



CITY OF MANTECA

APPLICATION TO SELL FIREWORKS – 2021



Completed applications to sell fireworks must be returned to the Fire Chief's Office between November 1 and no later than 5:00 p.m. up to and including the first Friday in December. All required documentation should be attached to this application (proof of State tax exemption status 501(c) or written verification of affiliation from a public school located within the city limits of Manteca, and a list of your organization's membership with names, addresses and telephone numbers).

The City of Manteca, under Manteca Municipal Code Section 8.08 has been given full discretion in issuing permits to sell fireworks in the City of Manteca. **The City Clerk shall conduct a lottery January 13th 2021 at 4:00p.m.**, to fill all available fireworks stand openings for the coming year, from the eligible non-profit organizations, in the order drawn. The lottery will apply only to the upcoming year. There will be a two-year limit for each non-profit organization if they are drawn in subsequent years, after which they will have to sit out a year before submitting another fireworks application.

The maximum number of permits which the City may issue pursuant to Chapter 8.08 for any calendar year shall not exceed one (1) sales permit for each five thousand (5,000) population or portion thereof, in addition to one (1) permit for the City of Manteca, based on the Fire Chief's approval.

The requirements for eligible organizations are the following:

- (1)** recognized by the Secretary of State as a 501 (c) tax-exempt nonprofit organization or proof of affiliation with a public school located within the city limits of Manteca; (attach Documentation)
- (2)** establish that the principal and permanent meeting place is located within the City of Manteca for a minimum of one (1) continuous year preceding the filing of the application;
- (3)** Identify twenty (20) members of your organization that reside in the City of Manteca; (attach Documentation)
- (4)** possess a non-profit identification number

A non-profit identification number can only be used by one (1) organization. Should more than one organization submit the same non-profit identification number, all of the affected non-profit organizations may be ineligible to receive a permit.

Name of Organization: _____

Mailing Address: _____

Principal and Permanent Meeting Address: _____

Contact Person: _____ **24-Hour Contact #** _____

E-mail: _____ **Name of Fireworks Rep.** _____

Status of Organization: Religious Civic Betterment Youth Other Charitable Purpose: _____

Date Organization came into existence: _____ **Non-Profit Tax I.D. Number:** _____

I declare under the penalty of perjury that the above information contained herein is, to the best of my knowledge and belief, true and correct. I further declare that our organization has a principal and permanent meeting place in the City of Manteca and have been established for a least one year prior to the filing of this application, and that we have a bona fide membership of at least 20 members of whom are residents of the City of Manteca.

Board Member Signature: _____ **Board Member Signature:** _____

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_____ List of Membership (with names, addresses and telephone numbers)
 _____ Tax Exemption Status or Public School Affiliation Document

Verified by: _____
 Date: _____

Organizations drawn to fill available openings for fireworks stands will be required to submit the following documentation and fees to the Fire Department before 5:00 p.m. on May 1st.

1. Completed Application for Permit to Sell "Safe and Sane" Fireworks (FW-1).
2. Site Plan (Sketch of Proposed Fireworks Selling Location) showing fireworks sales booth location with exact placement of fireworks (FW-2).
3. Property owner's, or his/her designee's, written permission to sell and/or store fireworks at the location, including the seven (7) digit parcel number (APN) of the San Joaquin County Assessor and other information as may be required by the Fire Chief. Written Authorization from Property Owner form (FW-3).
4. Sign a form provided by the City whereby the permittee agrees to indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, damages, demands, liability, costs, losses, and expenses, including without limitation court costs and reasonable attorneys' fees, arising out of or in connection with the permittee's sale of fireworks pursuant to a City-issued permit, except such loss or damage which was caused by the active negligence, sole negligence, or willful misconduct of the City, its officers, employees, or agents. Hold Harmless Agreement (FW-4).
5. A completed Operation of Fireworks Stand form acknowledging Manteca Municipal Code Regulations and Safety Precautions (FW-5).
6. Furnish to the City proof of coverage by a policy of public liability and property damage insurance. The policy shall provide limits of bodily injury and property damage liability of not less than Five Million Dollars (\$5,000,000) combined single limits for each occurrence annually as payment for damages to persons or property which may result from or be caused by the public sale or display of fireworks, or any negligence on the part of the permittee or his or her agents, servants, employees, or subcontractors relating thereto.
7. State Board of Equalization Temporary Sellers Permit (copy).
8. State Fire Marshal's Fireworks Retail License (copy).
9. Temporary Use Permit issued by the City of Manteca Community Development Department. (There is a \$157 fee for this permit.)
10. Permit Fee of \$150. The Manteca Fire Department Permit for Retail Sale of "Safe and Sane" Fireworks will be issued to the permittee by the Fire Marshal or Fire Inspector upon completion of the fire inspection prior to the fireworks stand's opening.

Operation of Fireworks Stand by Permittee:

1. Only the permittee organization shall operate the fireworks stand for which the permit is issued. No other person or entity, whether by agreement, assignment or otherwise, shall participate in the profits of the operations of such fireworks stand. Violations will result in the immediate loss of the organization's permit.
2. Only the individuals who are members of the permittee organization, their spouses, or adult children, are allowed to sell or otherwise participate in the sale of fireworks at such fireworks stand.
3. The permittee organization shall not 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 security officer.

Sales and Use by Minors:

1. It shall be unlawful for any person under the age of eighteen (18) to sell, or handle for sale, purchase, or be allowed to purchase any classification of fireworks.