



City of El Centro
Fireworks Checklist & Important Dates
 Community Development Department
 1275 W. Main Street
 El Centro, CA 92243
 Telephone: (760) 337-4545

Below is a list of items to submit with your Fireworks Temporary Use Permit Application. Before submitting the Application to the Community Development Department, please ensure that items (1-6) are attached to your Application.

- 1. Temporary Use Permit Application signed by the Authorized Officer or Director of the nonprofit organization
- 2. Two (2) copies of a Site Plan (min. 8 ½ "by 11")
- 3. Affidavit signed by the Authorized Officer or Director for nonprofit organization
- 4. Proof of being a nonprofit, and demonstrating tax exempt status (*i.e. IRS Determination Letter*)
- 5. Payment in the amount of One Hundred Eighty One dollars (\$181.00) **non-refundable** fee for permit processing
- 6. Proof of a City of El Centro Business License (*Business Licenses are free of charge to nonprofits*)

After items 1-6 (above) are submitted and reviewed by City Staff, Staff will approve or deny the application. If the number of Qualified Applicants for Fireworks Sales Permits exceeds the five (5) Fireworks Sales Permits available for issuance, the Fire Chief will conduct a drawing. If your nonprofit organization or group is selected, you will also need to provide or complete the following:

- 7. One (1) copy of Property Owner or Lessor Consent Form.
- 8. Certificate of Endorsement evidencing a policy of public liability and property damage insurance naming the City as an additional insured thereunder, with minimum limits of one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) aggregate.
- 9. Payment in the amount of three hundred dollars (\$300.00) for the Fireworks Sales Permit.
- 10. Attend at least one (1) fireworks safety training to be announced at a later date.
- 11. A copy of the retail fireworks license issued by the Office of the California State Fire Marshal.
- 12. A copy of the State Board of Equalization temporary sales tax permit.

IMPORTANT DATES TO CONSIDER

Temporary Use Permit Application Submittal	March 11, 2019 – April 5, 2019
Temporary Use Permit Application Deadline	April 5, 2019
Fireworks Permit Drawing (if more than 5 applications are received)	To Be Announced
Safety Training Date	To Be Announced
Fireworks Stand Set Up	June 20, 2019 – July 5, 2019
Retail Sales Period	June 28, 2019– July 5, 2019
State Board of Equalization Report Due to City Clerk	November 1, 2019

T.U.P. No. _____

Processing Fee: \$181.00



Date Filed: _____

Received By: _____
Application due no later than
5 PM on April 5, 2019

**CITY OF EL CENTRO
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING & ZONING DIVISION
APPLICATION FOR TEMPORARY USE PERMIT FOR FIREWORKS SALES**

Application is hereby made to the City of El Centro, County of Imperial, State of California, for a **Temporary Use Permit** as set forth under Chapter 29, Article IV, Division 5 of the City Code of the City of El Centro, California, as amended. This Temporary Use Application is specifically for fireworks sales. Before completing the Temporary Use Application, review the Fireworks Ordinance attached hereto.

NONPROFIT APPLICANT:

Name of Organization _____

Principal and Permanent Meeting Address _____

Status of Organization (Religious, Charitable, etc. *[Attach copy of 501 (c)(3) status) or 23701d designation]* _____

INDIVIDUAL IN ORGANIZATION APPLYING FOR THIS PERMIT/CONTACT PERSON:

Name _____ Title _____

Mailing Address _____

Email _____ Telephone No. (____) _____

Name of Property Owner(s) (if different from above) _____

Mailing Address _____

Telephone No. (____) _____

LIST THREE (3) PRINCIPAL OFFICERS OF THE ORGANIZATION IN ORDER OF PREFERENCE:

Name	Title	Address	24-Hour Contact Phone Number
1.			
2.			
3.			

FIREWORKS DISTRIBUTOR/WHOLESALE INFORMATION:

This information is **optional**. Please provide this information only if you know who the distributor/wholesaler will be.

Company Name _____

Address _____

Contact Person _____ Telephone No. _____

DESCRIPTION OF PROJECT SITE:

NOTE: Fireworks stands shall be located in the CH(Heavy Commercial), CG (General Commercial), MG (General Manufacturing and ML (Light Manufacturing) zones only.

Street Address/Location _____

DESCRIPTION OF PROPOSED TEMPORARY USE :

Please fully describe the proposed use of the subject property for which the Temporary Use Permit is requested, including the number of employees who will work at the stand :

BENEFITS STATEMENT:

Please describe the benefits the nonprofit organization or group provides to the community of El Centro. Attach pages as necessary.

DURATION OF TEMPORARY USE PERMIT:

Beginning date _____ Ending Date _____

Hours of Operation _____

CONDITION OF SITE FOLLOWING TEMPORARY USAGE:

Each site occupied by a temporary use shall be left free of debris, litter, or any other evidence of the temporary use upon completion or removal of the use, and shall thereafter be used only in accordance with the provisions in Chapter 29.

MISCELLANEOUS PROVISIONS:

Applicant shall inform the City immediately of accidents or emergency situations that occur or arise throughout the duration of the temporary use.

Applicant shall comply with all applicable laws, ordinances, codes and regulations of the Federal, State, and local governments.

Except if expressly stated, no third party is a beneficiary of the Temporary Use Permit. Applicant shall not assign the obligations under this Permit. Any assignment shall constitute a default and is grounds for immediate termination of this Permit, at the sole discretion of the City.

Applicant shall maintain prior to the beginning of and for the duration of this Temporary Use Permit, a policy of public liability and property damage insurance naming the City of El Centro as an additional insured thereunder. Limits are subject to review, but in no event shall be less than the limits set forth in Section 10-70(1)(b) of the City of El Centro Municipal Code.

RELEASE, HOLD HARMLESS AND AGREE NOT TO SUE:

Applicant fully understands that the sale of fireworks exposes Applicant to the risk of claims for personal injury, death or property damage. Applicant hereby acknowledges and agrees to assume any such risks resulting from its sale of fireworks.

In consideration for the City’s issuance of a fireworks permit, Applicant hereby agrees, for itself, its successors and assigns, that Applicant shall indemnify and hold harmless the City, its officers, agents, employees, servants or volunteers from any and all claims, demands, actions or suits arising out of or in connection with Applicant’s sale of fireworks.

By signing below, Applicant hereby releases, discharges and agrees not to sue the City, its officers, agents, and/or employees, for any injury, including but not limited to death or damage or loss of personal property arising out of, or in connection with the City’s issuance of a fireworks permit, from whatever cause, including the passive negligence of the City, its officers, agents, servants, and employees.

Date

Applicant Signature

SIGNATURE:

I certify that I am the signer and authorized officer or director of the nonprofit organization or group of the within application and have read the foregoing and certify that the contents herein are true and correct to the best of my knowledge and belief.

Date

Applicant Signature

Print Name

REQUIRED ATTACHEMENTS:

1. Two (2) copies of the Site Plan (Min. 8½ x 11)
2. Affidavit signed by the Authorized Officer or Director for nonprofit organization.
3. Proof of being a nonprofit, and demonstrating tax exempt status (i.e. IRS Determination Letter)
4. Payment in the amount of One Hundred Eighty One (\$181.00) dollars **non-refundable** for permit processing.
5. Proof of City of El Centro Business License (Business Licenses are free of charge to nonprofits).

NOTE: *Please submit temporary use permit application with the required attachments and the appropriate filing fees to the Community Development Department - Planning & Zoning Division at City Hall, 1275 W. Main Street, El Centro, California 92243. Incomplete applications will not be accepted.*

If you need assistance completing the applications, please contact the Community Development Department-Planning & Zoning Division on weekdays, from 8:00a.m. to 5:00p.m., at (760) 337-4545.

ORDINANCE NO. 17-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CENTRO AMENDING CERTAIN SECTIONS OF CHAPTER 10, ARTICLE V OF THE CITY CODE RELATING TO FIREWORKS REGULATIONS

THE CITY COUNCIL OF THE CITY OF EL CENTRO, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 10-66 of Article V of Chapter 10 of the Code of the City of El Centro, California, is hereby amended to add the definition of “priority applicant”:

“Section 10-66: Definitions.

Priority applicant is a Permittee that has obtained a fireworks permit for two consecutive years, which remains a qualified applicant, and which has been in compliance with all the provisions of this ordinance and the applicable provisions of state law during the permit periods.

Section 2. Section 10-69 of Article V of Chapter 10 of the Code of the City of El Centro, California, is hereby amended to read as follows:

“Sec. 10-69. Safe and sane fireworks permitted.

- (3) The maximum number of fireworks sales permits that shall be issued to qualified applicants is five (5).
- (6) If the number of qualified applicants for fireworks sales permits exceeds the number of fireworks sales permits available for issuance, a priority applicant shall have priority over other qualified applicants. If there are any remaining unassigned permits, the fire chief shall conduct a random drawing to determine to whom the available fireworks sales permits shall be issued. All successful Permittees shall have fourteen (14) calendar days to submit all information required by section 10-71 and to pay the established fireworks sales permit fee.”

Section 3. Section 10-70 of Article V of Chapter 10 of the Code of the City of El Centro, California, is hereby amended to read as follows:

“Sec. 10-70. Fireworks sales and permit requirements.

- (2) The application must be submitted between the fifteenth (15th) day of March and the thirtieth (30th) day of March of each year; except however, for the year 2017, the application must be submitted between the twenty-fourth (24th) day of April and the ninth (9th) day of May.”

Section 4. Section 10-73 of Article V of Chapter 10 of the Code of the City of El Centro, California, is hereby amended to read as follows:

“Sec. 10-73. Fireworks stands.

- (b) No fireworks stand may be erected before the twentieth (20th) day of June and only by a person or people affiliated with a permittee.”
- (f) Fireworks stands are not permitted on city property and shall not be located closer than three hundred (300) feet apart, unless separated by a major arterial roadway.

- (1) If two or more qualified organizations have the same property owner's permission to use the property, preference shall be given to the organization that has used the property two of the last three years. If none of the organizations has used the property two of the last three years, preference shall be granted by a drawing conducted by the fire chief.
- (2) If two or more qualified organizations apply for permits on property within three hundred feet of each other and not separated by a public street, preference shall be given to the organization that has been in the area two of the last three years. If none of the organizations has been in the area two of the last three years, preference shall be granted by a drawing conducted by the fire chief."

Section 5. This ordinance shall take effect thirty (30) days from and after its adoption.

Section 6. Within fifteen (15) days after adoption, the City Clerk shall cause this ordinance with the names of those City Council Members voting for and against the ordinance to be published once in a newspaper of general circulation published and circulated within the City of El Centro, California.

INTRODUCED at a regular meeting of the City Council of the City of El Centro, California, held on the 7th day of Mar., 2017.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of El Centro, California, held on the 21st day of Mar., 2017.

CITY OF EL CENTRO

By 
Alex Cardenas, Mayor

ATTEST:

By 
L. Diane Caldwell, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

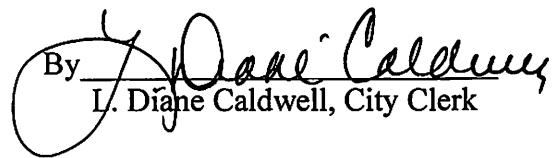
By 
Elizabeth L. Martyn, City Attorney

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL) ss
CITY OF EL CENTRO)

I, L. Diane Caldwell, City Clerk of the City of El Centro, California, do hereby certify that the foregoing Ordinance No. 17-03 had its first reading on Mar. 7, 2017, and had its second reading on Mar. 21, 2017, and was passed by the following vote:

AYES: Jackson, Silva, Cardenas, Viegas-Walker, Garcia
NOES: None
ABSENT: None
ABSTAINED: None

AYES: Jackson, Silva, Cardenas, Viegas-Walker, Garcia
NOES: None
ABSENT: None
ABSTAINED: None

By 
L. Diane Caldwell, City Clerk