

## FIREWORKS PERMIT PROCESS

1. Fill out the application and return to the City Clerk by June 1<sup>st</sup> .
2. The following items must accompany the application or it will not be accepted.
  - A. Proof of non-profit status of your organization including State UBI or Federal ID number.
  - B. Liability Insurance Certificate (\$1,000,000).
  - C. Copy of State Fireworks Permit.
  - D. Full diagram on the stand placement.
  - E. Letter from property owner approving use.
  - F. Payment of \$200 \* (cash, check or money order)

\*\$100 is refunded when the stand is completely taken down and the property is clean.

3. Once the stand is set up, call the Riverside Fire Authority at 330-9854 for an inspection. When the site is approved, they will give you the permit to post.
4. Upon clean up and inspection by the Riverside Fire Authority, your refund will be processed and returned to the non-profit listed on the application.

**CITY OF CENTRALIA  
FIREWORKS PERMIT APPLICATION**

**DEADLINE TO TURN APPLICATION IN IS JUNE 1ST**

DATE: \_\_\_\_\_

NAME OF NON- PROFIT ORGANIZATION: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

PERSON IN CHARGE: \_\_\_\_\_

PHONE #: \_\_\_\_\_

ADDITIONAL CONTACT PERSON: \_\_\_\_\_

PHONE #: \_\_\_\_\_

BUSINESS NAME AND ADDRESS WHERE STAND WILL BE LOCATED: \_\_\_\_\_

UBI or EIN NUMBER: \_\_\_\_\_

**\*\* ALL ITEMS ON THE BELOW CHECK LIST MUST ACCOMPANY APPLICATION IN ORDER FOR IT TO BE ACCEPTED.**

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**FOR OFFICE USE ONLY**

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**CHECK LIST**

PROOF OF NON-PROFIT \_\_\_\_\_ MAP OF LOCATION \_\_\_\_\_

APPROVAL FROM OWNER \_\_\_\_\_ FEE PAID \_\_\_\_\_

CERTIFICATE OF INSURANCE \_\_\_\_\_ STATE PERMIT \_\_\_\_\_

## Chapter 5.98 FIREWORKS

### Sections:

- 5.98.010 License required.
- 5.98.020 License fee.
- 5.98.030 Sale, use unlawful.
- 5.98.040 Dates of sale.
- 5.98.050 Limit on number of licenses.
- 5.98.060 Nontransferable.
- 5.98.070 Terms of the license.
- 5.98.080 Minimum standards for temporary stands.
- 5.98.090 Fire chief—Enforcing officer.
- 5.98.100 Penalty.

#### **5.98.010 License required.**

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It is unlawful for any person, firm or corporation to engage in the retail sale of or to sell any fireworks within the city without first having obtained a license pursuant to the provisions of this chapter. (Ord. 2347 § 1 (part), 2015: Ord. 1549 § 2 (part), 1984).

#### **5.98.020 License fee.**

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The annual license fee for the sale of such fireworks as may be authorized under this chapter shall be one hundred dollars per annum, payable in advance. (Ord. 2347 § 1 (part), 2015: Ord. 1549 § 2 (part), 1984).

#### **5.98.030 Sale, use unlawful.**

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It is unlawful for any person to sell, possess, use or explode any fireworks within the city contrary to the provisions of Chapter 70.77 RCW, as now in force or hereafter amended, added to or deleted from, same being incorporated in this chapter by this reference. Any civil hearings provided for thereunder shall be conducted by the Centralia city council. (Ord. 2347 § 1 (part), 2015: Ord. 1549 § 2 (part), 1984).

#### **5.98.040 Dates of sale.**

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State law, as adopted by reference under CMC 5.98.030, shall govern the type of fireworks allowed within the city and the dates when same may be sold and/or discharged. (Ord. 2347 § 1 (part), 2015: Ord. 1549 § 2 (part), 1984).

#### **5.98.050 Limit on number of licenses.**

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No person, firm or corporation shall, directly or indirectly, receive more than one license for the sale of fireworks during any one calendar year. No license shall be granted until the applicant meets all of the requirements of this chapter. (Ord. 2347 § 1 (part), 2015; Ord. 1549 § 2 (part), 1984).

#### **5.98.060 Nontransferable.**

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A license granted pursuant to this chapter shall entitle the licensee to maintain only one retail outlet. All licenses issued pursuant hereto shall be used only by the designated licensee and shall be nontransferable. Any transfer or purported transfer of such a license shall be deemed a violation of this title. (Ord. 2347 § 1 (part), 2015; Ord. 1549 § 2 (part), 1984).

#### **5.98.070 Terms of the license.**

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A license for the sale of fireworks shall be issued only upon the following terms and conditions:

- A. The applicant shall have a valid license issued by the state authorizing the holder thereof to engage in the fireworks business.
- B. The applicant shall own or have the right to possess a temporary fireworks stand complying with the standards set forth in this chapter for temporary fireworks stands.
- C. The applicant shall procure and maintain a policy or policies of public liability and property damage insurance in a company or companies approved by the city, and naming the city as an additional insured thereon, in the following amounts: one hundred thousand dollars or more for injuries to any one person in one accident or occurrence; three hundred thousand dollars or more for injuries to two or more persons in any one accident or occurrence; fifty thousand dollars for damage to property in any one accident or occurrence.
- D. The licensee's location or place of business shall be only in those areas or zones within the city wherein commercial activities are authorized under the applicable zoning laws of the city; provided, that the sale of fireworks shall not be an enlargement of an existing nonconforming use; provided further, that no fireworks shall be sold in any residential area where a commercial enterprise does not exist.
- E. The applicant shall post with the city a performance bond or cash deposit in an amount not less than one hundred dollars, conditioned upon the prompt removal of the temporary stand and the cleaning up of all debris from the site of the temporary stand, which deposit shall be returned to the applicant only in the event that he removes the temporary stand and cleans up all debris to the satisfaction of the proper officials of the

city. In the event of his failure to do so, the performance bond or cash deposit shall be forfeited to the city. In no event shall the applicant be entitled to the return of the performance bond or cash deposit if he has failed to remove the temporary stand and clean up all debris by the tenth day of July of each year.

F. That the applicant is a bona fide nonprofit organization, has qualified as such under the Internal Revenue Code of the United States and submits proof thereof along with the application. (Ord. 2347 § 1 (part), 2015: Ord. 1549 § 2 (part), 1984).

#### **5.98.080 Minimum standards for temporary stands.**

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The temporary stands of all licensees shall conform to the following minimum standards and conditions:

A. Temporary fireworks stands need not comply with all provisions of the building code of the city; provided, however, that all such stands shall be erected under the supervision of the fire chief of the city or his duly authorized representative, who shall require all stands to be constructed in a safe manner, ensuring the safety of attendants and patrons. In the event any temporary stand is wired for electricity, then the wiring shall conform to the electrical code of the city.

B. No temporary fireworks stand shall be located within twenty feet of any other building or structure, nor within fifty feet of any gasoline station, oil storage tank or premises where flammable liquids are kept or stored.

C. Each temporary fireworks stand must have at least two exits, which shall be unobstructed at all times.

D. Each temporary fireworks stand shall have, in a readily accessible place, a fire extinguisher duly approved in advance by the fire chief of the city, or his duly authorized representative.

E. All weeds, grass and combustible material shall be cleared from the location of the temporary fireworks stand and the surrounding area a distance of not less than twenty feet, measured from the exterior walls on each side of the temporary fireworks stand.

F. No smoking shall be permitted in or near a temporary fireworks stand, and the same shall be posted with proper "No Smoking" signs.

G. Each temporary fireworks stand shall have an adult in attendance at all times. No child or children under the age of sixteen years shall be allowed inside any temporary fireworks stand.

H. All unsold stock and accompanying litter shall be removed from the temporary fireworks stand by noon on the sixth day of July of each year.

I. Temporary on-site storage of fireworks shall be permitted under the following conditions:

1. Temporary storage outside of the stand is allowed in approved cargo containers. All containers shall be marked appropriately for the contents and shall have a twenty-foot clearance on all four sides of the container.
2. Only one cargo container shall be allowed per stand per site. All remaining temporary storage shall be located off site in the M-2 heavy industrial zoned area in accordance with Chapter 20.42 CMC. Temporary storage may occur within approved cargo containers provided that all containers are appropriately marked for the contents and shall have a twenty-foot clearance on all four sides of the container. (Ord. 2347 § 1 (part), 2015: Ord. 1549 § 2 (part), 1984).

#### **5.98.090 Fire chief—Enforcing officer.**

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The fire chief of the city or his duly authorized representative is designated as the enforcing officer of this chapter for civil law purposes. Any failure or refusal on the part of the licensee to obey any rule, regulation or request of the fire chief concerning the sale of fireworks shall be grounds for the revocation of a fireworks license. (Ord. 2347 § 1 (part), 2015: Ord. 1549 § 2 (part), 1984).

#### **5.98.100 Penalty.**

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Violations of this chapter are declared to be misdemeanors punishable, upon conviction, by a fine not to exceed the sum of five hundred dollars for each such violation. Each day of continuing violation shall be deemed a separate offense. In addition, fireworks sold, offered for sale, used, discharged, possessed, or transported in violation of this chapter shall be subject to seizure by those charged with the civil and/or criminal enforcements of the provisions hereof and disposed of by them by summary destruction at any time subsequent to thirty days from such seizure or ten days from the final determination of civil and/or criminal proceedings under this chapter, whichever is later. (Ord. 2347 § 1 (part), 2015: Ord. 1549 § 2 (part), 1984).