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# 2019 Safe and Sane Fireworks Sales – Annual Report

## **Summary**

This report reviews the process for the seventh year of legalized sales of safe and sane fireworks in the City of Fullerton.

The City received 36 successful and one unsuccessful fireworks lottery applications in 2019.

Three fireworks vendors expressed interest in the fireworks sales process: TNT Fireworks, Phantom Fireworks and Discount Fireworks Warehouse. Thirteen permittees worked with TNT fireworks. Two permittees did not submit their final financial reports indicating the vendor they worked with.

This being the seventh year of fireworks sales, Staff has addressed unanticipated hurdles arising during the early years of implementation of a new program and the streamlined application and permit process continues to run smoothly. City Council adopted increased permit fees as part of the 2017-18 budget and subsequent application processes reflected those increases.

## **Background and Discussion**

**Background:** On November 6, 2012, Fullerton voters approved Measure X which adopted Ordinance No. 3183 establishing the sale and use of safe and sane fireworks in the City of Fullerton. In 2014, City Council adopted Resolution No. 2014-15 which revised the fees for issuing fireworks sales permits. In 2016, City Council adopted Resolution 2016-11 which updated the rules and regulations for sale, possession and discharge of safe and sane fireworks.

The 2017-18 City of Fullerton budget included updated fees for fireworks lottery applications and fireworks sales permits, which took effect in 2018. City Council made no changes to the lottery or sales permit process for 2018 or 2019.

City Council received the 2018 Safe and Sane Fireworks Sales Annual Report and approved the 2019 lottery and sales permit timeline at its February 19, 2019 meeting.

A committee comprised of staff from various departments met regularly to develop the fireworks lottery and fireworks permit application packets and facilitate fireworks sales based on the rules and regulations outlined by City Council.

At the inception of the fireworks sales program, City Council considered issuing a Request for Proposal for a single wholesaler or adding a drop fee for each fireworks stand. City Council did not further pursue either option. Fireworks vendors operating in the City at that time (TNT Fireworks and Phantom Fireworks) had indicated their intent to provide donations to the City to support the City's First Night and Fourth of July events. The City has received no such donations to date.

Individual Council Members, community groups and the public have made several suggestions to update the fireworks sales program including, but not limited to, allowing multi-year permits, using a weighted lottery drawing, limiting the number of times a group may receive a permit before it must remove itself from the lottery for a cycle to allow other groups the opportunity to fundraise and refunding the lottery application fee to unsuccessful lottery applicants. None of these suggestions have received enough support for further exploration.

Lottery Application: During the month of March, the City Clerk's Office received 37 lottery applications and fees from non-profit groups. All but one application qualified for the fireworks lottery (Two groups from Hope University submitted applications and only one group per educational institution may apply). In 2018, the City received 35 applications of which 34 qualified for the lottery drawing (more details on the lottery applications can be found later in this report in the 2019 statistics section).

Resolution No. 2016-11 allows one application per educational institution. This includes any school clubs and booster programs that provide funding directly to school programs. Staff sends a letter to all educational institutions informing them of this rule in advance of the lottery application period. Staff received two applications from Hope University organizations and qualified the first application received for the lottery.

Staff continues to consider sororities and fraternities as individual community groups as those organizations operate independently from the colleges.

Lottery Drawing: On April 16, 2019, City Council held a random lottery drawing to select 15 applicants and five alternates to continue to the permitting phase for fireworks sales.

Permit Application / Inspections: The 15 groups selected in the lottery submitted the fireworks permit application and fees to the Fire Marshal. All 15 groups met the permitting requirements. The groups sold safe and sane fireworks between July 1 and 4, 2019. (More information on the permit holders contained in the statistics section in this report.) Staff continues to find that 15 stands is an appropriate number of stands for sales in the City.

Outreach: The Fire Department increased outreach efforts this year with electronic signs along Harbor Boulevard and twenty street signs throughout the City stating "Only Safe and Sane Fireworks Allowed". Fireworks booths and CERT members on Fire Watch Patrols distributed a Zero Tolerances flyer. The Police Department continued their social media campaign this year.

Enforcement: The fireworks sales permit fee includes each permittee's share of the cost for additional public safety personnel leading up to and on the Fourth of July which consists of the following:

- Six Police Officers (2 two-officer cars and 1 two-officer car teamed with the Fullerton Fire Department)
- One Dispatcher
- Fire Suppression Team (1 Captain, 1 Engineer, 2 Firefighters).

Calls for service are historically higher on such national holidays as the 4<sup>th</sup> of July. This year was no different. In reviewing the number of service calls, the same timeframe of July 1, 2019 at 12:00 am to July 5, 2019 at 3:00 am was used. During these timeframes, the statistics showed that the percentage of 415 FW calls (versus other service calls) was significantly higher than normal.

The Fullerton Police Department handled 265 fireworks related calls in addition to all the other calls for service between 12:00 am on July 1, 2019 and 3:00 am on July 5, 2019. This is 46% decrease from the 301 calls taken during the same time frame in the previous year.

The Department received 200 of those calls between 12:00 am on July 4, 2019 and 3:00 am on July 5, 2019. This is five more calls received than during the same time frame in 2018.

These statics do not include firework related phone calls that came into the Police Department front desk or walk-in patrons that complain about general firework activity in the City.

Since the passing of Measure X, the City has received an increase of firework related calls throughout the month of June. These are arguably illegal fireworks since legal sales are not allowed until July 1st and most likely are not legal firework possessions from a prior year. The Department had 128 firework related calls for service in June 2019. This is a 33% reduction in calls from the previous year.

The Police Department Community Services Bureau conducted a fireworks safety and information campaign in late June 2019 on the Department's social media sites and at community outreach events. The overwhelming majority of the comments expressed frustration over the use of fireworks (both legal and illegal) prior to the 12 hour legal period on July 4<sup>th</sup>. The comments also expressed frustration over the rampant use of illegal fireworks throughout the City and frustration at the police department's response to illegal fireworks and inability, in their view, to curtail the practice in its entirety.

Additional Staffing: The Fullerton Police Department staffed three, two-officer units specifically assigned to handle fireworks related calls. A portion of the fireworks permit fees funded these six officers who worked on July 4, 2019 at 8:00 pm until July 5, 2019 at 3:00 am. During their seven hour shift they handled the majority of firework calls for service. Due to the volume of calls for service, night watch patrol reached out to the officers that were working the Fourth of July event at Fullerton High School. After the completion of their duty at the High School they were re-assigned to assist with the demands of the firework calls. During their time from approximately 11:00 p.m. to 3:00 a.m. they confiscated several hundred pounds of illegal fireworks found in plain view. The other fireworks related calls were dispatched to "on-duty" personnel working on the evening of July 4, 2019 to 6:00 am on July 5, 2019. More details on police enforcement related to the Fourth of July are attached to this report.

The Fullerton Fire Department responded to two calls for fires started by fireworks. The details of these calls are attached to this report.

City's 4<sup>th</sup> of July Event: The City held the Fourth of July event at the Fullerton Union High School Softball Field. Attendance at the City's Fourth of July event appeared steady.

Cleanup: The Public Works / Street Division had no major issues to report, noting that street sweeping on July 5<sup>th</sup> went well. Motor Sweeper Operators reported that the streets were reasonably free of firework debris, consistent with cleanups in previous years.

Permitees cleared any remaining fireworks stock from the stands on July 5, 2019 and removed their stands no later than July 13, 2019.

Financial Reporting: Thirteen of fifteen groups submitted their financial reports to the City by the September 1, 2019 deadline. Orangethorpe United Methodist Church and Hope International University did not submit financial reports and are disqualified from future fireworks lotteries until they submit their reports. Groups reported net profits ranging from \$2337 to \$22,246 per group. (More detail on the financial reports included later in this report.) The overall percentage of net profits in 2019 was 25% compared to 26% in the previous year. Without the information from the two missing financial reports, Staff cannot accurately compare to actual sales from previous years.

### Feedback

Staff received the following comments submitted on the Community Group Feedback Form:

*"EFLI just wants to thank the City of Fullerton for allowing our organization the opportunity to sell fireworks and raise money for the league. It really helps us to keep costs down for our East Fullerton families and helps us to keep up the maintenance on Chapman Park fields."*

*"The process was just fine."*

*"The lottery should not be limited to one group per school, but open to all qualified organizations. We maintain our 501(c)(3) only to be told that we are part of a school and need a principal's signature in order to enter."*

Looking Forward: Overall, the process for sale of safe and sane fireworks is successful. Staff will update the 2020 lottery and permit applications with 2020 information and will continually refine the application and permitting process when warranted.

July 4, 2019 fell on a Thursday this year. Staff will continue to monitor statistics in future years to track whether a correlation exists between the day of the week the holiday falls on and the volume of sales or calls for service related to fireworks.



## 2019 STATISTICS & ADDITIONAL INFORMATION

### Timeline

November 6, 2012	Measure X approved, legalizing the sale of safe and sane fireworks in Fullerton
February 2, 2016	Resolution No. 2016-11 adopted
June 6, 2017	Most recent fees adopted
March 1 – 31, 2019	Fireworks Lottery Applications accepted by the City Clerk's Office
April 16, 2019	Fireworks lottery drawing – during public portion of City Council Closed Session
April 17 – June 7, 2019	Firework Permit Applications accepted by the Fire Marshal
June 8 - 30, 2019	Stands drop / Inspections / Operator Safety Classes
July 1 – 4, 2019	Fireworks sales
July 5, 2019	Fireworks stock removal
July 13, 2019	Remove fireworks stands by this date
September 1, 2019	Permitee financial reports due

### Lottery Applications

- 37 lottery applications received by City Clerk's Office.
- 36 lottery applications qualified
- Application demographics (qualified applications):
  - Faith Based 33% (12) (10 applications in 2018)
  - Youth Sports 22% (8) (7 applications in 2018)
  - Service Clubs 17% (6) (3 applications in 2018)
  - Community Group 6% (2) (6 applications in 2018)
  - Education / School Booster / Club 17% (6) (5 applications in 2018)
  - College/University Club/Sports 6% (2) (3 applications in 2018)
- Generated \$1036 in lottery application fees (\$28 /per application x 37 applications) (\$980 collected in 2018).
- Lottery Application fee covers cost of processing permit.

### Permit Applications

- 15 permittees and 5 alternates drawn during April 16, 2019 City Council meeting.
- All permittees completed the application process (no alternates granted a permit)
- Permittee demographics:
  - Faith Based 27% (4) (3 permittees in 2018)
  - Youth Sports 27% (4) (4 permittees in 2018)
  - Education / School Booster / Club 20% (3) (2 permittees in 2018)

-Community Group 13% (2) (3 permittees in 2018)  
-College/University Club/Sports 7% (1) (1 permittee in 2018)  
-Service Club 7% (1) (2 permittees in 2018).

- Fire Department collected \$25,290 in permit fees (15 X \$1686/permit).
- Permit Application fee includes permit processing costs, fire suppression team (one fire unit with captain, engineer and two firefighters for 24 hours), fireworks safety team (six police officers and one dispatcher) and street sweeping / maintenance.



## 2019 Fireworks Lottery Applications (Successful)

	Organization	Organization Type	School Affiliated
1	Fullerton Alano Club	Service Club	No
2	Ministerios Profetico Roca De Salvacion	Faith-Based Organization	No
3	Boys & Girls Club of Fullerton	Community Group	No
4	United Pentecostal Church of Fullerton	Faith-Based Organization	No
5	Fullerton Junior All American	Youth Sports	No
6	Kiwanis Club of Fullerton	Service Club	No
7	Fullerton Pop Warner	Youth Sports	No
8	Day of Music	Service Club	No
9	Fullerton College Women's Soccer	College / University Sport / Club	Yes
10	Eastside Christian School	Education / School Booster / Club	Yes
11	Fullerton Cares	Service Club	No
12	Hope University Tennis	College / University Sport / Club	Yes
13	Orangethorpe United Methodist Church	Faith-Based Organization	No
14	Freedom House Church	Faith-Based Organization	No
15	Tara's Chance	Community Group	No
16	Fullerton High School Girls Volleyball Boosters	Education / School Booster / Club	Yes
17	Fullerton Elks #1993	Service Club	No
18	Troy NJROTC Booster Club Inc.	Education / School Booster / Club	Yes
19	Knights of Columbus Assembly	Faith-Based Organization	No
20	Beechwood Elementary School	Education / School Booster / Club	Yes
21	Knights of Columbus #4018	Faith-Based Organization	No
22	Nuevos Comienzos Ministries	Faith-Based Organization	No
23	Sigma Delta Alpha	Service Club	No
24	East Fullerton Little League	Youth Sports	No
25	Blue Stars FC	Youth Sports	No
26	Temple Beth Tikvah	Faith-Based Organization	No
27	CDA Slammers FC	Youth Sports	No
28	Fullerton Rangers Soccer Club	Youth Sports	No
29	Sunny Hills Mens Soccer Booster Club	Education / School Booster / Club	Yes
30	First Baptist Church of Fullerton (Wilshire Ave Community Church)	Faith-Based Organization	No
31	Knights of Columbus #16452	Faith-Based Organization	No
32	Golden Hill Little League	Youth Sports	No
33	Elite Development Academy, Inc	Youth Sports	No

34	Kings House of Worship	Faith-Based Organization	No
35	Victory Outreach Fullerton	Faith-Based Organization	No
36	Sunset Lane Elementary	Education / School Booster / Club	Yes



## 2019 Fireworks Lottery Results / Permittees Summary of Financial Information

Fireworks stand permit applications awarded to:

	Organization	Gross Sales	Net Profit	% Profit	Vendor	Proceeds For	Stand Location
1	Victory Outreach Fullerton	\$27,973	\$7127.89	25%	TNT	Community outreach and fellowship via church programs	1425 South Brookhurst Road
2	United Pentecostal Church of Fullerton	\$47,214.14	\$10,332.7	22%	TNT	Church maintenance and outreach efforts	914 West Orangethorpe Avenue
3	Hope University Tennis	Financial Report Not Submitted					2450 East Chapman Avenue
4	Knights of Columbus #4018	\$35,512.72	\$7875.98	22%	TNT	Support St. Juliana and St. Mary catholic communities	1250 East Chapman Avenue
5	Sunny Hills Mens Soccer Booster Club	\$54,468	\$14,152	26%	TNT	Equipment, uniforms and other items not provided by the school district	2291 West Malvern Avenue
6	Boys & Girls Club of Fullerton	\$63,041	\$13,701.31	22%	TNT	Operation of afterschool programs	1930 North Placentia Avenue
7	Elite Development Academy, Inc	\$35,043.96	\$7197.50	21%	TNT	Take team to Gothia Cup in Gothenburg Summer 2021	1304 South Harbor Boulevard
8	Orangethorpe United Methodist Church	Report Not Submitted					1701 West Orangethorpe Avenue
9	Fullerton Rangers Soccer Club	\$62,132.85	\$18,102.82	29%	TNT	Financial Assistance Program	1040 East Bastanchury Road
10	East Fullerton Little League	\$54,242.08	\$14,342.98	26%	TNT	Chapman Park baseball fields and bullpens	2420 East Chapman
11	Fullerton Elks #1993	\$58,019.81	\$14,997.57	26%	TNT	Jack Elhers Memorial Dictionary Fund, Special Child Fund, Veterans Fund	1235 North Harbor Boulevard

12	Sunset Lane Elementary	\$24,620.59	\$2337.83	9%	TNT	Funding IXL for students of Sunset Lane	1521 South Harbor Boulevard
13	Eastside Christian School	\$39,601.44	\$10,246.62	25%	TNT	School curriculum and supplies for classrooms	1930 North Placentia
14	Tara's Chance	\$57458.45	\$18,133.88	32%	TNT	Scholarships for therapeutic horseback riding	202 East Imperial Highway
15	Fullerton Pop Warner Football	\$72,017.49	\$22,245.87	31%	TNT	Football and cheer equipment and new scoreboard	3336 Yorba Linda Boulevard
		Gross Sales:	Net Profit:	Profit:			
	<b>2019 Totals*</b>	<b>\$631,345</b>	<b>\$160,795</b>	<b>25%</b>			
	2018 Totals	\$661,331	\$171,761	26%			
	2017 Totals	\$702,830	\$177,429	25%			
	2016 Totals	\$769,809	\$185,521	24%			
	2015 Totals	\$746,177	\$182,099	24%			
	2014 Totals:	\$694,469	\$183,645	26%			
	2013 Totals:	\$698,782	\$186,796	27%			

\*Two reports not submitted for 2019

#### Alternate fireworks sales stand applicants drawn:

Alternate 1	CDA Slammers FC
Alternate 2	Beechwood Elementary School
Alternate 3	Fullerton Cares
Alternate 4	Troy NJROTC Booster Club Inc.
Alternate 5	Ministerios Profetico Roca De Salvacion

# Fullerton Police Department

## Statistical Information

### 2019 Annual Report

Total fireworks related calls for the time frame of July 4 at 0000 hours until July 5 at 0300 hours (4<sup>th</sup> of July):

<b>2019</b>	<b>200 fireworks related calls</b>
2018	195 fireworks related calls
2017	223 fireworks related calls
2016	242 fireworks related calls
2015	217 fireworks related calls
2014	203 fireworks related calls
2013	145 fireworks related calls
2012	137 fireworks related calls
2011	86 fireworks related calls

Total fireworks related calls for the time frame of July 1 at 0000 hours until July 5 at 0300 hours:

<b>2019</b>	<b>265 fireworks related calls</b>
2018	301 fireworks related calls
2017	348 fireworks related calls
2016	447 fireworks related calls
2015	290 fireworks related calls
2014	294 fireworks related calls
2013	191 fireworks related calls
2012	182 fireworks related calls
2011	145 fireworks related calls

The Fullerton Police Department staffed three, two-officer units that were specifically assigned to handle fireworks related calls. These six officers were paid for by the organizations that were granted permission to operate a fireworks booth in 2019 as part of the permit/cost recovery process. These officers worked on July 4, 2019 at 2000 hours until July 5, 2019 at 0300 hours. During their 7 hour shift they handled the majority of firework calls for service. Due to the volume of calls for service, night watch patrol reached out to the officers that were working the Fourth of July event at Fullerton High School. After the completion of their duty at the High School they were re-assigned to assist with the demands of the firework calls. During their time from approximately 2300 hours to 0300 hours they confiscated several hundred pounds of illegal fireworks found in plain view. The other fireworks related calls were dispatched to "on-duty" personnel working on the evening of July 4, 2019 to 0600 hours on July 5, 2019. Once again, not included in these statistics is the number of officer-initiated contacts, made by these "on-duty" patrol officers, in which members of the public were contacted.

#### **Areas of Note:**

Case # 19- 40237 (7/4/19 at 2055 hours): There was a roll over traffic collision involving street racing and one vehicle flipped over blocking a major street as well as another vehicle running off the road into a residence. This was during the peak of the fireworks calls for service and required the temporary re-deployment of firework dedicated officers for rescue operations and closure of two city streets.

#### **Communications Data:**

Calls for service are historically higher on such national holidays as the 4<sup>th</sup> of July. This year was no different. In reviewing the number of service calls, the same timeframe of July 1, 2019 (0000 hours) to July 5, 2019 (0300 hours) was used. During these timeframes, the statistics showed that the percentage of 415 FW calls (versus other service calls) was significantly higher than normal.

7-1-2019 from 0001 hours to 7-1-2016 at 2359 hours - (213) radio calls; (14) 415 FW calls =7%

7-2-2019 from 0001 hours to 7-2-2016 at 2359 hours - (225) radio calls; (16) 415 FW calls =7%

7-3-2019 from 0001 hours to 7-3-2016 at 2359 hours - (237) radio calls; (35) 415 FW calls =15%

7-4-2019 from 0001 hours to 7-4-2016 at 2359 hours - (367) radio calls; (195) 415 FW calls =53%

7-5-2019 from 0001 hours to 7-5-2016 at 0300 hours - (34) radio calls; (5) 415 FW calls =15%

With the higher number of 415 FW calls, during this five day period, the less time officers were able to conduct officer-initiated activities. With less officer-initiated activity, a decrease in arrests will occur. An arrest query was conducted to confirm this hypothesis. The results are as follows:

7-1-2019 from 0001 hours to 7-1-2016 at 2359 hours = 11 arrests

7-2-2019 from 0001 hours to 7-2-2016 at 2359 hours = 22 arrests

7-3-2019 from 0001 hours to 7-3-2016 at 2359 hours = 17 arrests

7-4-2019 from 0001 hours to 7-4-2016 at 2359 hours = 16 arrests

7-5-2019 from 0001 hours to 7-5-2016 at 2359 hours = 22 arrests

The higher percentage of 415 FW calls on 7-3-19 (15%); 7-4-2019 (53%), and 7-5-2019 (15%) directly correlate with the lower number of arrest on 7-3-19 (17); 7-4-19 (16), and 7-5-19 (22).

Firework Stats for Month Prior to July:

<b>2019</b>	<b>128</b>
2018	193
2017	203
2016	250

2019 Weekly Firework Calls In June:

June 1-8	17
June 9-15	16
June 16-22	15
June 23-30	80

#### **Social Media/PSA's leading up to the 4<sup>th</sup>:**

The Fullerton Police Department began receiving numerous complaints regarding illegal fireworks, affecting quality of life for the community, via our social media sites as well as via email through fullertonpd.org, in late June 2019. As has been done in the past, the Social Media Team began a social media fireworks awareness campaign which began on June 24th. This fireworks awareness campaign focused on "Safety Tips", the rules governing Fireworks in the City of Fullerton, Measure X and Ordinance 3183, and the importance of using Safe and Sane Fireworks. This first post was seen and shared by over 22,000 community members on our social media sites.

On June 29<sup>th</sup>, FPD hosted "Cookies And Canines" at Rolling Hills Park. This event provides members of the community to interact with police officers in their community and gives community members a chance to discuss issues in their neighborhoods. Many of the officers reported that community members engaged them in conversations about Fireworks, and the fact that illegal fireworks adversely affect their quality of life during this time period because they are loud, they scare their animals, and they are generally unsafe.

The overwhelming majority of the comments made on social media posts, direct messages and in person expressed frustration over the use of fireworks (both legal and illegal) prior to the 12 hour legal period on July 4<sup>th</sup>. The comments also expressed frustration over the rampant use of illegal fireworks (i.e. mortars) throughout the

City, comparing the City, in many unrelated instances, to a “warzone”. While our social media posts included information on when and how a police officer could legally take enforcement action against those setting off illegal fireworks, many residents still expressed frustration at the police department’s response to illegal fireworks and our inability, in their view, to curtail the practice in its entirety. The bicycle team deployed on July 9, 2019 for a separate issue and were met with many residents that were voicing their concern for the fireworks and the disturbances they caused before the actual 4<sup>th</sup> of July event.

Our continued recommendations moving forward would be to create informational inserts listing the permissible fireworks (safe and sane) and the consequences for possessing, selling or discharging illegal fireworks be included in the water bills leading up to the 4<sup>th</sup> of July holiday. If enforcement of the ordinance is the primary goal of the City and the Police Department, and not just educating the public of the current FMC’s, additional personnel will be required in order to handle the volume of calls and strictly enforce observed violations. One additional recommendation is additional personnel for a few random days preceding July 4<sup>th</sup> for enforcement and education.



## **Fullerton Fire Department Firework Related Calls for Fullerton – July 1 – 4th**

The Fullerton Fire Department responded to 2 fireworks related fires in the time frame of June 30-July 5. No medical aid incidents related to fireworks were reported.

**#F1907276**- 602 N Anna Drive, Fullerton. July 4th at 2055 hrs. FE3 extinguished a fire in a palm tree that was started by fireworks.

**#F1907287**- 2652 Balfour Ave. Fullerton. July 4th at 2237 hours. FE3 responded to fireworks on curbside. The crew used a garden hose to completely extinguish the smoldering fireworks.

Fullerton collected approximately 40 lbs of illegal fireworks.

Fullerton PD responded to 192 calls for service- no citations were issued according to Sgt. Wright.

**2019 CITY OF FULLERTON**

**FIREWORKS SALES  
LOTTERY APPLICATION  
PACKET**



## CITY OF FULLERTON

Office of the City Clerk

Dear Fireworks Stand Lottery Applicant:

Thank you for your interest in the sales of safe and sane fireworks in the City of Fullerton. On November 6, 2012, Fullerton voters approved Measure X, which adopted Ordinance No. 3183 establishing the sale and use of safe and sane fireworks. City Council adopted Resolution No. 2016-11 on February 2, 2016, which established rules for the sale and use of safe and sane fireworks within the City of Fullerton.

The fireworks sales application process has two phases: 1) application for fireworks stand lottery drawing and 2) application for fireworks stand sales permit.

**Phase 1 – Lottery Application.** Any group wishing to sell fireworks must first submit a completed application for the fireworks lottery drawing. The City will issue permits for up to 15 fireworks sales stands – one stand per qualified non-profit organization as defined in this application packet. Those organizations awarded a fireworks sales stand through the lottery drawing must then complete the second phase of the application process to obtain a fireworks sales permit.

The Lottery Application period begins Friday, March 1, 2019 and closes at the end of business Friday, March 29, 2019. A representative of the non-profit group must submit the Lottery Application in person. The City will hold the lottery drawing on Tuesday, April 16, 2019.

**Phase 2 – Fireworks Stand Permit Application.** Those organizations awarded a fireworks stand in the lottery, must then submit a fully completed permit application, in person, to the Fire Department between Wednesday, April 17, 2019 and Friday, June 7, 2019.

Should you have any other questions, please refer to the City's website at [www.cityoffullerton.com](http://www.cityoffullerton.com) or contact the City Clerk's Office at [cityclerksoffice@cityoffullerton.com](mailto:cityclerksoffice@cityoffullerton.com) or (714) 738-6350.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lucinda Williams".

Lucinda Williams, MMC  
City Clerk

### THE EDUCATION COMMUNITY

303 West Commonwealth Avenue, Fullerton, California 92832-1775  
(714) 738-6350 • Fax (714) 525-8071 • Web Site: [www.ci.fullerton.ca.us](http://www.ci.fullerton.ca.us)

**2019 CITY OF FULLERTON**

**FIREWORKS SALES  
LOTTERY APPLICATION  
PACKET**

**TIMELINE FOR  
APPLICATION & SALES**

# City of Fullerton

## **Timeline for Fireworks Stand Application & Sales**

### **Step 1: Lottery Application**

- Non-profit organizations may obtain Fireworks Sales Lottery Applications starting Friday, March 1, 2019 online at [www.cityoffullerton.com](http://www.cityoffullerton.com), from the City Clerk's Office located at 303 West Commonwealth, via email at [cityclerksoffice@cityoffullerton.com](mailto:cityclerksoffice@cityoffullerton.com) or by calling (714) 738-6350.
- A representative of the non-profit organization must submit completed Fireworks Sales Lottery Applications in person, along with required documentation (see Firework Stand Lottery Checklist) starting Friday, March 1, 2019 through close of business on Friday, March 29, 2019. The City Clerk's Office will not accept incomplete applications.
- Applicants must pay a \$28 non-refundable permit application fee when submitting the application, payable to the City of Fullerton.
- The lottery drawing will take place on Tuesday, April 16, 2019. The first 15 applications randomly selected will proceed to Step 2 and apply for a fireworks sales permit. (The City will also randomly select up to an additional five applications to serve as alternates, should any of the first 15 applicants be unable to fulfill the sales permit requirements.)
- The City Clerk's Office will inform successful lottery applicants not present at the lottery drawing that they may proceed to Step 2 by email no later than April 17, 2019.
- Only organizations selected by lottery move on to Step 2.

### **Step 2: Permit Application**

- Upon notification of lottery selection, the organization must complete a Permit Application in order to obtain a fireworks stand permit and proceed with fireworks sales. Organizations may obtain a Permit Application packet following the lottery draw on April 16, 2019 from the City's website at [www.cityoffullerton.com](http://www.cityoffullerton.com) or from the City Clerk's Office.
- Applicants must return completed Permit Applications, along with required documentation and fees to the Fire Department by the close of business on Friday, June 7, 2019.
- Applicants must submit a non-refundable permit fee at the time of application submittal, payable to the City of Fullerton.

### **Step 3: Operator Safety Class**

- Organization representatives must attend an Operator Safety Class conducted by the fireworks vendor. Applicants must provide proof of attendance and the program syllabus to the Fire Marshal before sales permit issuance.

### **Step 4: Stand Inspection**

- Applicants must complete a successful stand inspection prior to receiving a sales permit. Contact the Fullerton Fire Department at (714) 738-6500 to schedule an inspection.

### **Step 5: Fireworks Sales Begin – July 1**

- Permit holders may sell fireworks on the following dates / times:
  - July 1, 2, 3 - Noon to 10:00 p.m.
  - July 4 - 10:00 a.m. to 9:00 p.m.

### **Step 6: Fireworks Sales End – July 4**

- Permit holders must halt all fireworks sales by 9:00 p.m. on July 4.

### **Step 7: Fireworks Stock Removal – July 5**

- Permit holders must remove all fireworks stock from the City and return to the wholesaler / distributor by 6:00 p.m. on July 5. Permit holders must also remove all litter from stand site.

### **Step 8: Stand Removal – July 13**

- Vendors shall remove all fireworks stands by Noon on July 13 and clear all litter from the location.

### **Step 9: Financial Reporting – September 1**

- The permittee shall submit to the City Clerk on or before September 1 a financial statement by the treasurer setting forth the total gross receipts from the fireworks stand, all expenses incurred and paid in connection with the purchase of fireworks and the sales thereof and the most recent report filed by the permittee to the State Board of Equalization. The filing of such statement shall be a condition precedent to the granting of any subsequent permit.

**2019 CITY OF FULLERTON  
SAFE & SANE FIREWORKS SALES  
LOTTERY APPLICATION**



# City of Fullerton

## Application for Fireworks Sales Lottery 2019

A representative of the organization must submit this completed application in person as well as all required documentation and fees to the Fullerton City Clerk's Office, 303 West Commonwealth Avenue, Fullerton, CA by the end of business on March 29, 2019. The City Clerk's Office will not accept incomplete or late applications.

Name of Nonprofit Organization \_\_\_\_\_

Primary Contact Person	Home Phone	Cell Phone	E-mail
------------------------	------------	------------	--------

Secondary Contact Person	Home Phone	Cell Phone	E-mail
--------------------------	------------	------------	--------

Street Address / Meeting Location of Nonprofit Organization	City, State & Zip Code
---	------------------------

Mailing Address of Nonprofit Organization	City, State & Zip Code
---	------------------------

**Organization Category (Check one):**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Youth Sports    | <input type="checkbox"/> Education/School Booster/Club | <input type="checkbox"/> College/University Sports/Club |
| <input type="checkbox"/> Service Club    | <input type="checkbox"/> Veterans Organization         | <input type="checkbox"/> Faith-Based Organization       |
| <input type="checkbox"/> Community Group | <input type="checkbox"/> Other: _____                  |   |

**Nonprofit Status (Check one):**

- |   |   |
|---|---|
| <input type="checkbox"/> Nonprofit organized pursuant to IRS or CA Revenue & Taxation Code                              | <input type="checkbox"/> 501(c)(3) #: _____ |
| <input type="checkbox"/> School affiliated organization – School: _____   |   |
| <input type="checkbox"/> Part of parent organization with tax exempt status – Parent Organization : _____ Tax ID: _____ |   |

*(Application continued on back of page.)*

## **NON-PROFIT ORGANIZATION DECLARATIONS**

I hereby declare the following is true for the non-profit organization named below:

- ☐ Was established at least one year prior to the filing of the application and I provide the following documentation proving such:\_\_\_\_\_.
  
- ☐ Was formed for (circle one): *veteran, patriotic, welfare, civic or business betterment, religious, athletic, youth or charitable purposes* specifically to benefit of the citizens of Fullerton.
  
- ☐ Has had principal and permanent meeting place, office or service facility in the City for at least one year and I provide the following documentation proving such:\_\_\_\_\_.
  
- ☐ Provides benefits and/or services to the citizens of Fullerton as its primary operation and I provide the following documentation proving such:\_\_\_\_\_.
  
- ☐ Per City of Fullerton Resolution No. 2016-11, should this organization be selected in the lottery drawing on April 16, 2019 to move on to the permit phase, I confirm that this organization can and will pay for and maintain in full force and effect throughout the term of the permit public liability and property damage insurance covering this organization's operations in and about its fireworks stand with a minimum one million dollars per occurrence, two million dollars general aggregate and naming the City of Fullerton as an additional insured, filing certificates of insurance with the Fire Department at the time of permit application submission. Any deductible or self-insured retention must be declared to and approved by the City.

*Organization representatives need not be present at lottery drawing. Only qualified lottery applicants may enter into a joint venture with each other at any point in the permit approval process. If selected, the specified organization will comply with all requirements of Fullerton Municipal Code Section 7.26.010 and Resolution No. 2016-11. I understand that failure to comply with rules and regulations for sales of safe and sane fireworks may result in disqualification from future fireworks stand lotteries or revocation of a fireworks stand sales permit.*

*I understand that the information in this application is subject to challenge and I may be asked to provide further evidence of the organization's eligibility to participate in the fireworks lottery and sales process. Should I not be able to provide further evidence confirming the organization's eligibility to participate in the fireworks lottery and sales program, the City may disqualify the organization from this and future fireworks sales lottery and permit processes.*

---

Name of Nonprofit Organization

---

Print Name

Print Title

Signature

Date

---

Submit the following along with your completed application:

- \$28 non-refundable filing fee payable to the City of Fullerton
  - Proof of tax exempt status (e.g. IRS or Franchise Tax Board letter)
  - Proof of Fullerton-based non-profit organization for last twelve months
  - Documentation demonstrating how organization benefits the citizens of Fullerton as primary activity
  - Names and addresses of officers of non-profit organization
  - Letter from school designating representative organization *(if applicable)*
- 

**Lottery drawing for fireworks sales permits will be held April 16, 2019.**

**OFFICE USE ONLY**

DATE STAMP

- ☐ Fully completed lottery application – including declarations
- ☐ Check/cash for \$28 non-refundable deposit payable to the City of Fullerton
- ☐ Proof of current non-profit/tax exempt status
- ☐ Names & addresses of officers
- ☐ Proof of 12 months in Fullerton as non-profit
- ☐ Documentation showing how benefits the citizens of Fullerton as primary activity
- ☐ School letter *(if applicable)*

Application ☐ Approved (Advance to Lottery) ☐ Denied: \_\_\_\_\_

Lottery draw number: \_\_\_\_\_

Staff initial: \_\_\_\_\_ City Clerk verification initial: \_\_\_\_\_

**2019 CITY OF FULLERTON  
SAFE & SANE FIREWORKS SALES  
LOTTERY APPLICATION CHECKLIST**

## **City of Fullerton Safe & Sane Fireworks Sales Lottery Application Checklist**

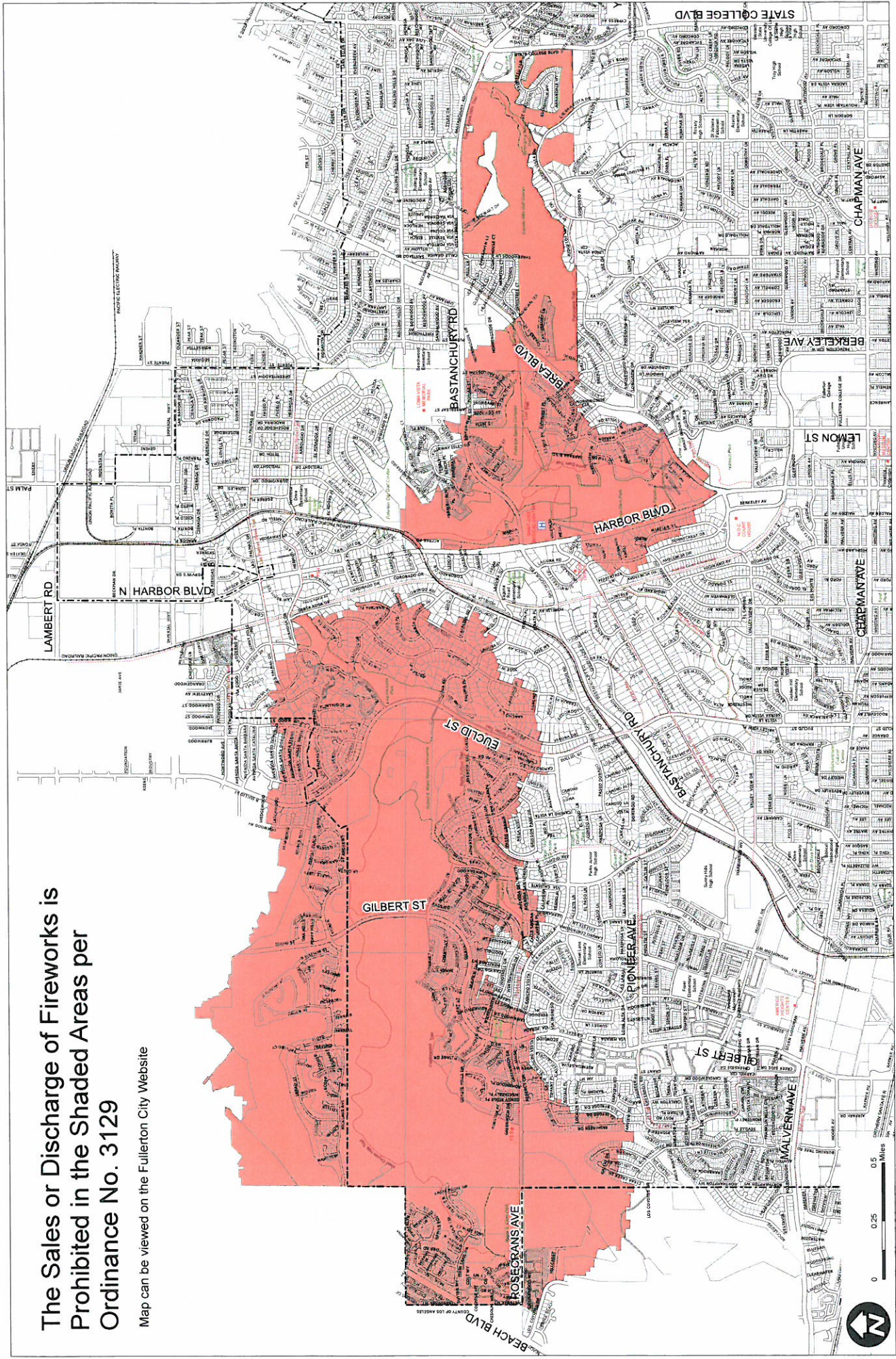
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- ☐ Completed Lottery Application
- ☐ \$28 non-refundable filing fee payable to the City of Fullerton
- ☐ Proof of tax exempt status (e.g. IRS or Franchise Tax Board letter) or proof that organization created for charitable, religious, philanthropic or educational purposes
- ☐ Names and addresses of officers
- ☐ Proof of Fullerton-based non-profit organization for last twelve months
- ☐ Documentation demonstrating how organization benefits the citizens of Fullerton as primary activity
- ☐ Letter from school designating representative organization (*if applicable*)

**2019 CITY OF FULLERTON  
SAFE & SANE FIREWORKS SALES  
FIRE HAZARD SEVERITY MAP**

# The Sales or Discharge of Fireworks is Prohibited in the Shaded Areas per Ordinance No. 3129

Map can be viewed on the Fullerton City Website



**2019 CITY OF FULLERTON**

**FIREWORKS SALES PERMIT  
APPLICATION PACKET**



## CITY OF FULLERTON

Office of the City Clerk

Dear Fireworks Stand Permittee:

Congratulations on advancing to Phase 2 of the safe and sane fireworks sales process. On November 6, 2012, Fullerton voters approved Measure X, which adopted Ordinance No. 3183 establishing the sale and use of safe and sane fireworks. City Council adopted Resolution No. 2016-11 on February 2, 2016 which established rules for the sale and use of safe and sane fireworks within the City of Fullerton.

The fireworks sales application process has two phases: 1) application for fireworks stand lottery drawing and 2) application for fireworks stand sales permit.

**Phase 1 – Lottery Application (Completed).** Any group wishing to sell fireworks must first submit a completed application for the fireworks lottery drawing. The City will issue permits for up to 15 fireworks sales stands – one stand per qualified non-profit organization as defined in this application packet. Those organizations awarded a fireworks sales stand through the lottery drawing must then complete the second phase of the application process to obtain a fireworks sales permit.

The City accepted fireworks lottery applications during each business day the City was open in March. The City held the lottery drawing on Tuesday, April 16, 2019.

**Phase 2 – Fireworks Stand Permit Application.** Those organizations awarded a fireworks stand in the lottery, must next submit a fully completed permit application, in person, to the Fire Department by June 7, 2019.

Should you have any other questions, please refer to the City's website at [www.cityoffullerton.com](http://www.cityoffullerton.com) or contact the Fire department at (714) 738-6500.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lucinda Williams".

Lucinda Williams, MMC  
City Clerk

### THE EDUCATION COMMUNITY

303 West Commonwealth Avenue, Fullerton, California 92832-1775  
(714) 738-6350 • Fax (714) 525-8071 • Web Site: [www.ci.fullerton.ca.us](http://www.ci.fullerton.ca.us)

**2019 CITY OF FULLERTON  
SAFE & SANE FIREWORKS SALES  
PERMIT APPLICATION**



# FIRE DEPARTMENT

312 E. Commonwealth Avenue, Fullerton, CA 92832-2099

Website: [www.ci.fullerton.ca.us](http://www.ci.fullerton.ca.us)

Telephone (714) 738-6500

Fire Prevention Division Fax (714) 738-3392

## APPLICATION TO SELL SAFE AND SANE FIREWORKS

Name of Non-Profit Organization: \_\_\_\_\_ Phone: \_\_\_\_\_

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

List at least two (2) organizational officers contact info: If more, add additional sheet

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Wholesaler/Distributor Name: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Proposed Fireworks Stand Address: \_\_\_\_\_

List Hours of Operation

DAYS	July 1	July 2	July 3	July 4
HOURS				

### PROVIDE THE FOLLOWING:

1. Copy of temporary sales tax permit from the California State Board of Equalization.
2. Copy of the requisite retail sales permit issued by the office of the California State Fire Marshal.
3. Proof of Operator Safety Class attendance and name of Safety Officer.
4. Separate 8" x 10" document plot plan/site map.
5. Plan on how the booth will be staffed during the hours of operation.
6. Written permission from the owner of record and/or lessor and/or Management Company of the property upon which said fireworks stand is proposed to be located.
7. Certificate of Insurance naming the City and its agents additionally insured.
8. Hold Harmless Agreement.
9. FEES: \$1686

The undersigned hereby applies for a permit to sell "Safe and Sane Fireworks" as a retailer pursuant to all rules and regulations adopted by the California State Fire Marshal, all other applicable code standards and to the safe and sane fireworks ordinance established by the City of Fullerton.

\_\_\_\_\_  
Name and title of authorized officer or director of non-profit organization (**Print name and title**)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***Certificate of applicant: I declare, under penalty of perjury under the laws of the state of California, that I am a duly appointed agent of the entity submitting this application and have been authorized by its board to submit this application on its behalf. I further declare, under penalty of perjury, that the information provided in this application is true and correct. I understand the issuance of this permit shall not be deemed or construed to be a permit to conduct an illegal act or unlawful business prohibited by law or requiring other approvals which have not yet been obtained. I further understand that any false statements may result in the denial of the requested permit or revocation of any issued permit.***

Applicant's Name: \_\_\_\_\_ Phone: \_\_\_\_\_

(Print)

Applicant's Signature \_\_\_\_\_ Date: \_\_\_\_\_

**Submit this form and materials to Fire Department no later than 5:00 p.m. on June 7, 2019.**

\*\*\*\*\*

FOR OFFICE USE ONLY:

Permit Fee: \$ \_\_\_\_\_ Received By: \_\_\_\_\_ Date: \_\_\_\_\_ RM Approval: \_\_\_\_\_

**2019 CITY OF FULLERTON  
SAFE & SANE FIREWORKS SALES  
PROPERTY OWNER'S  
PERMISSION FORM**



# City of Fullerton

## Property Owner's Permission Form

### Permit to Sell "Safe and Sane" Fireworks

Permission is hereby granted to \_\_\_\_\_  
(Fireworks Wholesaler)

and \_\_\_\_\_  
(Nonprofit Organization)

for the exclusive right to use the property located at \_\_\_\_\_  
(Stand Address)

Fullerton, California with Assessor's Parcel Number (APN) \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

for their \_\_\_\_\_ fireworks stand.  
(Selling Year)

It is understood that this sale will be conducted in accordance with all City, County and State regulations.

THE BUSINESS / ORGANIZATION HAS AGREED TO CLEAR THE TEMPORARY STAND AND ALL ACCOMPANYING LITTER FROM THE PROPERTY NO LATER THAN FIVE DAYS FOLLOWING THE LAST DAY OF FIREWORKS SALES.

Property Owner's Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
(Please print)

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

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**OR**

Owner Representative's Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
(Please print)

Relationship to property owner: \_\_\_\_\_

Representative Address: \_\_\_\_\_

Representative Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(Note: submit original signed form. No copies.)

**2019 CITY OF FULLERTON  
SAFE & SANE FIREWORKS SALES  
HOLD HARMLESS  
AGREEMENT**



# City of Fullerton

## Hold Harmless Agreement

### Permit to Sell "Safe and Sane" Fireworks

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In consideration for the issuance of a Permit for the sale and/or display of safe and sane fireworks and to the furthest extent allowed by law, Applicant does hereby agree to indemnify, hold harmless and defend the City of Fullerton (hereinafter referred to as "City") and agency's officers, officials, employees, agents and volunteers from any and all loss, liability, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict liability), including but not limited to personal injury, death at any time and property damage incurred by City, Applicant or any other person and from any and all claims, demands and actions in law or equity (including attorney's fees and litigation expenses), arising or alleged to have arisen directly or indirectly out of the issuance or use of the Permit. Applicant's obligations under the preceding sentence shall apply regardless of whether City or any of its officers, officials, employees, agents or unauthorized volunteers are negligent but shall not apply to any loss, liability, fines, penalties, forfeitures, costs or damages caused solely by the gross negligence or caused by the willful misconduct of City and any of its officers, officials, employees, agents or authorized volunteers.

Throughout the life of this Agreement, Applicant shall pay for and maintain in full force and effect all insurance as required.

Applicant shall conduct all defense at his/her/its sole cost. The fact that insurance is obtained by Applicant shall not be deemed to release or diminish the liability of Applicant, including, without limitation, liability assumed under this Agreement. The duty to indemnify shall apply to all claims regardless of whether any insurance policies are applicable. The duty to defend hereunder is wholly independent of and separate from the duty to indemnify and such duty to defend exists regardless of any ultimate liability of Applicant. The policy limits do not act as a limitation upon the amount of defense and/or indemnification to be provided by Applicant. Approval or purchase of any insurance contracts or policies shall in no way relieve from liability nor limit the liability of Applicant, its officials, officers, employees, agents, volunteers or invitees.

Applicant shall furnish City with copies of actual policies upon request of the City and this requirement shall survive the expiration or termination of this Permit.

City shall be reimbursed for all costs and attorney's fees incurred by City in enforcing this Agreement. This indemnification and Hold Harmless Agreement shall survive the expiration or termination of the Permit.

The undersigned acknowledges that he/she (i) has read and fully understands the content of this indemnification and Hold Harmless Agreement; (ii) is aware that this is a contract between the City and Applicant; (iii) has had the opportunity to consult with his/her attorney, at his/her discretion; (iv) is fully aware of the legal consequences of signing this document; and (v) is the Applicant or his/her/its authorized signatory.

Signed, sealed and delivered on (date): \_\_\_\_\_

\_\_\_\_\_  
Witness (please print)

\_\_\_\_\_  
Applicant (organization)

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Applicant signature

**2019 CITY OF FULLERTON**

**FIREWORKS SALES  
PERMIT APPLICATION  
PACKET**

**TIMELINE FOR  
APPLICATION & SALES**

# **City of Fullerton**

## **Timeline for Fireworks Stand Application & Sales**

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### **Step 1: Lottery Application (*Completed*)**

- Non-profit organizations may obtain Fireworks Sales Lottery Applications during the month of March at [www.cityoffullerton.com](http://www.cityoffullerton.com), from the City Clerk's Office located at 303 West Commonwealth, via email at [cityclerksoffice@cityoffullerton.com](mailto:cityclerksoffice@cityoffullerton.com) or by calling (714) 738-6350.
- A representative of the non-profit organization may submit completed Fireworks Sales Lottery Applications in person, along with required documentation (see Firework Stand Lottery Checklist) starting with the City's first day of business in the month of March through close of business on the City's last day of business in the month of March. The City Clerk's Office will not accept incomplete applications.
- Applicants must pay a \$28 non-refundable permit application fee when submitting the application, payable to the City of Fullerton.
- The lottery drawing will take place on Tuesday, April 16, 2019. The first 15 applications randomly selected will proceed to Step 2 and apply for a fireworks sales permit. (The City will also randomly select up to an additional five applications to serve as alternates, should any of the first 15 applicants be unable to fulfill the stand requirements.)
- The City Clerk's Office will contact successful lottery applicants not present at the lottery drawing by April 17, 2019 to inform them that they may proceed to Step 2.
- Only organizations selected by lottery move on to Step 2.

### **Step 2: Permit Application**

- Upon notification of lottery selection, the organization must complete a Permit Application in order to obtain a fireworks stand permit and proceed with fireworks sales. Organizations may obtain a Permit Application packet following the lottery draw on April 16, 2019 from the City's website at [www.cityoffullerton.com](http://www.cityoffullerton.com) or from the Fire Department or City Clerk's Office.
- Applicants must return completed Permit Applications, along with required documentation and fees to the Fire Department by the close of business on June 7, 2019.
- Applicants must submit a \$1686 non-refundable permit fee at the time of application submittal, payable to the Fullerton Fire Department.

**Step 3: Operator Safety Class**

- Organization representatives must attend an Operator Safety Class conducted by the fireworks vendor. Applicants must provide proof of attendance and the program syllabus with the permit application.

**Step 4: Stand Inspection**

- Applicants must complete a successful stand inspection prior to receiving a sales permit. Contact the Fullerton Fire Department at (714) 738-6500 to schedule an inspection at least 24 hours in advance.

**Step 5: Fireworks Sales Begin – July 1**

- Permit holders may sell fireworks on the following dates / times:
  - July 1, 2, 3 - Noon – 10:00 p.m.
  - July 4 - 10:00 a.m. – 9:00 p.m.

**Step 6: Fireworks Sales End – July 4**

- Permit holders must halt all fireworks sales by 9:00 p.m. on July 4

**Step 7: Fireworks Stock Removal – July 5**

- Permit holders must remove all fireworks stock from the City and return to the wholesaler / distributor by 4:00 p.m. on July 5. Permit holders must also remove all litter from stand site.

**Step 8: Stand Removal – July 13**

- Vendors shall remove all fireworks stands no later than July 13 and clear all litter from the location.

**Step 9: Financial Reporting – September 1**

- The permittee shall submit to the City Clerk a financial statement by the treasurer setting forth the total gross receipts from the fireworks stand; all expenses incurred and paid in connection with the purchase of fireworks and the sales thereof; along with the most recent report filed by the permittee to the State Board of Equalization on or before September 1. The filing of such statement shall be a condition precedent to the granting of any subsequent firework sales permit.

**2019 CITY OF FULLERTON  
SAFE & SANE FIREWORKS SALES  
PERMIT APPLICATION CHECKLIST**

# **City of Fullerton**

## **Safe & Sane Fireworks Sale**

### **Permit Application Checklist**

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#### **Permit Application (submit to Fire Department)**

- ☐ Completed Firework Stand Permit Application
- ☐ Receipt of a temporary sales tax permit from the State Board of Equalization - Tax Number
- ☐ Copy of State Fire Marshals Retail Fireworks License
- ☐ Name of Fireworks Stand Safety Officer and proof of Operator Safety Class attendance
- ☐ Firework stand location and site map (2) (fully dimensioned)
- ☐ Staffing schedule
- ☐ Written authorization from Property Owners - Permission Form
- ☐ Certificate of Insurance naming the City and its agents additionally insured
- ☐ Hold Harmless Agreement
- ☐ Check payable to the Fullerton Fire Department for \$1686

#### **Conclusion of Sales (submit to City Clerk's Office)**

- ☐ Follow Up Financial Report – On or before September 1<sup>st</sup>  
*(Failure to file this report will affect eligibility for future lottery drawings)*

**2019 CITY OF FULLERTON  
SAFE & SANE FIREWORKS SALES  
MINIMUM REQUIREMENTS FOR  
FIREWORKS STANDS**

# City of Fullerton

## Minimum Requirements for Fireworks Stands

Permitees may only conduct retail sales of "Safe and Sane Fireworks" from within a temporary fireworks stand. Permitees may not conduct retail sales from any other building or structure. Temporary stands must comply with the most current edition of NFPA 1124 Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, as well as the following requirements:

### Location and Approval

The individual responsible for the operation of each stand must attend a Stand Operator Safety Seminar conducted by the permitted fireworks wholesaler.

The stand operator must obtain a Firework Sales Stand Permit from the Fire Department and provide a detailed plot plan (with dimensions) showing distance from existing structures, parking, fire hydrants, roadways, entrances and exits to locations and location of fire extinguishers.

The stand operator must obtain a permit for stands with electrical service and / or generators.

The stand operator must obtain a State Fire Marshal Retail Fireworks License Permit.

The Public Works Department shall review ingress and egress to the site to ensure that the stand does not create undue traffic safety hazards.

No temporary stands located within 20 feet from any roadway / curb, within 30 feet from any combustibles or located less than 35 feet from any structures, recreational vehicles or trailers.

No sales or discharge of fireworks within 100 feet of any flammable or combustible liquid storage, pump or dispensing device or on any property storing or dispensing flammable liquids.

Each stand shall have at least ten off-street parking spaces.

Stand operators must provide proof of written property owner authorization indicating permission to erect a fireworks stand and sell product before the issuance of any permits.

### Stand Requirements

No electrical circuits, wiring, devices or lighting in temporary stands without a permit. Battery-operated portable lighting devices do not require a permit.

The stand operator will protect all exposed lamps from accidental contact or breakage with suitable guards. (CEC 590.4(F)).

All stands must: 1) be constructed of either wood or metal 2) have studs of sufficient size to adequately support the roof 3) have service openings located a minimum 40 inches from the ground level, with at least 12 inches of ½ inch wire mesh at the bottom of such service openings.

Stand operators shall maintain and keep clear to all exits, aisles at least 30 inches in width.

Each stand will have at least two exits, placed as to provide immediate egress from either end of the stand. Exit doors will be readily operable from the stand interior without special knowledge, effort or tools, including keys.

No locking or latching devices permitted on the inside of stand doors.

No slide bolts, hook / eye or other types of locks permitted. Stand operator will place a locked padlock through the latch of the stand's exterior locking device in the locked position to prevent the door locking from the outside whenever the stand is occupied.

The stand shall have suitable covers or shutters to completely seal off the service openings during those hours not in operation.

No fuel-powered generators or similar equipment allowed inside the stand.

## **Stand Operation**

The stand operator shall post signs on the interior and exterior of the stand stating that the minimum age to purchase fireworks is 16 years of age.

The stand operator shall post an informational flyer on the outside of the stand indicating the allowable areas and times for fireworks discharge.

Permitees may only sell fireworks between the hours of Noon and 10:00 p.m. on July 1, 2 and 3 and between 10:00 a.m. and 9:00 p.m. on July 4.

No smoking allowed within 30 feet of any temporary stand. All temporary stands must have "No Smoking" signs posted both on the interior of the stand and outside the structure near all exterior openings.

No drinking or storage of alcoholic beverages in or around a temporary stand at any time.

At minimum, stands shall have a Class 2A:10BC fire extinguisher placed and maintained in locations readily accessible for use. Each person assisting in the operation of a temporary stand will receive instruction on the location and use of fire extinguishers.

No person under the age of 18 may sell fireworks nor be inside the stand at any time.

No person other than members of the permittee and /or joint venture nonprofit organizations(s), or the wives, husbands, parents or adult children of such members shall sell or otherwise participate in the sale of "Safe and Sane fireworks" at such stand.

No person shall receive payment or other consideration by the permitted nonprofit organization(s) or any wholesaler / distributor of "Safe and Sane" Fireworks for selling or otherwise participating in the sale of "Safe and Sane Fireworks" with the exception of licensed security personnel and the property owner of the stand location.

No person shall remain inside a temporary stand during non-business hours, except for the initial construction of the stand and for loading and unloading of merchandise.

No person shall light or cause or permit the lighting of any match, fireworks, device or other combustible article within a temporary stand or within 30 feet of a temporary stand.

The permittee shall include an informational flyer with every sale that indicates the allowable areas and times for fireworks discharge.

The permittee shall maintain a 30 foot area in all directions around each temporary stand in a neat and orderly manner, free from all weeds, trash, rubbish and other debris.

Permitees shall store or keep fireworks only inside the temporary stand. No fireworks may be stored in any garage, home, automobile or other structure.

Each temporary stand will have one or more designated persons over the age of 21 who will act and serve as a watchperson for the temporary stand during all hours when the stand is not in operation. The designated watchperson will remain outside but within eyesight of the temporary stand. The applicant will include watchperson's contact information and work schedule with the permit application materials.

The permittee shall remove the stand and clear the premises of all debris and restore to the condition prior to the establishment of the stand no later than July 13th.

### **Financial Reporting**

On or before September 1<sup>st</sup>, the permittee shall submit to the City Clerk a financial statement by the treasurer setting forth the total gross receipts from the fireworks stand; all expenses incurred and paid in connection with the purchase of fireworks and the sales thereof; along with the most recent report filed by the permittee to the State Board of Equalization.

### **Noncompliance**

Failure to comply with the rules and regulations governing the sale, possession and discharge of Safe and Sane Fireworks set forth in this document and Resolution No. 2016-11 will result in immediate invalidation of any current permit and forfeiture of eligibility for the lottery drawing in the next application cycle.

**2019 CITY OF FULLERTON  
SAFE & SANE FIREWORKS SALES  
STATE FIRE MARSHAL'S SAFE AND  
SANE FIREWORKS WHOLESALE LIST**

## **State Fire Marshal Approved Safe and Sane Fireworks Vendors**

**Permitees may only work with vendors approved by the State Fire Marshal. The link below will provide you with a list of state approved vendors.**

**[http://osfm.fire.ca.gov/strucfireengineer/pdf/fireworks/  
REVISED%202016%20SAFE&SANE.pdf](http://osfm.fire.ca.gov/strucfireengineer/pdf/fireworks/REVISED%202016%20SAFE&SANE.pdf)**

**2019 CITY OF FULLERTON  
SAFE & SANE FIREWORKS SALES  
CITY & FIRE DEPARTMENT STAFF  
CONTACT INFORMATION**

# CITY CONTACT INFORMATION

## **Lottery and Sales Permit Packets, General Information**

**Contact: City Clerk's Office**

**Telephone: (714) 738-6350**

**Email: [cityclerksoffice@cityoffullerton.com](mailto:cityclerksoffice@cityoffullerton.com)**

## **Fireworks Stand Inspections & Permits (Phase 2)**

**Contact: Fire Prevention Bureau**

**Telephone: (714) 738-6500**

**2019 CITY OF FULLERTON  
SAFE & SANE FIREWORKS SALES  
SITE PLAN**

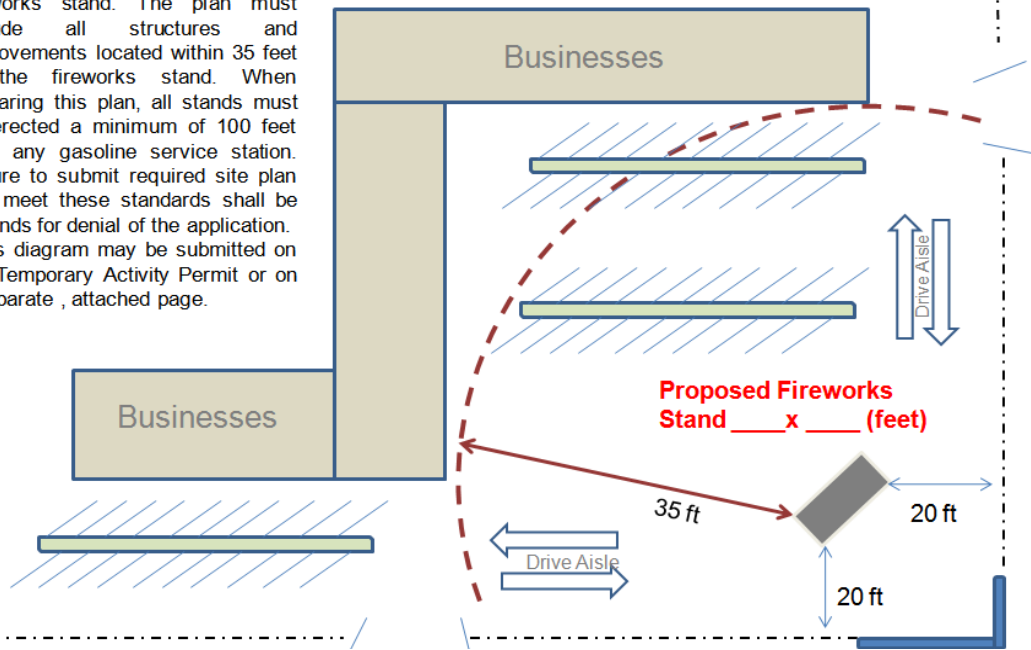
# City of Fullerton

## Sample Site Plan

### SAMPLE SITE PLAN – Fireworks Stand

•Each application must be accompanied by a fully dimensioned site plan, drawn to scale, showing the exact location of the proposed fireworks stand. The plan must include all structures and improvements located within 35 feet of the fireworks stand. When preparing this plan, all stands must be erected a minimum of 100 feet from any gasoline service station. Failure to submit required site plan that meet these standards shall be grounds for denial of the application.

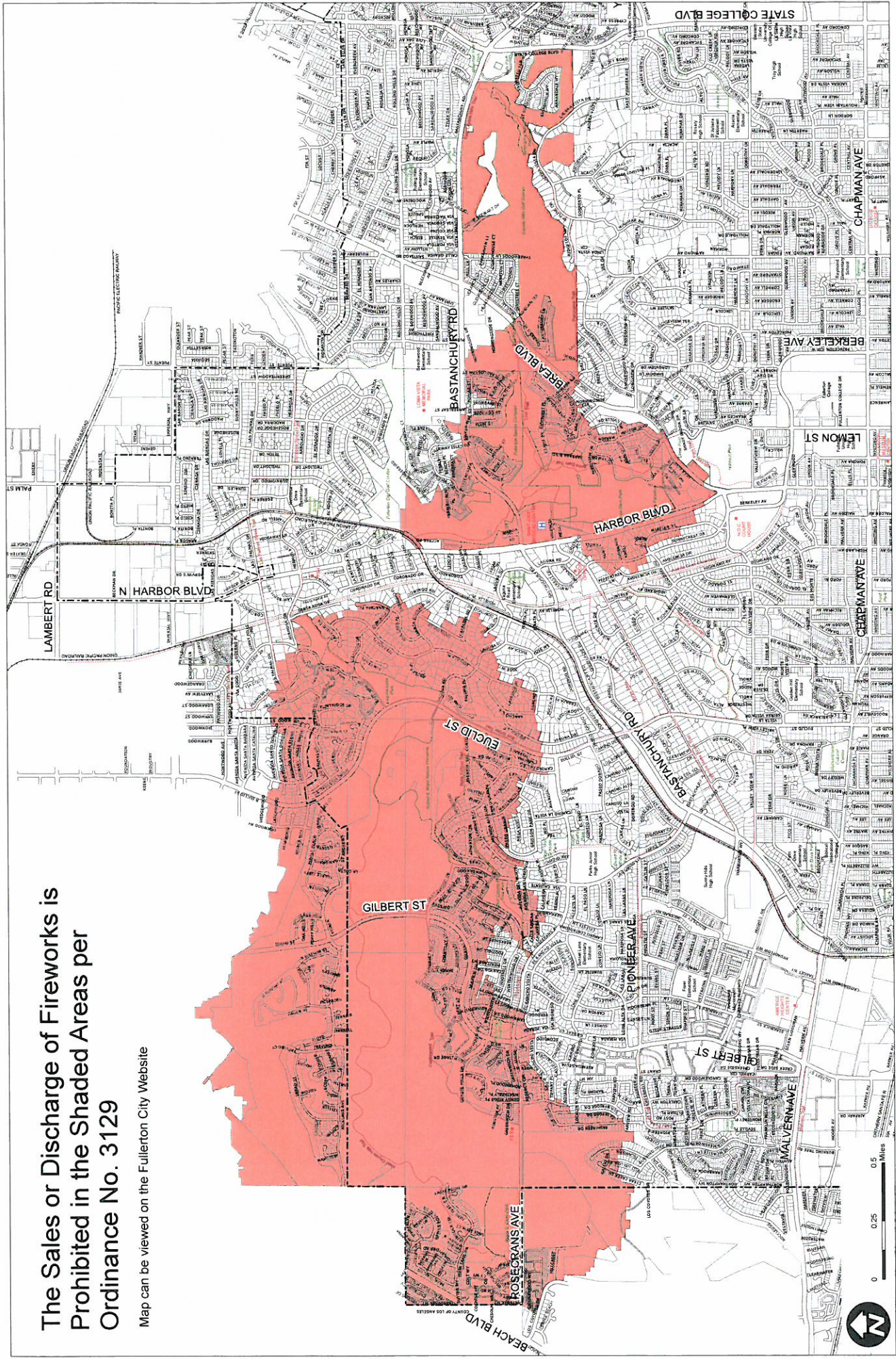
•This diagram may be submitted on the Temporary Activity Permit or on a separate, attached page.



**2019 CITY OF FULLERTON  
SAFE & SANE FIREWORKS SALES  
FIRE HAZARD SEVERITY MAP**

# The Sales or Discharge of Fireworks is Prohibited in the Shaded Areas per Ordinance No. 3129

Map can be viewed on the Fullerton City Website



**2019 CITY OF FULLERTON  
SAFE & SANE FIREWORKS SALES  
COMMUNITY GROUP  
FINANCIAL REPORT**



# City of Fullerton Community Group Fireworks Sales Financial Report

On or before September 1<sup>st</sup>, the permittee shall submit to the City Clerk a financial statement by the organization treasurer setting forth the total gross receipts from the fireworks stand; all expenses incurred and paid in connection with the purchase of fireworks and the sales thereof; along with the most recent report filed by the permittee to the State Board of Equalization. The filing of such statement shall be a condition precedent to the granting of any subsequent firework sales permit.

Organization: \_\_\_\_\_ Year: \_\_\_\_\_

Booth Location: \_\_\_\_\_ Wholesale Vendor : \_\_\_\_\_

## Fireworks Sales:

A) Gross Sales & Receipts \$ \_\_\_\_\_

B) Sales Tax Paid to State Board of Equalization \$ \_\_\_\_\_

C) Net Sales (Line A – B) \$ \_\_\_\_\_

## Expenses

D) Total Paid in Fireworks Product \$ \_\_\_\_\_

E) Total Paid in Licenses, Rent, Fees \$ \_\_\_\_\_

F) Other Expenses (Power, Advertising, etc.) \$ \_\_\_\_\_

G) Total Expenses (Lines D + E + F) \$ \_\_\_\_\_

## Profit

Net Funds Collected (Line C – G) \$ \_\_\_\_\_

The Organization will use proceeds from sale of fireworks towards the following: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**2019 CITY OF FULLERTON  
SAFE & SANE FIREWORKS SALES  
FEEDBACK FORM**



# City of Fullerton

## Fireworks Sales Lottery & Permit Process

### Feedback Form

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Have a suggestion or comment about the fireworks lottery or permit process? We'd love to hear from you. Just return this form with your Lottery Application, Permit Application or Financial Report or forward to the City Clerk's Office at any time.

Remarks:

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(optional)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Organization

\_\_\_\_\_  
Email

\_\_\_\_\_  
Phone

Thank you!!