

# CITY OF PARLIER FINANCE DEPARTMENT

1100 E. PARLIER AVE. PARLIER, CA 93648 - (559) 646-3545 • FAX: (559) 646-8221

## APPLICATION FOR PERMIT TO SELL FIREWORKS

In Accordance with the City of Parlier Municipal Code Chapter 9.40, to obtain a permit for the sale of fireworks, please fill out the Application for Permit to Sell Fireworks, the Property Owner's Permission to Erect a Fireworks Stand, and the Pro Forma Income Statement Forms on or before **June 15<sup>th</sup>**. If you have any questions or concerns, please contact our Finance Department.

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Name of Organization: \_\_\_\_\_ Phone #: \_\_\_\_\_

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

Type of Organization: ☐ Local Church ☐ Local Non-Profit Charitable Organization  
☐ Local for Profit ☐ Other

Form of Organization: ☐ Corporation ☐ Partnership ☐ Sole Proprietor  
Organization Church status/Tax Exempt letter on file? ☐ Yes ☐ No

Name and Address of Officers:

|               |                  |                |                    |
|---------------|------------------|----------------|--------------------|
| _____<br>Name | _____<br>Address | _____<br>Title | _____<br>Signature |
| _____<br>Name | _____<br>Address | _____<br>Title | _____<br>Signature |
| _____<br>Name | _____<br>Address | _____<br>Title | _____<br>Signature |
| _____<br>Name | _____<br>Address | _____<br>Title | _____<br>Signature |

Fireworks Stand Location: \_\_\_\_\_ Zone: \_\_\_\_\_

State License (copy) attached: ☐ Yes ☐ No

Temporary Sales Tax Permit Number: \_\_\_\_\_ Federal Tax Identification Number: \_\_\_\_\_

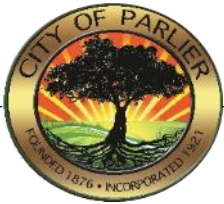
Is pro forma income statement attached? : ☐ Yes ☐ No  
(Required for non-profit organizations without tax exempt status).

*I declare under penalty of perjury and verify by my signature below that all the information given on this application is true, correct and complete to the best of my knowledge and I have read and understood the above and will comply with all regulations.*

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date



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## PRO FORMA INCOME STATEMENT

Per the City of Parlier Municipal Code Section 9.40.023(c), "...a requirement that accurate, written books and records of account be kept showing income, expense, and use of all funds obtained through the sale of fireworks. Such record keeping shall be mandatory for those permittees described in subsection B of this section as nonprofit corporations or entities not possessing a private letter ruling pursuant to Section 501(c)(3) of the Internal Revenue Code."

Please fill out the information with the anticipated income information or you may utilize actual income information from prior year. If you have any questions or concerns, please contact the Finance Department.

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

### Revenue:

Gross Sales: \$ \_\_\_\_\_

Less: Cost of Sales \$ \_\_\_\_\_

A) Gross Revenue: \$ \_\_\_\_\_

### Expenditures:

Wages: \$ \_\_\_\_\_

Rent: \$ \_\_\_\_\_

Construction Material: \$ \_\_\_\_\_

Other Supplies: \$ \_\_\_\_\_

B) Total Expenditures \$ \_\_\_\_\_

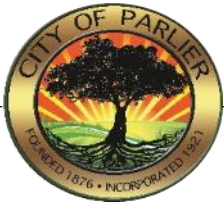
**Net Income (Subtract A from B)** \$ \_\_\_\_\_

Proposed use of Net Income (Include date by which all income will be expended):

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## **PROPERTY OWNERS PREMISSION TO ERECT A FIREWORKS STAND**

Date \_\_\_\_/\_\_\_\_/\_\_\_\_

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

Location of Proposed Fireworks Stand: \_\_\_\_\_

The above-named organization has informed me of its plan to erect a booth for the retail sale of fireworks at the above property. I understand that the organization must obtain my written permission before they can be issued a permit to sell fireworks by the City of Parlier. To receive this permit, the organization must comply with all the rules and regulations for selling fireworks in the city limits. The fireworks stand must also conform to the standards set by the City of Parlier.

The \_\_\_\_\_ (organization) agrees to abide by all the rules set forth by the City of Parlier for the retail sale of fireworks.

\_\_\_\_\_  
Signature of Officer of Organization

With regard to the above, I, the property owner, give my permission for the erection of a fireworks stand on this property.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Owner's Name (Please Print)

\_\_\_\_\_  
Date

## ***Chapter 9.40 WEAPONS AND FIREWORKS***

### Sections:

#### **9.40.010 Carrying certain concealed weapons prohibited—Exemptions.**

Any person, excepting peace officers, who carries concealed upon his person any pistol or firearm, sling shot, dirk, bowie knife, or brass knuckles, or other deadly weapon, without written permission, revocable at any time, from the mayor, is guilty of a misdemeanor.

(Ord. 6 §6, 1922).

#### **9.40.020 Discharge of firearms, fireworks and dynamite prohibited—Exemptions.**

Any person who discharges firearms of any description within the city, except in a duly licensed shooting gallery, or any person who discharges or explodes any torpedoes, bombs, dynamite canes, firecrackers, sky rockets or fireworks of any description, except for safe and sane fireworks as defined in the State Fireworks Law, or discharges or explodes powder under an anvil or in a cannon or in any other manner, without a permit duly issued by the city council, which permit shall designate the place, time of firing or discharging and the number of discharges authorized (a copy of which permit shall be filed with the city clerk before such firing or discharging and the number of discharges authorized (a copy of which permit shall be filed with the city clerk before such firing is commenced), is guilty of a misdemeanor.

(Ord. 87-6 §6, 1987; Ord. 6 §10, 1922).

#### **9.40.021 Fireworks sales—Definitions.**

The terms "fireworks," "license," "permit," "safe and sane fireworks," and "sell" shall have the same meaning and use in this chapter and shall carry the same definitions as found in the State Fireworks Law (California Health and Safety Code Section 1205, et. seq.).

(Ord. 87-6 §1, 1987).

#### **9.40.022 Fireworks sales-Permit requirements.**

- A. Fireworks shall not be sold within the city without first obtaining a permit in the manner provided in this chapter.
- B. No fireworks shall be sold within the city except for safe and sane fireworks. No fireworks may be sold within the city except by those who have obtained a license duly issued in accordance with the State Fireworks Law.
- C. Any person or entity desiring to sell fireworks within the city of Parlier and to obtain a permit therefor pursuant to this chapter shall file an application on or before June 15th. On delivery of the application to the city, the applicant shall pay a permit fee in the amount of twenty-five dollars or such other amount as the council may fix by resolution. Any permit issued pursuant to this chapter shall expire on July 5th of the year it is issued.

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- D. The application shall contain the following information: (1) the names, addresses, phone numbers, business address, and federal tax identification number of the applicant (if the applicant is a corporation, association or partnership, the application shall set forth the described information for each and every owner, partner and manager); (2) a description of the business organization of the applicant (i.e., sole proprietorship, corporation, partnership, etc.) and, in the case of a corporation, shall, upon request, include copies of the corporation's articles of incorporation and bylaws; (3) a description of the location of intended fireworks sales; (4) a pro forma income statement including the planned use of net income; (5) a copy of a business license issued by the city for the conduct of the fireworks sales business in the city; (6) a copy of the license issued in accordance with the State Fireworks Law authorizing the applicant to sell fireworks.

(Ord. 87-6 §2, 1987).

#### **9.40.023 Fireworks sales-Permit priorities.**

- A. The city council may grant not more than five total fireworks sales permits. No more than three permits shall be authorized in the eastern part of the city and no more than three permits shall be authorized in the western part of the city; for purposes of this chapter the dividing line between east and west shall be Madsen Avenue and its plan line or extension.
- B. In granting the five permits, the council shall give priority to applications as follows: first, to nonprofit corporations with their principal places of business in the city, which have been determined to be charitable organizations and possess a private ruling letter from the IRS in accordance with the Internal Revenue Code of 1954, Section 501(c)(3); second, to other nonprofit corporations or entities, with their principal places of business in the city; third, to other local businesses with their principal place of business in the city; fourth, to all other applicants. The council shall not be required to allocate, allow or grant any particular number of permits to any particular category of applicant.
- C. In connection with the issuance of any permit pursuant to this chapter, the council may impose reasonable conditions to protect the health, safety and welfare of the inhabitants of the city. Such conditions may include, but are not limited to, a requirement that accurate, written books and records of account be kept showing income, expense and use of all funds obtained through the sale of fireworks. Such record keeping shall be mandatory for those permittees described in subsection B of this section as nonprofit corporations or entities not possessing a private letter ruling pursuant to Section 501(c)(3) of the Internal Revenue Code.

(Ord. 95-06 §1, 1995: Ord. 93-05 §1, 1993: Ord. 87-6 §3, 1987).

#### **9.40.024 Fireworks sales—Zoning.**

Fireworks sales authorized by the issuance of a permit pursuant to this chapter shall be conducted only in a zone district where fireworks sales are a permitted use.

(Ord. 87-6 §4, 1987).

#### **9.40.025 Penalties.**

Any person convicted of violating any of the provisions of this chapter is guilty of an infraction, and shall be punishable as set forth in Section 1.16.010.

(Ord. 02-02 §21, 2002: Ord. 87-6 §5, 1987).