## 4-13-3: APPLICATION FOR A LICENSE:

All applications for a license to sell fireworks shall:

(A) Be accompanied by a license fee for the sale of fireworks within the city of twenty five dollars ($25.00) per year per stand, no part of which may be waived or refunded.

(B) Be made in writing on the appropriate license application forms to be provided by the city.

(C) Business license applications shall be submitted within two (2) weeks after notification of the lottery drawing request has been granted pursuant to section 4-13-4 of this chapter. The firework stands must be on private property located in a commercial (C) zone, and be approved by the Taft fire chief. Written permission of the owner of record or lessee must accompany the business license application.

(D) Be accompanied by an assurance that if the license is issued to the applicant, the applicant shall at the time of the receipt of said license deliver to the city manager's office of the city of Taft one hundred thousand dollars/three hundred thousand dollars ($100,000.00/$300,000.00) public liability and fifty thousand dollars ($50,000.00) property damage insurance certificate designating the city as the additional insured thereunder.

(E) Include a statement that the applicant agrees to comply strictly with the terms of any permit granted to it and furnish any additional information upon request of the city manager. (Ord. 578, 2-19-1991)

## 4-13-4: METHOD OF SELECTING LICENSEE AND NOTICE OF GRANTING OR REJECTION OF LICENSE:

(A) License shall be selected by lottery each year from qualified applicants. (Ord. 518, 3-18-1986)

(B) Applicants for such license shall be notified of the granting or rejection as soon as practical after the second city council meeting in the month of April. (Ord. 376, 4-1-1974)

## 4-13-5: PREREQUISITES TO ISSUANCE OF LICENSE:

The following qualifications must be met by each applicant for a license hereunder:

(A) The organization must submit an organization application for safe and sane lottery drawing between March 1 and March 31, except when the last day falls on a Saturday or Sunday the following business day shall be determined to be the last day.

(B) The organizations applying for a business license pursuant to section 4-13-3 of this chapter shall have been selected as prescribed by section 4-13-4 of this chapter.

(C) No license shall be issued to any person except nonprofit associations or corporations organized primarily for veteran, patriotic, welfare, civic betterment or charitable purposes. An "organization" shall be defined for the purpose of this chapter to include any association and/or corporation and their affiliate or auxiliary organizations which were organized for the above prescribed purposes. (Ord. 578, 2-19-1991)

(D) Each organization must have its principal and predominant meeting place in the corporate limits of said city, must maintain a bona fide membership of at least twenty (20) members, and must have been organized and established within the city's corporate limits for a minimum of one year continuously preceding the filing of the request for lottery drawing application. (Ord. 633-95, 6-20-1995)

(E) No organization may receive more than one license for fireworks sale during any one calendar year. One license may be issued to two (2) or more qualifying applicants as a joint venture. The maximum number of licenses which may be issued pursuant to this section during any one calendar year shall not exceed four (4). (Ord. 578, 2-19-1991)

(F) If a primary organization has multiple auxiliary or affiliated organizations, the primary organization and one auxiliary or affiliate may submit an application for the lottery drawing prescribed by section 4-13-4 of this chapter. If one of these organizations is selected, the other will no longer be considered eligible for receipt of license that same year. (Ord. 633-95, 6-20-1995)

## 4-13-6: OPERATION OF THE STAND:

(A) No person other than the licensee organization shall operate the stand for which the license is issued or share or otherwise participate in the profits of the operation of such stand. (Ord. 376, 4-1-1974)

(B) No person other than the individuals who are members of the licensee organization, the wives, husbands, adult children or adult volunteers of such members, as long as they are covered by the licensee organization's liability insurance, shall sell or otherwise participate in the sale of fireworks at such stand. (Ord. 721-05, 4-26-2005)

(C) No person shall be paid any consideration for selling or otherwise participating in the sale of fireworks at such stand. (Ord. 376, 4-1-1974)

## 4-13-7: TEMPORARY FIREWORKS STANDS:

All retail sales of "safe and sane" fireworks shall be permitted only from within a temporary fireworks stand and sales from and other building or structure is hereby prohibited. Temporary stands shall be subject to the following provisions:

(A) No fireworks stand shall be located within twenty five feet (25') of any other building nor within one hundred feet (100') of any gasoline pump, nor within ten feet (10') of any public dedicated right of way.

(B) Fireworks stands need not comply with the provisions of the building code[1] of said city; provided, however, that all stands shall be erected so as to meet the approval of the city building inspector, who shall require that the stands be constructed in a manner that will reasonably ensure the safetyof attendants and patrons.

(C) No stand shall have a floor area in excess of three hundred (300) square feet.

(D) Each stand in excess of twenty four feet (24') 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 equidistance apart; provided, however, that in no case shall the distance between the exits exceed twenty four feet (24'). (Ord. 376, 4-1-1974)

(E) Each stand shall provide at least two (2) 2A10BC type extinguishers, readily accessible for use in the event of a fire. (Ord. 424, 4-21-1980)

## 4-13-8: GENERAL REQUIREMENTS FOR LICENSEES:

(A) All weeds and combustible material shall be cleared from the location of the stand including a distance of at least twenty feet (20') surrounding the stand.

(B) "No Smoking" signs shall be placed on prominent display on the fireworks stand.

(C) Each stand must have an adult in attendance and in charge thereof while fireworks are stored therein. The permittee shall provide an adult night watchman to provide security during the hours of storage. Under no circumstances shall the night watchman sleep within the fireworks stand.

(D) Each stand shall have available at all times, a telephone for emergency purposes. (Ord. 376, 4-1-1974)

(E) Sale of fireworks shall not begin before twelve o'clock (12:00) noon on July 1 and shall not continue after twelve o'clock (12:00) noon on July 5. (Ord. 607, 3-1-1994)

(F) All unsold stock and accompanying litter shall be removed from the location by five o'clock (5:00) P.M. on July 6.

(G) The fireworks stand shall be removed from the temporary location by twelve o'clock (12:00) noon on July 18, and all accompanying litter shall be cleared from said location by the said time and date.

(H) Prior to the issuance of a license, each applicant shall file with the city treasurer a cash deposit, a certificate of deposit or a surety bond made payable to the city in the amount of one hundred dollars ($100.00) to assure compliance with the provisions of this chapter. Such deposit or certificate shall be made refundable upon compliance with the provisions and requirements of this chapter including, but not limited to, the removal of the stand and cleaning of the site.

In the event that the licensee does not comply or remove the stand or clean the site in the manner required by the city building inspector the city may do so, or cause the same to be done by another person, and the reasonable cost thereof shall be charged against the licensee and his surety and the deposit certificate or bond.

(I) All required permits for auxiliary buildings or services shall be the responsibility of the individual applicant. (Ord. 376, 4-1-1974)

## 4-13-9: TEMPORARY SALES TAX PERMIT REQUIRED:

Organizations licensed for the selling of fireworks are required to obtain a temporary sales tax permit from the regional office of the state board of equalization. (Ord. 376, 4-1-1974)

## 4-13-10: DISPLAY OF LICENSE AND SALES TAX PERMIT:

License to sell fireworks and temporary sales tax permit shall be displayed in a prominent place in the fireworks stand. (Ord. 376, 4-1-1974)

## 4-13-11: PENALTIES:

Persons violating this chapter shall be deemed guilty of an infraction and upon conviction thereof shall be punished by a fine not to exceed two hundred fifty dollars ($250.00). Further, the license shall be revoked. (Ord. 694-02, 8-20-2002)

**Footnotes** - Click any footnote link to go back to its reference.

Footnote 1: See title V, chapter 2 of this code.

# FIREWORKS PERMIT APPLICATION FOR SAFE AND SANE FIREWORKS STAND

| | | |
|---|---|---|
| _____ | _____ | _____ |
| **Name of Organization** | **Address** | **Phone No.** |
| _____ | _____ | _____ |
| **Organization Representative** | **Address** | **Phone No.** |
| _____ | _____ | _____ |
| **Location of Firework Stand** | **Commercial Zone** | **Fire Zone** |

**I, _____, being the representative of an organization named**

**_____, have read the regulations of Chapter 13 of the Taft City Code relating to the SALE OF SAFE AND SANE FIREWORKS, and agree to comply strictly with the terms of any permit granted to it and furnish any additional information upon the request of the City Manager.**

| | |
|---|---|
| _____ | _____ |
| **Signature** | **Date** |

**CHECK LIST:** ( The following four (4) items, and City of Taft Planning Department signature must be submitted at the time this application is turned in)

_____ **Written permission of owner/lessee of property.**
_____ **$25.00 PERMIT FEE (Non-Refundable)**
_____ **$100.00 DEPOSIT or BOND (Refundable)**
_____ **Insurance Certificate, $1,000,000 Public Liability and $1,000,000 Property Damage designating the City as the additional insured thereunder as follows: "The City of Taft, its Officers, Agents, Volunteers, and Employees as well as County of Kern."**

**Location approval - City of Taft Planning Department_____**

**For Office Use Only**

**Reviewed and Recommended By:**

_____ **City Manager**
_____ **Director of Planning/Building**
_____ **Chief of Police**

CITY OF
TAFT
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# ORGANIZATION REQUEST FOR SAFE AND SANE FIREWORKS STAND LOTTERY DRAWING

Pursuant to Taft City Code Title 4-13-5, this organization meets all requirements to submit its name for the Safe and Sane Firework Stand drawing as follows:

1. It is a non-profit association or corporation organized primarily for veteran, patriotic, welfare, civic betterment or charitable purposes.

2. The principal and permanent meeting place has been within the corporate limits of the City for a minimum of one year continuously preceding the filing for the random drawing.

3. It maintains a bona fide membership of at least twenty (20) members

4. It is a separate organization and not affiliated with or an auxiliary of any other organization; or

5. The organization is affiliated with or an auxiliary of

_____

★ ★ ★ ★ ★ ★ ★ ★

I, _____, being the representative of the organization

named_____,

located at _____have read the

regulations of Chapter 13 of the Taft City Code relating to the SALE OF SAFE AND SANE

FIREWORKS, and agree to comply strictly with the terms of any permit granted to it and furnish

any additional information upon request of the City Manager.

Signed:_____ Dated:_____

Address:_____ Phone:_____

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209 E Kern St., Taft CA 93268-3292 Attn: Bus. License Coordinator • (661) 763-1350 EXT. 31

# BUSINESS LICENSE TAX APPLICATION

*APPLICATION MUST BE FILLED OUT COMPLETELY AND SIGNED BEFORE LICENSE CAN BE ISSUED• PLEASE ALLOW **7-10 DAYS** TO PROCESS THIS APPLICATION*

Business Name _____ Bus. Phone ( ) _____

Business Location _____ Bus FAX ( ) _____

(Cannot be P.O. Box per State of California, Business & Professions Code Section 17538.5)

Mailing Address _____ Start Date _____

_____ Rate Type _____

DESCRIPTION OF BUSINESS _____ SIC CODE _____

OWNERSHIP: Corporation ☐ Corp-Ltd. Liability ☐ Partnership ☐ Sole Proprietor ☐ Limited Partnership ☐ Trust ☐

State Lic. No. _____ Lic. Type _____ Expiration Date _____

Resale No. _____ FEIN No. _____ SEIN No. _____

***Enter below names of Owners, Partners, or Corporate Officers***

Owner Name _____ Title _____ Soc. Sec. No. _____

Home Address _____ Phone ( ) _____

_____ Cell Phone ( ) _____

*(Cannot be P.O. Box)* Drivers Lic. No. _____

Owner Name _____ Title _____ Soc. Sec. No. _____

Home Address _____ Phone ( ) _____

_____ Cell Phone ( ) _____

*(Cannot be P.O. Box)* Drivers Lic. No. _____

***Additional Information***

No. of Employees _____ No. of Rooms _____ Occupancy Limit _____ No. of Coin Operated Machine(s) _____

No. of Units (Apartment or Hotel/Motel only) _____ No. of Deliveries per Week (Wholesalers) _____

***In case of emergency, please contact:***

Name: _____ Phone ( ) _____

Address _____

***Do you own or lease property? If Yes, please enter property owner's name, address, and phone number.***

Name _____ Phone ( ) _____

Address _____

**This license period is for the twelve months ending:**

**PLEASE CALCULATE AMOUNT DUE FROM SCHEDULE ON BACK OF THIS FORM BASED ON ESTIMATED GROSS RECEIPTS. ENTER TAX IN BOX BELOW AND SIGN.**

**Enter Estimated Gross Receipts:** $

**Estimated Gross Receipts are based on months:**

_____ to _____

| | |
|---|---|
| **Non-Refundable Review Fee** one-time only | |
| **Business License Tax** | $ 25.00 |
| **State Mandate Fee** | $ 1.00 |
| **TOTAL TAX DUE** | $ |

Sales or use tax may apply to your business activities. You may seek written advice regarding the application of tax to your particular business by writing to the nearest State Board of Equalization office. For general information, please call the Board of Equalization at 1-800-400-7115.

***PAYMENT OF A BUSINESS LICENSE TAX DOES NOT RELIEVE THE APPLICANT (BUSINESS) OF THE REQUIREMENT TO COMPLY WITH OTHER REGULATIONS OF THE CITY, COUNTY, STATE, OR FEDERAL GOVERNMENT. I DECLARE, UNDER PENALTY OF PERJURY, THAT TO THE BEST OF MY KNOWLEDGE THE INFORMATION CONTAINED ABOVE IS TRUE AND CORRECT.***

Date: _____ Signature of Owner/Representative: _____

**RETURN APPLICATION TO ABOVE ADDRESS AND MAKE CHECK PAYABLE TO CITY OF TAFT**