



## Lathrop-Manteca Fire Protection District

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19001 Somerston Parkway, Lathrop, California 95330  
• (209) 941-5100 • Fax (209) 858-1180 • [www.lmfire.org](http://www.lmfire.org)•

Dear Firework Applicant(s),

On November 19, 2012, the Lathrop City Council approved the amendment of Section 8.13.080 of the Lathrop Municipal Code relating to applications for the sale of safe and sane fireworks. Applications will be accepted January 1<sup>st</sup> through January 31<sup>st</sup>, to allow time for the Lathrop-Manteca Fire District to review the applications prior to notifying applicants by April 9<sup>th</sup>.

The lottery application period for 2020 will start Wednesday, January 1<sup>st</sup>, 2020 9:00 a.m. and will run through the close of business on Friday, January 31, 2020 at 4:00 p.m. Lottery applications are to be submitted to the **Lathrop-Manteca Fire District office at 19001 Somerston Parkway, Lathrop**. You may submit your completed application package during that period Monday through Friday from 9:00 a.m. through 4:00 p.m. We recommend that you submit your application early to allow sufficient time for review and to notify you immediately of incomplete or missing information. Please remember that it is your responsibility to have all required information to the Fire District by 4:00 p.m. on Friday, January 31<sup>st</sup>, 2020. The lottery drawing for permits will take place on Thursday, April 9<sup>th</sup>, 2020 at LMFD Fire Station 35 at 9:00 am. (19001 Somerston Parkway, Community Room)

LATHROP-MANTECA FIRE DISTRICT





# **2020 CITY OF LATHROP**

## **Fireworks Sales Administrative Rules and Procedures**



**FIREWORKS SALES ADMINISTRATIVE RULES AND PROCEDURES****SALES AND APPLICATIONS**

It shall be unlawful to engage in the sale of "Safe and Sane" fireworks in the City of Lathrop without first having secured a permit to do so.

The total number of sales permits issued will be limited to one (1) for each organization. These permits must be applied for at the Lathrop–Manteca Fire District's Administration Office located at 19001 Somerston Parkway, Lathrop, or [www.lmfire.org](http://www.lmfire.org).

Applicants are limited to any non-profit association, charity, church, corporation, club or society, organized primarily for veteran, patriotic, welfare, civic, benevolent, betterment, youth activities, or charitable purposes, and has obtained a non-profit status with either the California Franchise Tax Board or the Internal Revenue Service or a group which is an integral part of a recognized non-profit national organization having such tax exempt status, or an organization affiliated with and officially recognized by an elementary, junior high school, high school, school district, and/or college that serves, in whole or in part, the residents of Lathrop, located within the boundaries of the City of Lathrop.

**Non-profit applicants must have a "principal and permanent meeting place" within the City limits of the City of Lathrop.**

A permit for retail sales of "Safe and Sane" fireworks is non-transferable and may only be used by the non-profit organization to which it is issued. Violations will result in the immediate loss of the organization's sales permit by the Fire Chief or designee.

No non-profit organization may receive more than one permit for fireworks sale during any one calendar year; one permit may be issued to two qualifying applicants as a joint venture. Only one application per school will be allowed. If an organization is affiliated with a recognized educational institution but maintains a separate tax-exempt status with the California Franchise Tax Board or the Internal Revenue Service, said non-profit shall be allowed a separate application. Application for non-profit organizations must be signed by the president of the organization or his/her designee. Such designation shall be in writing, signed by the president of the organization and on the organization's letterhead. Applications are good for one sales period. Non-profit organizations must reapply each year.

Non-profit organizations will be allowed to be issued a permit two (2) consecutive years.

No non-profit organization will be allowed to sell fireworks three (3) consecutive years. A non-profit organization will be required to "sit out" one (1) year after two (2) consecutive sales years.

Permits will be issued by lottery. Each year non-profit organizations must file a **lottery application** to be entered into the fireworks sale's lottery. No organizations will have preference. All lottery applications must be filed in person during normal business hours starting Wednesday, January 1, 2020 9:00 a.m. through the close of business on Friday, January 31, 2020 at 4 p.m. at the Lathrop–Manteca Fire District's Administration Office, 19001 Somerston Parkway, Lathrop. Applications may be submitted Monday through Friday, 9:00 a.m. to 4:00 p.m.

The lottery drawing will take place on Thursday, April 9<sup>th</sup>, 2020 at LMFD Fire Station 35 Community room at 9:00 am. Each approved individual and joint venture shall receive one lot. No more than (4) permit(s) will be issued in each calendar year. Each organization that submits a lottery application will be notified by telephone or email of their application approval or denial.

Approved organizations chosen by lottery must then complete a **permit application**. All permit applications must be filed during normal business hours starting Monday, April 13<sup>th</sup>, 2020 through the close of business on Friday, May 8<sup>th</sup>, 2020, 4:00 p.m. at Lathrop–Manteca Fire District, 19001 Somerston Parkway, Lathrop. Permit applications may be submitted Monday through Friday, 9:00 a.m. to 4:00 p.m. Applicants must submit all required documents and a *\$250.00 permit fee required*. Permits will not be issued without all required fees paid at time of application submittal.

We recommend that you submit your permit application early to allow sufficient time for review and to notify you immediately of incomplete or missing information. Please remember that it is your responsibility to have all required information to the Lathrop-Manteca Fire District by the close of business 4:00 p.m. on Friday, May 8, 2020.

### **Operation of Fireworks Stand Only by Permittee**

It is unlawful for the permittee to allow any person other than the permitted non-profit organization, or its qualified non-profit organization joint venture partner to operate the sales stand for which the permit is issued or to otherwise participate in the profits of the operation of the sales stand. Violations will result in the immediate loss of the organization's permit.

It is unlawful for a non-profit organization to permit any person other than the individuals who are members of the permitted non-profit organization, or the spouses or adult children of such members, to sell or otherwise participate in the sale of fireworks.

It is unlawful for a non-profit organization to pay any consideration to any person for selling or otherwise participating in the sale of fireworks at such fireworks stand, except the hiring of a night watchman or security officer.

### **Operator Safety**

Each year, one (1) or more representatives from each organization's sales staff that is granted a permit to sell fireworks shall attend a stand operator safety class. This class will be conducted after the lottery selection. The representative(s) who attends this class is responsible for relaying the safety rules and information provided in this class to all personnel in their organization that will be involved in the operation of their stand. Lathrop-Manteca Fire District's Fire Prevention Bureau will conduct a stand operator safety class on **the second Wednesday in June (Wednesday, June 10<sup>th</sup>, 2020) at 6:00 p.m. at the Lathrop-Manteca Fire Station 35, 19001 Somerston Parkway, in Lathrop.** Failure to attend a stand operator safety class shall result in the revocation of the organization's lottery permit to sell fireworks for that calendar year. If a representative from an organization attends a stand operator safety class that is offered in a jurisdiction other than Lathrop-Manteca Fire District, then submittal of proof of attendance will be required.

### **Temporary Fireworks Stands**

All retail sales of "Safe and Sane" fireworks shall be permitted only from within a temporary firework stand and sales from any other building or structure is hereby prohibited.

Temporary fireworks stand shall not be set up before application for permit has been approved no sooner than Wednesday, June 10<sup>th</sup>, 2020.

Fireworks stand walls and roof shall be of plywood at least one-fourth (1/4) inches thick or of an approved noncombustible material. The stand shall be provided with a roof. Stand square footage shall not exceed 750 square feet. Stand length shall not exceed 32 feet. Walls shall extend a minimum height of six (6) feet, eight (8) inches on at least three sides. These three (3) sides shall be without openings, except for exit doors. Stand must have two exit doors.

Two exit doors with a minimum size of twenty-four (24) inches in width and six (6) feet in height shall be provided in each stand. Exits shall always be maintained clear and unobstructed. The front wall of the stand shall provide a physical barrier not less than eighteen (18) inches in height between the public and the merchandise on display.

### **Fireworks sales stands are subject to the following requirements:**

- a) NO Fireworks sales stands shall be put in place by the permittee before an application for permit has been approved and permit received, nor earlier than Wednesday, June 10<sup>th</sup>, 2020.
- b) NO Fireworks sales stand shall be located within twenty-five (25) feet of any other building or

- structure within twenty-five (25) feet of any curb line, or within one hundred (100) feet of any gasoline pump.
- c) NO Fireworks stand shall be located within forty (40) feet of any building used as a school, day care, hospital, place of detention, public garage or place of assembly that can accommodate fifty (50) or more occupants.
  - d) A minimum of twenty-five (25) feet of separation shall be provided between the fireworks sales stand and any parked vehicle that is not under the immediate control of the permittee.
  - e) NO weeds or other combustible materials are permitted within twenty-five (25) feet of the fireworks sales stand.
  - f) Within all fireworks sales stands the electrical wiring shall be in conduits and breaker boxes shall consist of GFI breakers.
  - g) All fireworks sales stands shall be built and maintained in accordance with the safety requirements of the City prior to opening for business.
  - h) No fuel-powered generator or similar equipment shall be allowed within fifty (50) feet of any fireworks sales stand.
  - i) Permittees shall place no signs in the public right-of-way.
  - j) Each fireworks sales stand shall be provided with two, 2A 10 BC dry chemical/powder type fire extinguishers, in good working order, and easily accessible for use in case of fire. A current inspection tag with date must be attached to the fire extinguisher.
  - k) The fireworks sales stand shall be removed from the temporary location by 12:00 noon on Wednesday, July 8<sup>th</sup>, 2020. All accompanying litter shall be cleared from said location by said date and time. If the permittee does not remove the stand and/or clean the sales site as required, the City may do so, or cause the same to be done, and the reasonable cost thereof shall be charged against the permittee, and his or her deposit, certificate or surety. In addition, any permittee found to be in violation of this section shall be subject to an administrative penalty imposed in accordance with Section 8.13.210.
  - l) The permit to sell fireworks shall be displayed in a prominent place in the fireworks sales stand. Stand inspections will take place on Sunday, June 28<sup>th</sup>, 2020 between 10:00 a.m. and 12:00 noon. Fireworks may not be sold until final inspection and approval has been granted by the Fire District.

Once your inspection appointment has been scheduled, and if you are not able to keep your scheduled appointment, you must call to reschedule. Failure to keep your appointment may delay your stand opening.

### **Fireworks Sales Stand Operation**

Fireworks sales shall only be conducted during the approved sales period beginning Sunday, June 28, 2020 at noon and ending Saturday, July 4, 2020 at 10:00 p.m. Violations will result in the immediate loss of the organization's sales permit by the Fire Chief or designee.

- a) It is unlawful for a permittee to allow any person other than the permitted non-profit organization, or its qualified non-profit organization joint venture partner to operate the sales stand for which the permit is issued or to otherwise participate in the profits of the operation of the sales stand.
- b) It is unlawful for the permittee to allow any person other than individuals who are members of the permitted non-profit organization, or the spouses or adult children of such members, to sell or otherwise participate in the sale of fireworks. No person under the age of eighteen (18) shall sell, or handle for sale, any classification of fireworks or be permitted in the sales booth during the sales period.
- c) Permittees shall require all persons/customers who appear to be under the age of thirty (30) years to provide proof of age and shall make no sales of fireworks to persons younger than eighteen (18) years of age.

- d) Smoking and the consumption of alcoholic beverages shall not be allowed within twenty-five (25) feet of any fireworks sales stand and "No Smoking" signs shall be displayed on and in the fireworks sales stand.
- e) It is unlawful for the permittee to pay any consideration to any person for selling or otherwise participating in the sale of fireworks.
- f) Each fireworks sales stand must have two (2) adults in attendance and in charge thereof while fireworks are stored therein.
- g) No person may sleep in or remain in the stand after close of business.
- h) All unsold fireworks must be securely stored solely in the following manner:
  - 1. Within the permitted fireworks stand with a responsible adult on the premises at all times; or
  - 2. In a completely enclosed/locked utility type trailer; or
  - 3. in a completely detached garage on residential property with a minimum ten (10) feet clearance from other structures or property lines. There shall be no open-flame or spark producing equipment, or class 1 flammable liquids stored or used within the garage; or
  - 4. In an approved and permitted fireworks warehouse.
  - 5. Fireworks shall not be stored within forty (40) feet of any building classified or used as a public or private school, daycare facility, residential care facility, hospital, place of detention, public oil/gas station, or public garage, or any place of public assembly that can accommodate fifty (50) or more persons; or
- i) Each sale stand must have on duty at all times during the sales period, at least one salesperson who attended the required Lathrop-Manteca Fire District Operator Safety Class.
- j) The sale of fireworks shall conform to restrictions of Chapter 8.13.
  - 1. Subject to provisions of this chapter, the State Fireworks Law, Sections 12500 through 12726 of the Health and Safety Code of the state, and any regulations promulgated there under, safe and sane fireworks, as defined herein, may be sold within the City limits of the City of Lathrop only during the period beginning at noon on Sunday, June 28<sup>th</sup>, 2020 and shall not continue after 10:00 p.m. on Saturday, July 4<sup>th</sup>, 2020. The sale of fireworks shall be permitted only from noon to 10:00 p.m. on Sunday, June 28<sup>th</sup>, 2020 and from 9:00 a.m. to 10:00 p.m. daily, Monday, June 29<sup>th</sup>, 2020 through Saturday, July 4<sup>th</sup>, 2020. No fireworks classified as "dangerous fireworks" by Section 12505 of the Health and Safety Code of the State of California may be sold within the City.
  - 2. Subject to the provisions of this Chapter the State Fireworks Law, Sections 12500 through 12726 of the Health and Safety Code of the state, and any regulations promulgated there under, safe and sane fireworks, as defined herein may be discharged within the City limits of the City of Lathrop only
  - 3. During the period beginning at 12:00 p.m. to 10:00 p.m. on Sunday, June 28<sup>th</sup>, 2020 and from 9:00 a.m. to 10:00 p.m. daily on Sunday, June 29<sup>th</sup>, 2020 through Saturday, July 4<sup>th</sup>, 2020. **NO fireworks classified as "dangerous fireworks" by Section 12505 of the Health and Safety Code of the State of California may be discharged within the City.**
  - 4. The use or discharge of fireworks within fifty (50) feet of any fireworks sales stand is prohibited.
- k) All unsold stock shall be removed from the sales location by 5:00 p.m. on Sunday, July 5<sup>th</sup>, 2020 and all litter from stand site shall be removed.
- l) All fireworks sales stands must be removed no later than 12:00 noon on Thursday, July 9<sup>th</sup>, 2020 and all accompanying litter shall be cleared from said location by said time and date.

**Stand Construction**

Walls and roof shall be of plywood at least one-fourth (1/4) inches thick or of an approved non-combustible material.

The stand shall be provided with a roof. Stand square footage shall not exceed 750 square feet. Stand length shall not exceed 32 feet. Walls shall extend a minimum height of six (6) feet, eight (8) inches on at least three sides. These three (3) sides shall be without openings, except for exit doors. Stand must have two (2) exit doors.

Two exit doors with a minimum size of twenty-four (24) inches in width and six (6) feet in height shall be provided in each stand. Exits shall be maintained clear and unobstructed at all times.

The front wall of the stand shall provide a physical barrier not less than eighteen (18) inches in height between the public and the merchandise on display.

**Revocation of Permit and Seizure of Fireworks**

The Fire Chief may suspend immediately and without notice or hearing the permit of any permittee that violates any rule, regulation or ordinance while operating or preparing to operate a fireworks sales stand during or immediately preceding any period of sale. If the Fire Chief reasonably believes that a violation has occurred during, immediately following the authorized period of sale he or she shall have the power to prohibit the permittee from acquiring a fireworks sales permit in the future.

Permit # \_\_\_\_\_



# 2020 CITY OF LATHROP

## Lottery Application Safe and Sane Fireworks





Permit # \_\_\_\_\_

## LOTTERY APPLICATION PERMIT TO SELL "SAFE AND SANE FIREWORKS"

Name of Organization: \_\_\_\_\_

Address of Business or Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Email Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ 24 Hour Phone #: \_\_\_\_\_

Please check Method of notification preferred: \_\_\_ Telephone and/or \_\_\_ Email

The following documents must be submitted at time of pre-application:

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A \$250.00 permit fee payable to the Lathrop-Manteca Fire District, refundable if not chosen in lottery

Copy of Tax Exempt Certificate # \_\_\_\_\_ Date Obtained: \_\_\_\_\_

List of Organization's bona fide Board Member(s) on organizations letter head

Address of organization's principal meeting place: \_\_\_\_\_

Are you associated with a public school: \_\_\_\_\_ Yes \_\_\_\_\_ No

Required Signatures

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**To the best of my knowledge, this information is true and correct.**

**President Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Board Member Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**LOTTERY APPLICATION FOR FIREWORKS SALES FOR DEPARTMENT USE ONLY**

**FOR OFFICIAL USE ONLY**

\_\_\_ Approved to Advance to Lottery      \_\_\_ Denied to Advance to Lottery

Comment(s): \_\_\_\_\_

Date Organization Notified \_\_\_\_\_ Gene Neely, Fire Chief \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Copy of Tax-Exempt Certificate

\_\_\_\_\_ List of Organization's bona fide member(s)

\_\_\_\_\_ Letter from School regarding organization's affiliation, if applicable

Comment(s):

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# 2020 CITY OF LATHROP

## Application and Sales Timeline to Fireworks



**Step 1 – Lottery Application – January 1<sup>st</sup>**

- Fireworks Sales Lottery Applications can be obtained starting January 1, 2020 at the Lathrop-Manteca Fire District Office, located in the City of Lathrop, 19001 Somerston Parkway, Lathrop, CA 95330, or on-line at [lmfire.org](http://lmfire.org).
- Completed Fireworks Sales Lottery Applications and the required documentation will be accepted starting Wednesday, January 1, 2020 through close of business on Friday, January 31, 2020 at 4:00 p.m., incomplete applications will not be accepted.
- A \$250.00 refundable permit application fee must be paid at the time of Lottery Application submittal, payable to the Lathrop-Manteca Fire District. Fees will be refunded in full to those organizations not chosen by lottery.
- Lottery drawing will take place on Thursday, April 9, 2020, 9:00 a.m. at Lathrop-Manteca Fire Station 35, 19001 Somerston Parkway, Lathrop, CA. No more than **(4) permits** will be drawn. Applicants are not needed to be present at time of lottery. Each organization that submits a lottery application will be notified by telephone or email of their application approval or denial.
- Organizations not present will be notified by telephone and/or email by Thursday, April 9, 2020.
- Only organizations selected by Lottery move on to Step 2.

**Step 2 - Permit Application – April 13th**

- Upon notification of lottery selection, the organization must complete a Permit Application. Application packets can be obtained starting Monday, April 13, 2020 at the Lathrop-Manteca Fire District Administration Office, and/or [lmfire.org](http://lmfire.org). Applications must be completed and submitted along with required documentation and fees by Friday, May 8, 2020 at 4:00 p.m.
- A business license and fee must be paid to the City of Lathrop, to obtain a sales permit.

**Step 3 - Operator Safety Class - June 10th**

- Organization representative(s) are required to attend any Operator Safety Class. No less than two members of organization's sales staff must attend. This is a mandatory requirement. Failure to attend any class will result in immediate loss of the organization's permit. LMFDF class will take place on Wednesday, June 10, 2020 at 6 p.m. Location: Lathrop-Manteca Fire District Station 35, 19001 Somerston Parkway.

**Step 4 - Stand Inspection - June 28th**

- Stand inspections will take place on Sunday, *June 28, 2020* between *10:00 a.m. and 12:00 p.m.*

**Step 5 - Sales Begin - June 28th**

- Sales begin no earlier than noon on Sunday, *June 28, 2020*.
- Fireworks stock must be removed and stored nightly in an approved storage area.

**Step 7 - Sales End - July 4th**

- All sales must end by *10:00 p.m. on Saturday, July 4, 2020*.
- All unsold stock must be removed upon closure.

**Step 8 - Stock Removal - July 5th**

- All fireworks stock must be removed from the City and returned to the wholesaler/distributor by 5:00 p.m. on Sunday, July 5, 2020. All litter from stand site must be removed.

**Step 9 - Stand Removal - July 8th**

- All fireworks sales stands must be removed by 12:00 p.m. on Wednesday, July 8, 2020 and all accompanying litter shall be cleared from said location by said time and date.

**Step 10 - Financial Reporting - On or before September 1st**

On or before September 1st, of any year authorized pursuant to a permit, the permittee shall submit to the City Clerk a financial statement by the treasurer or financial officer of the permittee setting forth the total gross receipts from the fireworks stand operated by the permittee; all expenses incurred and paid in connection with the purchase of fireworks and the sale thereof; and to whom and for what purpose the net proceeds were or will be disbursed along with the most recent report filed by the permittee to the State Board of Equalization. The filing of such statement shall be a condition precedent to the granting of any subsequent permit.



# **2020 CITY OF LATHROP**

**State Fire Marshal Approved Safe  
and Sane Firework Wholesalers**



**STATE FIRE MARSHAL APPROVED  
SAFE AND SANE  
FIREWORK WHOLESALERS**

**Please feel free to contact any of these approved vendors.**

**American Promotional Events/TNT Fireworks, Inc.**

**1<sup>ST</sup> Contact Person: Don Pascarella, Area  
Manager**

**Telephone (209) 521-0360**

**2<sup>nd</sup> Contact Person: Louis Linney**

**Telephone (800) 246-9630**

**Big Bear/Phantom Fireworks**

**Contact Person: Megan Warren, Account Manager**

**Telephone (209) 491-5180**



Permit # \_\_\_\_\_



# 2020 CITY OF LATHROP

## Fireworks Permit



**FIREWORKS PERMIT  
PERMIT TO SELL "SAFE AND SANE" FIREWORKS AS A RETAILER**

THE HEALTH AND SAFETY CODE, State of California, Division 11, Part 2, provides in part as follows:

No person, without securing a permit, shall do any of the following:

- a. Manufacture, possess or sell any fireworks
- b. Discharge dangerous fireworks any place
- c. Make a public display of fireworks
- d. Transport fireworks, except as a public carrier

**DANGEROUS FIREWORKS SHALL NOT BE SOLD OR DELIVERED UNDER THIS PERMIT**

Storage and sale of all fireworks shall be subject to such restrictions as may be deemed advisable by the agent/officer issuing this permit and in accordance with the Lathrop Municipal Code.

I (we) hereby certify that all fireworks now on hand, are not "Dangerous Fireworks" as defined in the above mentioned 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 any local laws or ordinances as pertaining thereto.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

**Subject to statements and conditions contained above, permission is hereby granted to:**

Organization:

\_\_\_\_\_

To sell or offer for sale "Safe and Sane" fireworks as defined in Division 11, Part 2, of the Health and Safety Code of the State of California on premises located at:

Location: \_\_\_\_\_

From Sunday, June 28, 12:00 p.m. to Saturday, July 4, 10:00 p.m., subject to the LMC and following restrictions, inclusive of but not limited to:

- 1. Fireworks shall be displayed in a glass or other approved enclosure out of the reach of the public
- 2. 'NO SMOKING' signs shall be posted at sales locations
- 3. Two (2) fire extinguishers type 2A10BC soda-and-acid with current inspection or sales tag shall be provided in each stand

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Fire Chief/Authorized LMF D Employee

Permit # \_\_\_\_\_



# 2020 CITY OF LATHROP

## Fireworks Permit Application

### Safe and Sane Fireworks



Permit # \_\_\_\_\_

**PERMIT APPLICATION  
PERMIT TO SELL "SAFE AND SANE" FIREWORKS**

1. Name of Organization: \_\_\_\_\_
2. Address of Organization: \_\_\_\_\_
3. Mailing Address: \_\_\_\_\_ Email: \_\_\_\_\_
4. President of Organization: \_\_\_\_\_ 24 Hr. Phone # \_\_\_\_\_
5. Contact Person #2: \_\_\_\_\_ 24 Hr. Phone # \_\_\_\_\_

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**The following documents must be submitted at the time of application:**

\_\_\_\_\_ City of Lathrop Business License Account # \_\_\_\_\_ Date Obtained: \_\_\_\_\_

**(Attach a Copy)**

\_\_\_\_\_ Stand Location: \_\_\_\_\_ Assessor's Parcel/APN # \_\_\_\_\_

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\_\_\_\_\_ **I have read, and I understand the Lathrop Municipal Code Fireworks Ordinance. All fireworks permit applications and forms shall be signed by the president of the organization or his/her bona fide officer of the eligible organization, wherein the president and his/her officers, on behalf of the organization and its agents, agree to abide by State Law and Administrative Regulations, regulations adopted under the authority of the Health and Safety Code, Section 12500, and all the requirements of the adopted City Code and Fire District Standard Operating Procedures.**

**Permits will be issued to the selected groups upon:**

- A copy of insurance certificate evidencing an occurrence-based policy naming the City of Lathrop and the Manteca-Lathrop Fire District as additional insureds with minimum limits of \$1,000,000 public liability & property damage and \$2,000,000 general aggregate coverage; policies with provisions allowing deductibles will not be accepted
- Receipt of State Fire Marshal's Retail License
- Receipt of a temporary sales tax permit from State Board of Equalization
- Written permission of property owner where said sale is to be conducted
- Stand location and site plan diagram
- Inspection by the Fire Department
- Receipt of Fireworks Storage Form
- Receipt of Hold Harmless Agreement
- City of Lathrop Sales Permit

**Required Signatures:**

**To the best of my knowledge, this information is true and correct.**

**President Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Board Member Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

- Copy of Tax-Exempt Certificate
- Copy of City of Lathrop Business License
- List of organization's bona fide members (from Lottery Permit App)
- Letter from school regarding organization's affiliation, if applicable (from Lottery Permit app)
- A copy of insurance certificate evidencing an occurrence-based policy naming the City of Lathrop and the Manteca-Lathrop Fire District as additional insureds with minimum limits of \$1,000,000 public liability & property damage and \$2,000,000 general aggregate coverage; policies with provisions allowing deductibles will not be accepted
- Receipt of State Fire Marshal's Retail License
- Receipt of a temporary sales tax permit from State Board of Equalization
- Written permission of property owner where said sale is to be conducted
- Stand location and site plan diagram
- Inspection by the Fire Department
- Receipt of Fireworks Storage Form
- Receipt of Hold Harmless Agreement

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# 2020 CITY OF LATHROP

## Fireworks Permit Application

### Check Off List



### Check Off List Permit to sell "Safe and Sane" Fireworks

#### **Prior To Sales**

- Yes  No Copy of State Fire Marshal's License
- Yes  No Check payable to the LMFD for \$250.00
- Yes  No Check payable to the City of Lathrop for Business License
- Yes  No Copy of Certificate of insurance
- Yes  No Completed Permit Application Form
- Yes  No Proof of current non-profit status
- Yes  No Stand site map
- Yes  No Fireworks Booth Storage Form
- Yes  No Property Owner Permission Form
- Yes  No List of organization's bona fide members
- Yes  No Letter from school regarding organization's affiliation – if applicable
- Yes  No Name of fireworks stand safety officer; name(s) of fire safety training attendees
- Yes  No State Board of Equalization tax number
- Yes  No City of Lathrop Business License
- Yes  No Hold Harmless Form
- Yes  No Stand Inspection

FIRE DISTRICT APPROVAL  YES  NO

Signature: \_\_\_\_\_

### **AFTER ROUTING, PLEASE RETURN TO LMFD ADMINISTRATION OFFICE**

Permit processed/delivered to Fire Dept.: \_\_\_\_\_ Signature: \_\_\_\_\_  
(Date)

#### **POST SALES:**

Stand removal/Site clean-up inspection Date: \_\_\_\_\_ Deposit Release:  YES  NO

Comments: \_\_\_\_\_

Signature: \_\_\_\_\_



# 2020 CITY OF LATHROP

## Fireworks Storage Form





**FIREWORKS STORAGE FORM  
PERMIT TO SELL "SAFE AND SANE" FIREWORKS**

Organization: \_\_\_\_\_

Fireworks will be stored at the following location when not displayed in the stand: \_\_\_\_\_  
\_\_\_\_\_

**Check One:**

<input type="checkbox"/>	Within the permitted fireworks stand with a responsible adult on the premises at all times.
<input type="checkbox"/>	In a completely enclosed and locked utility type trailer constructed of one-fourth (1/4) inch plywood or other approved noncombustible material.
<input type="checkbox"/>	In a completely detached garage on residential property with a minimum ten (10) feet clearance from other structures or property lines. There shall be no open-flame or spark producing equipment, or Class 1 flammable liquids stored or used within the garage.
<input type="checkbox"/>	In an approved and permitted fireworks warehouse.

Address: \_\_\_\_\_

City, Zip Code: \_\_\_\_\_  
(Residential, Commercial, Church Parking Lot, etc.)

I understand by signing this application that the storage of fireworks will comply with the Lathrop Municipal Code. I agree to store "Safe and Sane" fireworks that are not being sold or displayed with the intent to sell in the manner noted above. Further, I understand that fireworks shall not be stored within forty (40) feet of any building classified or used as a public or private school, day care facility, residential care facility, hospital, place of detention, public oil/gas station, or public garage, or any place of public assembly that can accommodate fifty (50) or more persons.

Applicant Name: \_\_\_\_\_  
(Please Print)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_



# 2020 CITY OF LATHROP

## Fireworks Sketch/Map of Proposed Selling Location



**SKETCH/MAP OF PROPOSED FIREWORKS SELLING LOCATION  
PERMIT TO SELL "SAFE AND SANE" FIREWORKS**

Pursuant to the provisions of the Health and Safety Code, State of California, and the City of Lathrop Municipal Code, I/We hereby make application for permit to sell as a retailer, "Safe and Sane Fireworks" as defined by the California State Health and Safety Code, at (location) \_\_\_\_\_, Lathrop, CA.

A sketch/Map of the proposed selling location, showing buildings, property lines, required measurements and streets in relation to fireworks stand site, is as follows:

**I/We understand that storage and sales of all fireworks shall be subject to such restrictions as may be deemed advisable by the City of Lathrop or the Lathrop-Manteca Fire District.**

\_\_\_\_\_  
**Board Member Name**                      **Signature**                      **Date**

\_\_\_\_\_  
**Board Member Name**                      **Signature**                      **Date**



# 2020 CITY OF LATHROP

## Fireworks Property Owners Permission Form



**PROPERTY OWNER'S PERMISSION FORM  
PERMIT TO SELL "SAFE AND SANE" FIREWORKS**

Permission is hereby granted to \_\_\_\_\_  
(Fireworks Wholesaler)

and \_\_\_\_\_  
(Organization Name)

for the exclusive right to use the property located at \_\_\_\_\_  
(Stand Address)

Lathrop, California with Assessor's Parcel Number (APN): \_\_\_\_\_

for their \_\_\_\_\_ fireworks stand.  
(Selling Year)

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

**THE BUSINESS/ORGANIZATION HAS AGREED TO CLEAR THE TEMPORARY STAND AND ALL ACCOMPANYING LITTER FROM THE PROPERTY BY 12:00 P.M. ON July 8<sup>th</sup>, 2020.**

Property Owner's Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
(Please Print)

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

OR

Owner Representative's Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
(Please Print)

Relationship to property owner: (REQUIRED): \_\_\_\_\_

Representative Address: \_\_\_\_\_

Representative Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***(NOTE: Lathrop-Manteca Fire District shall receive an original signed form-not a copy)***



# 2020 CITY OF LATHROP

## Fireworks Hold Harmless

### Agreement



**HOLD HARMLESS AGREEMENT  
PERMIT TO SELL "SAFE AND SANE" FIREWORKS**

In consideration for the issuance of a Permit for the sale and/or display of safe and sane fireworks and to the furthest extent allowed by law, Applicant does hereby agree to indemnify, hold harmless and defend the City of Lathrop (hereinafter referred to as "City") and the Lathrop Manteca Fire District and each agency's officers, officials, employees, agents and volunteers from any and all loss, liability, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict liability, including but not limited to personal injury, death at any time and property damage incurred by City and/or Lathrop Manteca Fire District, Applicant, or any other person, and from any and all claims, demands and actions in law or equity (including attorney's fees and litigation expenses), arising or alleged to have arisen directly or indirectly out of the issuance or use of the Permit. Applicant's obligations under the preceding sentence shall apply regardless of whether City or any of its officers, officials, employees, agents or authorized volunteers are negligent, but shall not apply to any loss, liability, fines, penalties, forfeitures, costs or damages caused solely by the gross negligence, or caused by the willful misconduct, of City and/or Lathrop Manteca Fire District and any of their officers, officials, employees, agents or authorized volunteers.

Throughout the life of this Agreement, Applicant shall pay for and maintain in full force and effect all insurance as required

Applicant shall conduct all defense at his/her/its sole cost. The fact that insurance is obtained by APPLICANT shall not be deemed to release or diminish the liability of APPLICANT, including, without limitation, liability assumed under this Agreement. The duty to indemnify shall apply to all claims regardless of whether any insurance policies are applicable. The duty to defend hereunder is wholly independent of and separate from the duty to indemnify and such duty to defend exists regardless of any ultimate liability of Applicant. The policy limits do not act as a limitation upon the amount of defense and/or indemnification to be provided by Applicant. Approval or purchase of any insurance contracts or policies shall in no way relieve from liability nor limit the liability of Applicant, its officials, officers, employees, agents, volunteers or invitees.

Applicant shall furnish City and/or Lathrop Manteca Fire District with copies of the actual policies upon the request of the City and/or Lathrop Manteca Fire District and this requirement shall survive the expiration or termination of this Permit.

City and Lathrop Manteca Fire District shall be reimbursed for all costs and attorney's fees incurred by City and Lathrop Manteca Fire District in enforcing this Agreement. This Indemnification and Hold Harmless Agreement shall survive the expiration or termination of this Permit.

The undersigned acknowledges that he/she (i) has read and fully understands the content of this Indemnification and Hold Harmless Agreement; (ii) is aware that this is a contract between the City and Applicant; (iii) has had the opportunity to consult with his/her attorney, in his/her discretion; (iv) is fully aware of the legal consequences of signing this document; and (v) is the Applicant or his/her/its authorized signatory.

Signed, sealed and delivered this \_\_\_\_\_ day of 2020.

\_\_\_\_\_  
Applicant (Organization) (Please Print)

\_\_\_\_\_  
Applicant (Organization) Signature

\_\_\_\_\_  
Witness Signature (Please Print)

\_\_\_\_\_  
Witness Signature

***(NOTE: Lathrop-Manteca Fire District shall receive original signed form – not a copy)***