

CITY OF OGALLALA
APPLICATION FOR FIREWORKS VENDOR PERMIT

(Please type or print legibly)

Date_____

Name of applicant_____

Address_____

Telephone_____

How long have you been a resident of / or doing business in the City of Ogallala?

Date of birth_____

Location of fireworks stand_____

I have been provided a copy of Ogallala City Ordinance 10-1001. I have read and understand the requirements of this ordinance and agree to comply with all rules and regulations listed therein.

Applicant signature_____

For department use only

Fee Paid_____

Application accepted by_____ **Date**_____

Approved_____

Disapproved_____

Excerpt from Municipal Code

§ 110.019 FIREWORKS VENDORS.

(A) It shall be unlawful for any person to sell or offer to sell at retail within the city any fireworks as the same are defined and permitted under the statutes of the state without having first secured a permit from the Zoning Inspector.

(B) Any person making application for a permit required by this section shall:

(1) File satisfactory proof with the Zoning Inspector that such person has been a resident of, or doing business in, the city for at least six months prior to the date of making such application.

(2) If a for-profit operation, pay to the City Clerk the sum of \$200, which sum shall be retained by the city as a permit fee.

(3) If a not-for-profit operation with the appropriate IRS designation, pay to the

City Clerk the sum of \$1, which shall be retained by the City Clerk as a permit fee.

(4) File with the Zoning Inspector a written statement giving the location of the retail outlet. All outlets shall be located on commercial property in accordance with Chapter 153 of the municipal code.

(5) File with the Zoning Inspector all applications for permits by June 15 of the year for which the applicant wishes the permit.

(6) Provide to the Fire Chief and Police Chief the manner of storage for their fireworks and the location of such storage place. The storage and/or retail place shall be constructed of wood or masonry. Such place must be capable of being secured.

(C) No person under the age of 21 years shall be granted a permit.

(D) A past record of violations may result in the denial of a permit. This determination is to be made by the City Manager or his or her designee.

(E) Permits, when issued by the Zoning Inspector, shall be valid beginning June 25 at 8:00 a.m. and ending July 4 at 11:59 p.m. of the year of issue, and shall not be transferable.

(F) Fireworks may be sold June 25 through July 3 during the hours of 8:00 a.m. to 10:00 p.m. Fireworks may be sold on July 4 during the hours of 8:00 a.m. to 11:59 p.m.

(G) Public exhibitions or displays of discharging fireworks may be conducted without a sales permit, but shall be conducted according to rules and regulations prescribed by the State Fire Marshal in cooperation with the City Fire Chief. Where supervisors are required, the sponsor of such exhibition or display shall hire or engage the services of such supervisors, who shall be approved by the City Fire Chief.

(H) Any licensed fireworks stand or firm engaged in the sale of fireworks shall have a person of 21 years or older in charge of the sale of fireworks and on the stand premises at all times.

(I) Any person in violation of this section of the municipal code is guilty of a misdemeanor, and shall be punished as provided in § 110.999.

('85 Code, § 10-1001) (Ord. 1020, passed 8-8-95) Penalty, see § 110.999

Cross-reference:

Fireworks discharge, see § 97.055 et seq.

§ 110.999 PENALTY.

(A) Any person who violates any of the prohibitions or provisions of any section of this chapter shall be deemed guilty of a misdemeanor. Unless otherwise specified in this chapter or by statutes, the penalty for such violation shall be in any amount not to exceed \$1,000, in the discretion of the court; provided; whenever any section of this chapter shall declare a nuisance, a violation of that section shall be penalized by a fine of not more than \$1,000, in which case a new violation shall be deemed to have been committed every 24 hours of such failure to comply. ('85 Code, § 10-1801)

(B) Whoever violates § 110.019 shall be punished by a fine not to exceed \$1,000; and the City Fire Chief, City Police Chief, Zoning Inspector, or City Manager may order the offender's stand closed. ('85 Code, § 10-1001)

Statutory reference:

General authority, see Neb. RS 16-225, 16-240, 16-246, and 18-1720