, or be in possession of bottle rockets or similar fireworks devices within the city.

(Ord. 707; Code 1985)

7-307. Fire protection.

(a) All stands shall post no smoking signs on all four sides of the stand.

(b) All stands are required to have a minimum of two 10-pound certified fire extinguishers.

(Ord. 1047, Sec. 1; Code 2005)

7-308. Authority of police chief and fire chief or the designee of either official.

The police chief and fire chief or the designee of either official are authorized to seize and confiscate all fireworks which may be kept, stored or used in violation of any section of this article, and all of the rules of the state fire marshal. He or she shall dispose of all such fireworks as may be directed by the city governing body.

(Ord. 1047, Sec. 1; Code 2005; Ord. 1360)

7-309. Designated area.

No igniting of personal fireworks within a permitted display shall occur.

(Ord. 1360)

Firework Stand Inspection Check-list

The Fire Chief will contact the applicant 2 days prior to inspections. Fire Chief will make periodic inspections after the permit has been issued.

- No smoking signs - no smoking signs must be posted inside and out of the tent, total of 8 signs
- 2 exits - 4 exit signs must be posted at 2 exits, inside and outside of the exits
- Fire extinguishers - 2 fire extinguishers (10 lbs) need to be hung up, with a sign above saying "Fire Extinguisher"
- No extension cords crossing any exit or entrance allowed

