

PLEASE READ ALL PAGES CAREFULLY



Failure to read all pages may result in an incomplete application, which cannot be accepted

Some requirements may take a few days to complete. We recommend **not** waiting until the end of the application acceptance period to make application.

Fire Safety issues dictate specific time deadlines and submissions that **must** be met. If required approvals and accompanying documentation are not in place, those submission deadlines will be missed and license will **not** be issued.

Tax clearance letters from the Department of Revenue must be obtained for **both** the individual applicant and for stand ownership **if not as an individual**—(Corporations, LLCs, Partnerships, etc. must also have a Tax Clearance).

If the fireworks stand ownership is anything other than individual, you must provide copy of the Kansas Secretary of State Summary page showing current status (**if there are questions ask!! it's easy to generate and can be done without cost**) **It does NOT need to be a Certificate of Good Standing**

You must obtain State Retail Sales Tax Identification Number for the fireworks stand **and** provide copy of that registration certificate with application submission. (Application will need to be made with the Kansas Department of Revenue for Sales Tax Registration Certificate for the fireworks stand)

Prior year inventory and new orders already made need to be submitted at time of application. Prior to any stand opening for retail sales, you must provide copies of any additional fireworks that have been ordered/delivered. All fireworks ordered must identify the distributor from whom they are being purchased, and that distributor must be registered with the State Fire Marshal as a distributor.

If a fireworks stand was operated in 2016, the only carryover fireworks allowed, will be those reported as remaining inventory, to the Fire Marshal, as had been required last year.

Zoning approval for a new stand location can be requested through our office at any time during normal business hours. Locations that had fireworks stand in 2016 have been pre-approved by zoning.

Applications will be accepted beginning: 28 April 2017.



Applications will be accepted through close of business: 12 May 2017.

This application packet contains:

- General Overview of License Application Requirements
- 2017 Retail Fireworks Stand License Application and Acknowledgments
- Fireworks Stand Removal Bond Forms (whichever is applicable-do not need to complete both)
- Tax Clearance FAQ's Sheet and Brochure (tax clearance can only be accomplished on-line)
- Overview of Requirements for Fireworks Retail Sales from Tents and Example Diagram
- Copy of Fireworks Ordinance (Chapter 15 Article IV)
- Copy of Approved and Prohibited Fireworks – English and Spanish (needs to be posted)
- Copy of Fireworks Discharge Rules – English and Spanish (to be distributed with each sale)

KEY DATES TO REMEMBER:

Beginning March 31 st	Application packets available to pick up in office and on Web Page Q&A session the Fire Marshal and Business License (at our offices)
April 24 th at 6 pm	Applications accepted
April 28 th to May 12 th at 5 pm	Application, Diagram, Firework Orders reviewed by Fire Marshal
May 15 th to May 26 st	Letters sent to those failing Fire Marshal approval
May 26 th	Last day to submit site and/or plan revisions
June 5 th at 5 pm	Final approval/denial of re-submitted plans & revisions
June 12 th	Approved License available to be picked up by APPLICANT
June 16 th to 24 th	First day any stand or materials allowed on site
June 24 th	Last day for APPLICANT to pick up License
June 24 th at 5 pm	Retail sales dates
June 29 th to July 4 th	Retail sales cutoff
July 4 th at 10 pm	All stand materials and debris to be removed
July 7 th at 12 midnight	Remaining inventory reported to Fire Marshal no later than this date
July 21 st	

REQUIREMENTS FOR RETAIL FIREWORKS STAND

FIREWORKS CAN BE SOLD FROM:
JUNE 29 THROUGH JULY 4, 2017
9 AM – 10 PM

No temporary structures shall be erected before the 24th day of June and no materials associated with such structures shall be placed on site before the 24th day of June.

APPLICANTS FOR RETAIL FIREWORKS LICENSE MUST:

1. Reside in Kansas City Kansas and provide proof of such residence.
2. Be at least 18 years of age.
3. PERMISSION OR LEASE—(THERE IS A DIFFERENCE). Have written permission or lease, from the OWNER OF THE PROPERTY where fireworks will be sold. (if property is not individual ownership, power of attorney will be needed to support that the person giving permission has authority to represent the ownership of the property) If use is granted by an executed lease, the lease is a legal contract to serve that purpose and power of attorney would not be required.
4. ****The property address/parcel where the stand will be placed must be current on property taxes.****
5. ****The applicant must be current on any tax obligation they have to the Unified Government.****
6. Obtain Planning & Zoning Department approval for each location where fireworks will be sold. If not already prior approved for a fireworks stand, this request can be submitted at any time prior to application.
7. Complete an application for each location where fireworks will be sold.
8. At time of application, file a \$1000 Bond assuring: removal of stand, signage, port-a-potties, storage containers, DEBRIS AND LITTER by July 7, for each location where fireworks will be sold.
9. At time of application, pay a non-refundable fee for each location where fireworks will be sold. All payments must be in Cash or Cashiers' Check only.
For stands under 3000 square feet ----- \$1060.00
For stands 3000 square feet or greater ----- \$1325.00
10. Read and accept full responsibility for compliance with the Fireworks Ordinance.
11. Obtain Tax Clearance letters from the Kansas Department of Revenue for the individual applicant and: (for the fireworks stand ownership if Corporation, Partnership, LLC, etc).
12. **Provide copy of:** Kansas Sales Tax I.D. registration certificate, for the Fireworks Stand.
13. Provide scale drawing of stand location with dimensions and identifying all needed setbacks, for Fire Marshal review and approval. If you have questions concerning the setback requirements contact the Fire Marshal (913-573-5938)
14. *****If any stakes are to be driven in to the ground, contact Kansas One Call and have the underground utilities marked*****
15. Prior to the stand opening, provide lists of new consumer fireworks that have been ordered/delivered, to be sold on the premises, indicating the distributor from whom they are being purchased (per State Regulation)
16. If a fireworks stand was operated in 2016, the only carryover fireworks allowed, will be those reported as remaining inventory, to the Fire Marshal, as had been required last year.
17. At conclusion of the retail fireworks season, provide detail to the Fire Marshal in format determined by that office, of remaining fireworks, where they will be stored and how being transported.

Any fireworks found at a stand location, not submitted as currently ordered or delivered, and not already reported as remaining inventory from the prior year would be in violation of State Regulation.

22-6-18. Records. (a) Each licensee with a permit to store display fireworks shall keep an accurate inventory of all firework materials on hand. (b) Each operator of a temporary retail stand shall maintain a list of what consumer firework items are on the premises, indicating the Kansas licensed distributor from whom those items were purchased. This list shall be provided to law enforcement, the fire department, or the local authority, upon request. (Authorized by K.S.A. 2007 Supp. 31-133 and 31-506; implementing K.S.A. 2007 Supp. 31-133 and 31-505; amended December 29, 2008)

APPLICATION FOR RETAIL SALE OF FIREWORKS
UNDER THE PROVISION OF ORDINANCE
ORDINANCE: Chapter 15 Article IV

2017

FIREWORKS STAND NAME _____

STAND OWNERSHIP TYPE: INDIVIDUAL LLP LLC CORPORATION

Sales Tax Registration Certificate

(If not individual, provide copy of Kansas Secretary of State Business Summary page—NOT CERTIFICATE OF GOOD STANDING)

(If not individual, separate Tax Clearance Letters are required for the ownership, and the applicant)

NAME OF STAND OWNER _____

Tax Clearance Letter Needed

OWNER ADDRESS _____

NAME OF APPLICANT _____

Tax Clearance Letter Needed

(Same as stand owner if Individual)

APPLICANT ADDRESS _____

PHONE NO. _____ DRIVER'S LICENSE # _____

AGE _____ DATE OF BIRTH _____ SS# _____

PROPERTY ADDRESS OF STAND _____

PROPERTY OWNER NAME (as appears in COUNTY RECORDS) _____

I have received, reviewed and understand the Fireworks Ordinance (Chapter 15 Article IV) of the Unified Government Wyandotte County/Kansas City Kansas and will accept full responsibility and compliance of said ordinance.

State Regulation 22-6-18. Records (b) Each operator of a temporary retail stand shall maintain a list of what consumer firework items are on the premises, indicating the Kansas licensed distributor from whom those items were purchased. This list shall be provided to law enforcement, the fire department, or the local authority, upon request. (Authorized by K.S.A. 2007 Supp. 31-133 and 31-506; implementing K.S.A. 2007 Supp. 31-133 and 31-505; amended December 29, 2008)

X _____
Signature of Applicant

Date Submitted

OFFICE USE ONLY

Approvals and Clearances:

Planning & Zoning Approval

Residency Verification

Kansas Department of Revenue Tax Clearances

YES NO
Current Order Submitted

Fireworks Distributor

YES NO
Prior Inventory as submitted to Fire Marshal

Parcel #

Property Taxes Current

U.G. Taxes Current (applicant)

Fire Marshal Approval

License Administrator

License # _____ Cash Bond Record # _____ ((or)) Bond # _____

X _____
License Received by:

Date

RETAIL FIREWORKS SALES CASH BOND

_____, doing business as _____
address _____

_____ (hereinafter referred to as the permit holder) has applied for a permit for retail fireworks sales for the term beginning June 29, 20____ and ending July 4, 20____.

Unified Government ordinances require all permit holders to remove all temporarily erected structures authorized under such permit and used for the sale or storage of fireworks, together with any debris, litter, and material remaining at the site, on or before July 7, 20____.

In addition to the payment of the permit fee required by ordinance, the permit holder hereby posts the sum of \$1,000.00 cash or cashier's check with the Unified Government of Wyandotte County/Kansas City, Kansas, receipt of which is hereby acknowledged, as a cash bond to guarantee the removal of all structures, debris, litter and other material at the site.

If the undersigned permit holder fully performs its obligation under the ordinance to the satisfaction of the Unified Government; the United Government shall return \$1,000.00 to the permit holder as soon as payment can be processed.

If, after July 7, 20____, any structures, debris, litter or other material associated with the retail sale of fireworks are not removed, the undersigned permit holder agrees that such cash bond shall be forfeited to the Unified Government or such portion necessary to pay for the cost to the Unified Government of such removal and cleanup.

This bond is executed on the _____ day of _____, 20____.

Signature of Permit Holder

Printed Name _____

Social Security # _____

Refund Address _____

Payment Received by:

Unified Government Counsel

RETAIL FIREWORKS SALES BOND

KNOW ALL MEN BY THESE PRESENTS:

That we _____,
doing business as _____, Principal, and
_____, as Surety, are held and firmly bound unto the City of
Kansas City, Kansas, in the penal sum of One Thousand and no/(\$1000.00) Dollars, for the
payment of which well and truly to be made, we jointly and severally bind ourselves, our heirs,
executors, administrators, personal representatives, successors, and assigns, firmly by these
presents.

Signed, sealed and dated this _____ day of _____, 20_____.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT,

Whereas, the bounden principal has applied for license as RETAIL FIREWORKS SALES for
the term beginning _____, 20_____, and ending _____,
20_____, as this Bond is to cover the term of said license.

NOW, THEREFORE, if the said condition of this obligation is such that if a License is
granted to the said Principal, and if such Licensee shall during the life of said License faithfully
observe all the Ordinances of said Oblige, and faithfully perform the duties required by
Ordinance, rules and regulations and will save and keep harmless and indemnify said Attorney's
Fees which shall or may at any time happen to come to it or for or on account of any injury or
damage received or sustained by any person, then the above obligation shall be void; otherwise
to be and remain in full force and effect.

It is understood and agreed that this bond may be continued by continuation certificate
signed by the Surety.

It is further understood and agreed that if the Surety shall so elect, this bond may be
cancelled by giving thirty days ' notice in writing to said Oblige.

LICENSE ADMINISTRATOR

PRINCIPAL

SURETY

LEGAL DEPARTMENT

ATTORNEY IN FACT

Individuals seeking a standard tax clearance

What is a Certificate of Tax Clearance?

A [Certificate of Tax Clearance](#) is a comprehensive review to determine and ensure that the applicant's account is in current compliance with all applicable:

- Kansas tax laws administered by the director of taxation within the [Kansas Department of Revenue](#).
- Taxes/fees/payments administered by the [Kansas Department of Labor](#).
- Other various fees/charges administered by Kansas state agencies.

The status of, and information pertaining to a tax clearance is subject to change(s), which may arise as a result of a State Tax Audit, Federal Revenue Agent Report, or other lawful adjustment(s).

The Certificate of Tax Clearance and corresponding confirmation number (printed on the certificate) is used as proof of the approved clearance.

Why would I need a Certificate of Tax Clearance?

You may be required to provide a Kansas tax clearance certificate as part of a loan approval, to obtain a contract, apply for citizenship, as part of an employment application, professional licensing, passport applications, political appointments, grant applications and other various reasons.

Can anyone request an official Certificate of Tax Clearance?

According to Kansas Law, tax information is CONFIDENTIAL. An official tax clearance certificate for an individual will only be released to the following:

- The individual taxpayer themselves.
- An individual who has notarized authorization from the taxpayer to request and receive tax information. (Please provide a copy. Cannot use online application.)
- An individual who has statutory authority or legal power of attorney to request and receive tax information for the taxpayer. (Please provide a copy. Cannot use online application.)

How long is a Certificate of Tax Clearance valid?

A tax clearance is valid for 90 days after the issue date. The expiration date is noted on the certificate or letter. To renew a tax clearance, you will have to submit a new request.

Businesses seeking a standard tax clearance

What is a Certificate of Tax Clearance?

A [Certificate of Tax Clearance](#) is a comprehensive review to determine and ensure that the applicant account is in current compliance with all applicable:

- Kansas tax laws administered by the director of taxation within the [Kansas Department of Revenue](#).
- Taxes/fees/payments administered by the [Kansas Department of Labor](#).
- Other various fees/charges administered by Kansas state agencies.

The status of, and information pertaining to a tax clearance is subject to change(s), which may arise as a result of a State Tax Audit, Federal Revenue Agent Report, or other lawful adjustment(s).

The Certificate of Tax Clearance and corresponding confirmation number (printed on the certificate) is used as proof of the approved clearance.

Why would my business need a Certificate of Tax Clearance?

You may be required to provide a Kansas tax clearance certificate as part of a loan approval, to obtain a contract, obtain a business license, company acquisitions, selling of business assets, merging corporations, franchise rules, and various other reasons.

Can anyone request an official Certificate of Tax Clearance?

According to Kansas Law, tax information is CONFIDENTIAL. An official tax clearance certificate for a business will only be released to the following:

- The business owner
- A corporate officer, office manager, or other appointed official of the company
- An individual who has notarized authorization from the business owner or officer to request and receive tax information. (Please provide a copy. Cannot use online application.)
- An individual who has statutory authority or legal power of attorney to request and receive tax information on behalf of the business. (Please provide a copy. Cannot use online application.)

How long is a Certificate of Tax Clearance valid?

A tax clearance is valid for 90 days after the issue date. The expiration date is noted on the certificate. To renew a tax clearance, you will have to submit a new request.

QUESTIONS?

Taxpayer Assistance Center: (785) 368-8222

Special Projects: (785) 296-3199

Tax Clearance FAQs can be found at:
<http://www.ksrevenue.org/taxclearfaq.html>

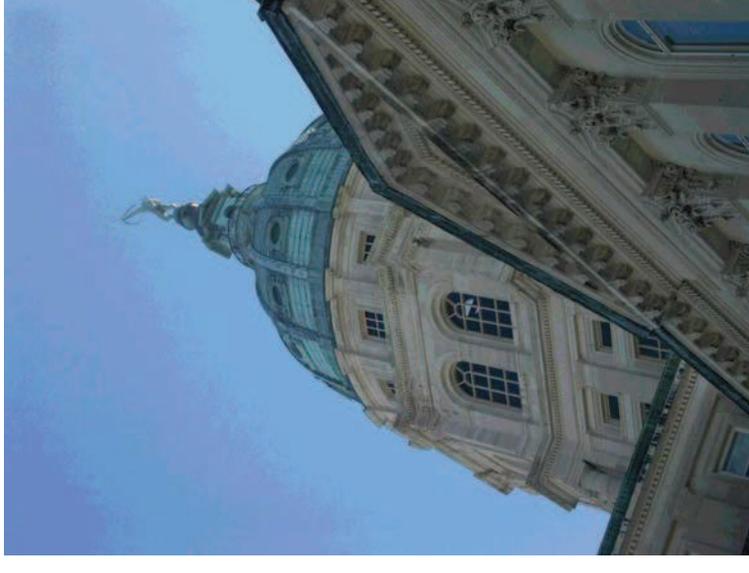
WHAT ELSE SHOULD I KNOW?

- Tax clearance certificates are valid for 90 days after the issue date. To renew a certificate, you must submit a new application.
- If you provided an email address on your application, you will receive an email containing the transaction number and a link to retrieve the status of the tax clearance.
- If you submit your application by 5:00 PM Central time Mon - Thurs, your TC status should be available the following business day. If the application is submitted later, or on a weekend, it may take until the next business day to retrieve your status.

KANSAS DEPARTMENT OF
REVENUE

SELF-SERVE WEB TAX
CLEARANCE PROGRAM

Ensuring Tax Compliance



Docking State Office Building
915 SW Harrison St
Topeka, KS 66625
Phone (785) 296-3199

SELF-SERVE WEB TAX CLEARANCE APPLICATION

The Kansas Department of Revenue now provides the option of applying for tax clearance on-line.

Why would I need a tax clearance?

You may be required to provide a Kansas tax clearance certificate as part of a loan approval, to obtain a contract, apply for citizenship, as part of an employment application, professional licensing, passport applications, political appointments, grant applications and other various reasons.

Additionally, individuals and businesses applying for contract through the State Division of Purchasing are required by Kansas statute to provide a valid tax clearance certificate with their application for bid package. (75-3740 c.)

WHAT A TAX CLEARANCE PROVIDES

A tax clearance certificate provides an official statement as to the results of an account review done by the Kansas Department of Revenue. Tax clearance results do not clear you of any liabilities, but rather is stating that you or the business is in current good standing with the Department. Tax clearance should not be confused with a "Letter of Good Standing", which is an unrelated document issued by the Kansas

Secretary of State's office. Tax clearance results are subject to change for various reasons including audits, agent actions, hearings, and other legal actions.

HOW TO APPLY

Log on to the Kansas Department of Revenue's website at www.ksrevenue.org. Follow the *tax clearance* link under "Personal Tax" or "Business Tax" to the application options. From here, chose Online Application.

You will be asked to provide identifying information and answer some questions. Upon submission, you will be issued a Transaction ID. It is important that you retain this ID, as you will need it to retrieve the tax clearance status the following business day.

WHO CAN RECEIVE TAX CLEARANCE INFORMATION

According to Kansas Law, tax information is **CONFIDENTIAL**. An official tax clearance certificate for an individual will only be released to the following:

- The individual taxpayer (individual requests)
- Business owner (business requests)
- Corporate Officer (business requests)
- An individual who has notarized authorization from the taxpayer/business to request and receive tax information. (Please provide a copy. Cannot use online application)
- An individual who has statutory authority or legal power of attorney to request and receive tax

information for the taxpayer. (Please provide a copy. Cannot use online application)

OBTAINING A CERTIFICATE

Once a tax clearance has been approved, on-line you can view and print your clearance certificate from the web. On the certificate is your confirmation number. This number validates the APPROVED status of the clearance. If for some reason your application was not approved, you will be prompted to call the Department's Special Projects Team for account reconciliation. (785) 296-3199

CERTIFICATE VERIFICATION

If you are the recipient of a tax clearance certificate and would like to verify that the confirmation number you were provided is accurate, current, and valid you can do so by following the same link to submit an application, but instead choose "Verify Certificate".

Note: Tax clearance certificates are valid for 90 days after issue. To renew a clearance, you must submit a new application.

ARE THERE FEES

The Kansas Department of Revenue does not charge any fees to apply for or receive a tax clearance.

<http://www.ksrevenue.org/taxclearance.html>

Fireworks Retail Sales From Tents



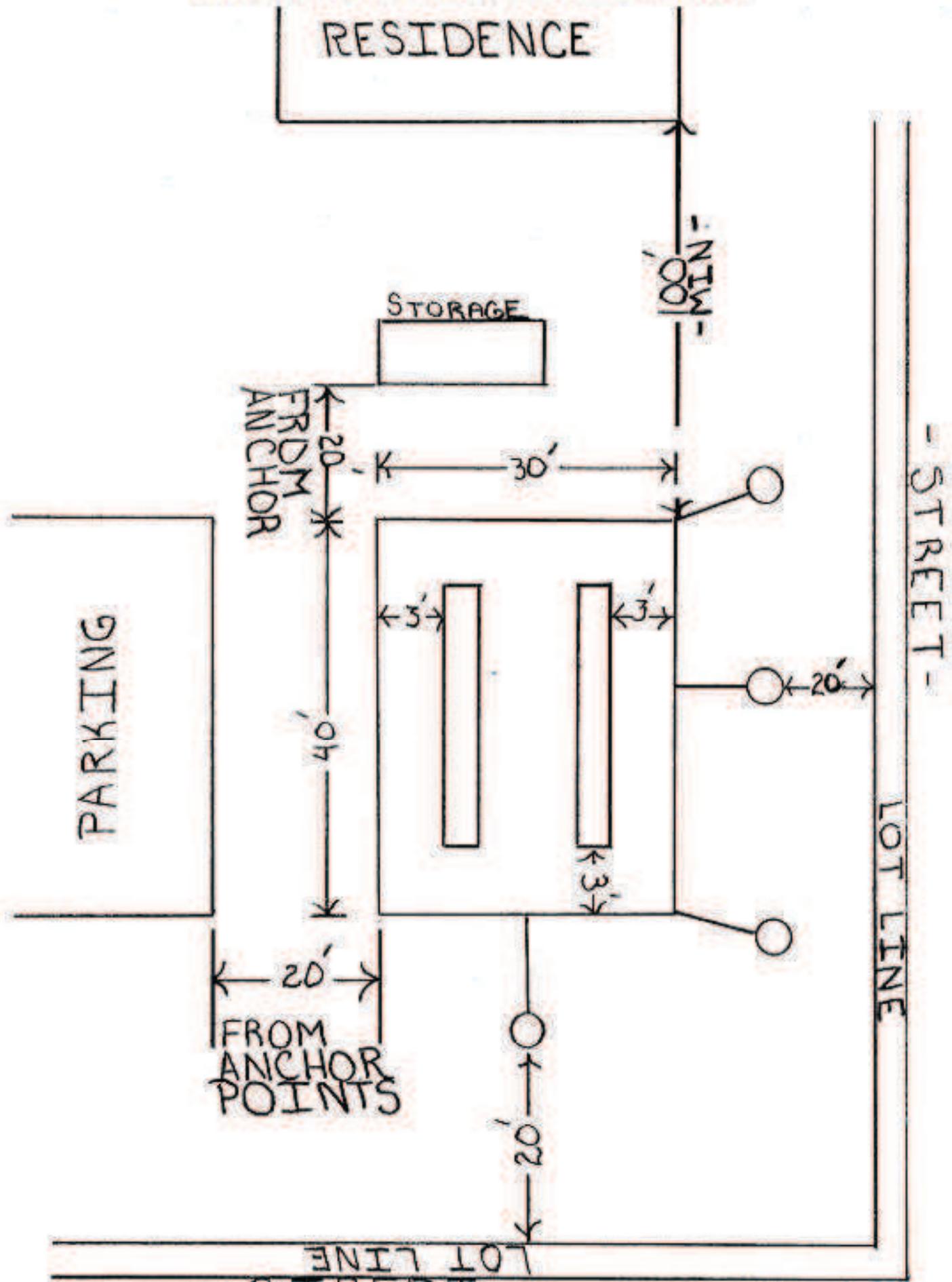
Requirments for the temporary use of tents for the retail sales of fireworks

Retail fireworks can be sold from tents as outlined in Chapter 15 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas and the National Fire Protection Association (NFPA) 701, *Standard Methods of Fire Tests for Flame Propagation of Textiles and Films* and evidenced by a certificate or other evidence of acceptance by an organization, such as the California State Fire Marshal's Office, acceptable to the Unified Government of Wyandotte County/Kansas City, Kansas—Fire Chief or his designee. Ordinance 0-44-09

1. Tents, along with awnings, fabric enclosures, curtains, and all decorative materials must be made of nonflammable material or are treated and maintained in a flame retardant condition.
2. Tents must have a sign posted over the entrance reading “FIREWORKS-NO SMOKING” - No Smoking signs will also be posted inside the tent.
3. All tents, awnings, or other fabric enclosure shall be adequately roped, braced and anchored to withstand the elements of the weather and prevent against collapsing. Easy up type consumer tents do not meet the structural stability required and can only be used for shade, not sales.
4. Documentation of structural stability shall be furnished to the Unified Government of Wyandotte County/Kansas City, Kansas—Fire Chief or his designee, upon request.
5. There must be a 3' minimum buffer zone between the tent and contents.
6. There must be a 20' minimum buffer zone between vehicle parking, generators, buildings, lot lines, fireworks storage and the tent. Guy wires and stability ropes shall be considered as part of the tent and are to be included in the setback distance.
7. Fire Extinguishers will be positioned around the perimeter of the tent and must be clearly marked.

EXAMPLE

UNDERGROUND UTILITIES MUST BE MARKED BEFORE ANY STAKES ARE DRIVEN IN TO THE GROUND



UNDERGROUND UTILITIES MUST BE MARKED BEFORE ANY STAKES ARE DRIVEN IN TO THE GROUND **EXAMPLE**

ARTICLE IV. - FIREWORKS^[3]

Footnotes:

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Cross reference— Offenses against public safety, § 22-153 et seq.

State Law reference— Fireworks regulations authorized, K.S.A. 31-134.

Sec. 15-88. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Fireworks means any combustible or explosive composition or any substance or combination of substances or device prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation. The term "fireworks" does not include any toy pistols, toy canes, toy guns, or other devices in which are used paper and/or plastic caps if the caps contain an average of 0.25 or less of a grain of explosive content per cap. Each package containing toy paper caps offered for retail sale shall be labeled to indicate the maximum explosive content per cap. The term "fireworks" also does not include any model rockets and model rocket motors designed, sold, and used for the purpose of propelling recoverable aero models.

Flame retardant as used in this [article], means a fabric or material resistant to flame or fire to the extent that it will meet the flame propagation performance criteria of test method 2, as required in the NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films and evidenced by a certificate or other evidence of acceptance by an organization acceptable to the unified government.

Tent as used in this [article], means a structure, enclosure or shelter constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

(Code 1988, § 15-71; Ord. No. 65434, § 1, 5-18-1989; Ord. No. O-44-09, § 1, 6-4-2009)

Sec. 15-89. - Exemptions.

Nothing in this article shall be construed as prohibiting any of the following:

- (1) The sale, at wholesale, of any fireworks for supervised displays by any resident manufacturer, wholesaler, dealer, or jobber, in accordance with regulations of the U.S. Bureau of Alcohol, Tobacco, and Firearms;
- (2) The sale, at wholesale, of any kind of fireworks by any resident manufacturer, wholesaler, dealer, or jobber, when such fireworks are intended for shipment directly out of state in accordance with regulations of the U.S. Department of Transportation;
- (3) The sale, manufacture, storage, or use in emergency situations of pyrotechnic signaling devices and distress signals for marine, aviation, and highway use;
- (4) The sale, manufacture, storage, or use of fuses, signals, or torpedoes by railroads;
- (5) The manufacture, storage, or use of blank cartridges for use in a show or theater or for signal or ceremonial purposes in athletics or sports;
- (6) The use of any pyrotechnic device by military organizations;

- (7) The use of fireworks for agricultural purposes under the direct supervision of the U.S. Department of the Interior or an equivalent state or local agency;
- (8) The use of explosives of any nature or any substance or device used in connection with such explosives in any building or construction work or activities as provided in the International Fire Code; or
- (9) The use of any pyrotechnic device by a science class under the supervision of a certified science instructor when the place and time of firing have been approved by the fire marshal.

(Code 1988, § 15-72; Ord. No. 65434, § 2, 5-18-1989)

Sec. 15-90. - Approved fireworks.

The sale, use, manufacture, storage, possession, and discharge of all pyrotechnic items listed as follows are permitted with the limitations described:

(1) *Ground and handheld sparkling devices.*

- a. *Dipped stick or sparkler.* Stick or wire coated with pyrotechnic composition that produces a shower of sparks upon ignition. Total pyrotechnic composition may not exceed 100 grams per item. Those devices containing any perchlorate or chlorate salts may not exceed five grams of pyrotechnic composition per item.
- b. *Cylindrical fountain.* Cylindrical tube not more than three-fourths of an inch (19 millimeters) interior diameter, containing up to 75 grams of pyrotechnic composition. Upon ignition, a shower of colored sparks, and sometimes a whistling effect, is produced. This device may be provided with a spike for insertion into the ground, a wood or plastic base for placing on the ground, or a wood or cardboard handle, if intended to be handheld.
- c. *Cone fountain.* Cardboard or heavy paper cone containing up to 50 grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain.
- d. *Illuminating torch.* Cylindrical tube containing up to 100 grams of pyrotechnic composition. Upon ignition, colored fire is produced. May be spike, base, or handheld.
- e. *Wheel.* Pyrotechnic device attached to a post or tree by means of a nail or string. Each wheel may contain up to six "driver" units, tubes not exceeding one-half inch (12.5 millimeters) inside diameter and containing up to 60 grams of pyrotechnic composition. Upon ignition, the wheel revolves, producing a shower of color and sparks and, sometimes a whistling effect.
- f. *Ground spinner.* Small device similar to a wheel in design and effect and placed on the ground and ignited. A shower of sparks and color is produced by the rapidly spinning device.
- g. *Flitter sparkler.* Narrow paper tube filled with pyrotechnic composition that produces color and sparks upon ignition. This device does not have a fuse for ignition. The paper at one end of the tube is ignited to make the device function.

(2) *Aerial devices.*

- a. *Helicopter, aerial spinner.* A tube not more than one-half of an inch (12.5 millimeters) interior diameter and containing up to 20 grams of pyrotechnic composition. A propeller or blade is attached, which, upon ignition, lifts the rapidly spinning device into the air. A visible or audible effect is produced at the height of flight.
- b. *Roman candle.* Heavy paper or cardboard tube not exceeding three-eighths of an inch (9.5 millimeters) inside diameter and containing up to 20 grams of pyrotechnic composition. Upon ignition, up to ten "stars" (pellets of pressed pyrotechnic composition that burn with bright color) are individually expelled at several second intervals.

- c. *Mine, shell.* Heavy cardboard or paper tube up to 2½ inches (63.5 millimeters) inside diameter attached to a wood or plastic base and containing up to 40 grams of pyrotechnic composition. Upon ignition, "stars" (pellets of pressed pyrotechnic composition that burn with bright color), firecrackers, or other devices are propelled into the air. The tube remains on the ground.
- (3) *Audible ground devices.*
- a. *Firecracker, salute.* Small paper-wrapped or cardboard tube containing not more than 50 milligrams or pyrotechnic composition. Upon ignition, noise and a flash of light are produced.
 - b. *Chaser.* Small paper or cardboard tube that travels along the ground upon ignition. A whistling effect, or other noise, is often produced. The explosive composition used to create the noise may not exceed 50 milligrams.
- (4) *Combination items.* Fireworks devices containing combinations of two or more of the effects described in subsections (1), (2), and (3) of this section.
- (5) *Novelties and trick noisemakers.*
- a. *Snake, glow worm.* Pressed pellet of pyrotechnic composition that produces a large, snake-like ash upon burning. The ash expands in length as the pellet burns. These devices may not contain mercuric thiocyanate.
 - b. *Smoke device.* Tube or sphere containing pyrotechnic composition that, upon ignition, produces white or colored smoke as the primary effect.
 - c. *Wire sparkler.* Wire coated with pyrotechnic composition that produces a shower of sparks upon ignition. These items may not contain magnesium and must not exceed 100 grams of composition per item. Devices containing any chlorate or perchlorate salts may not exceed five grams of composition per item.
 - d. *Trick noisemaker.* Item that produces a small report intended to surprise the user. These devices include:
 - 1. *Party popper.* Small plastic or paper item containing not more than 16 milligrams of explosive composition that is friction sensitive. A string protruding from the device is pulled to ignite it, expelling paper streamers and producing a small report.
 - 2. *Booby trap.* Small tube with string protruding from both ends, similar to a party popper in design. The ends of the string are pulled to ignite the friction-sensitive composition, producing a small report.
 - 3. *Snapper.* Small, paper-wrapped item containing a minute quantity of explosive composition coated on small bits of sand. When dropped, the device explodes, producing a small report.
 - 4. *Trick match.* Kitchen or book match that has been coated with a small quantity of explosive or pyrotechnic composition. Upon ignition of the match, a small report or a shower of sparks is produced.
 - 5. *Cigarette load.* Small wooden peg that has been coated with a small quantity of explosive composition. Upon ignition of a cigarette containing one of the pegs, a small report is produced.
 - 6. *Auto burglar alarm.* Tube which contains pyrotechnic composition that produces a loud whistle and/or smoke when ignited. A small quantity of explosive, not exceeding 50 grams, may also be used to produce a small report. A squib is used to ignite the device.

(Code 1988, § 15-73; Ord. No. 65434, § 3, 5-18-1989)

Sec. 15-91. - Prohibited fireworks.

The sale, use, manufacture, storage, possession, and discharge of all pyrotechnic items not approved in section 15-90 are prohibited, except as otherwise provided in this article, including, but not limited to, the following items:

- (1) *Bottle rocket.* Any rocket mounted on a stick.
- (2) *Sky rocket.* Tube not exceeding one-half of an inch (12.5 millimeters) interior diameter that may contain up to 20 grams of pyrotechnic composition. Sky rockets contain a wooden stick for guidance and stability and rise into the air upon ignition. A burst of color, noise, or both is produced at the height of flight.
- (3) *Missile-type rocket.* A device similar to a sky rocket in size, composition, and effect that uses fins rather than a stick for guidance and stability and has a report.
- (4) *Unmanned aerial luminary; sky, Chinese, or Kongming lantern; sky candle; or fire balloon.* A device resembling a small hot air balloon, constructed of lightweight material which is capable of traveling through the air when powered by fire or a fuel cell until such fire or fuel cell deteriorates, causing such device to fall to the ground at an unknown location.

(Code 1988, § 15-74; Ord. No. 65434, § 4, 5-18-1989; Ord. No. O-27-13, § 1, 4-4-2013)

Sec. 15-92. - Storage, sale, and handling.

(a) *In general.*

- (1) Fireworks shall not be sold or kept for sale in a place of business where paints, oils, varnishes, turpentine, gasoline, or other flammable substances are kept.
- (2) Fireworks shall not be stored, kept, sold, or discharged within 100 feet of any gasoline pump, gasoline filling station, gasoline bulk station, or any building in which gasoline or volatile liquids are sold or stored.
- (3) Four approved and fully charged fire extinguishers must be provided and kept in close proximity to the stock of fireworks in all buildings where fireworks are sold or stored, except that three such fire extinguishers must be located in all temporary retail establishments. All fire extinguishers shall be at least of type A standards and have not less than a 2½ pound capacity. Failure to maintain the required number of fire extinguishers as set out in this subsection or maintaining nonoperational or partially discharged extinguishers shall be considered grounds for immediate suspension of any operation in the interest of public health, safety and welfare.

(b) *Wholesale sales or retail sales for public display.*

- (1) Fireworks to be sold at wholesale or at retail for public displays shall be stored in a room set aside for the storage of fireworks only. Construction shall be of brick, block, concrete, or five-eighths-inch drywall interior and a brick, block, or concrete exterior wall.
- (2) All structures shall have metal bars over doors and windows. A sign must be posted over the entrance reading "FIREWORKS—NO SMOKING."

(c) *Retail sales.*

- (1) Retail sale of fireworks or storage of fireworks shall be from brick, block, concrete, metal, or frame, temporarily erected to be used as a place for storing and selling fireworks only. No tents, awnings, or other fabric enclosure shall be used unless the tents, awnings, or other fabric enclosure, and all auxiliary tents, curtains, drops, awnings and all decorative materials, are made from a nonflammable material or are treated and maintained in a flame retardant condition. No fireworks stand shall hang, drape, display, or use plastic or plastic canvas for any purpose unless the plastic or plastic canvas is made from a nonflammable material or is treated and maintained in a flame-retardant condition. A sign must be posted over the entrance reading "FIREWORKS-NO SMOKING." All tents, awnings, or other fabric enclosure shall be adequately roped, braced and anchored to withstand the elements of the weather and prevent against collapsing.

Documentation of structural stability shall be furnished to the unified government upon request, and there shall be a minimum of ten feet between the stake lines. Where ten feet between stake lines is not sufficient for means of egress, the distance necessary for means of egress shall govern. All adjacent tents, awnings, or other fabric enclosure shall be no closer to each other than allowed in order to provide an area to be used as a means of emergency egress. Exit openings from all tents, awnings, or other fabric enclosure shall be clearly marked.

- (2) No person shall offer for sale or sell fireworks at temporary retail locations before June 29 and after July 4.
- (3) No person shall offer for sale or sell fireworks at temporary retail locations before 9:00 a.m. or after 10:00 p.m.
- (4) No person shall sell the fireworks listed in section 15-90(1)—(4) to any person under the age of 16.
- (5) No person shall expose fireworks where sun shines through glass on the merchandise displayed, except where such fireworks are in the original package. All fireworks kept for sale on front counters must remain in original packages, except where an attendant is on duty at all times.
- (6) All retail locations shall post "No Smoking" signs inside the structure.
- (7) No temporary authorized structures used for the sale or storage of fireworks shall be erected before June 24, and no materials associated with such structures shall be placed on the site before June 24. All temporary authorized and erected structures used for the sale or storage of fireworks shall be removed no later than July 7. Any remaining structures, debris, litter, or materials shall be removed by the unified government and the cost taxed against the owner of the property, the lessee of the property, or the holder of the retail fireworks permit.
- (8) It shall be the duty of the fire prevention bureau to inspect all locations where fireworks are sold at retail.
- (9) Permits shall be required subject to the following:
 - a. All persons desiring to sell fireworks in the city shall secure each year a permit from the license administrator upon payment of a fee in an amount set by the county administrator.
 - b. All applicants for a permit must be residents of the city and at least 18 years of age. Each applicant shall provide reasonable proof of residency and age.
 - c. A permit must be obtained for each stand and each location proposed. In this context, a stand shall be defined as each individual unit not connected by an enclosed walkway.
 - d. Every permit recipient shall sign and submit a statement to the license department indicating the recipient has received, reviewed, and understood the ordinances of the unified government pertaining to fireworks and will accept full responsibility for compliance with such ordinances.
 - e. No permit for retail sale shall be issued unless the proposed location is on property zoned at a minimum for retail-commercial use or can be shown to be a legal nonconforming retail-commercial use.
 - f. No permit shall be issued for any location within 100 feet of any structure used in whole or in part as a residence.
 - g. No permit will be issued after 5:00 p.m. on June 27.
 - h. No permit will be issued unless the applicant files with the unified government a bond, in a form approved by the chief counsel or his designated representative, in the amount of \$1,000.00, conditioned upon the permit holder's removal of all temporarily authorized and erected structures used for the sale or storage of fireworks on or before July 7, together with any debris, litter, and material remaining at the site.

- i. No permit will be issued unless the applicant files with the unified government a current year tax clearance letter from the state department of revenue stating that the applicant owes no back taxes.
 - j. No permit will be issued to an applicant delinquent on any unified government ad valorem tax assessments, interest, or penalties.
 - k. No permit will be issued for the sale of fireworks upon any property with any delinquent unified government ad valorem tax assessments, interest, or penalties.
- (10) All permit holders shall cause to be posted in each stand, in a conspicuous location, and shall cause to be distributed with each sale a copy of sections 15-91 and 15-93, governing discharge of fireworks, in both English and Spanish.
- (11) Revocation of a permit shall be subject to the following:
- a. The license administrator may revoke any permit issued under this section, without refund of the permit fee, in the event of a violation of any of the requirements of this article.
 - b. Any permit holder whose permit is revoked may appeal the decision to the county administrator by filing a written request with the license administrator and will be afforded a hearing before the county administrator or his designated representative within 24 hours of filing such request. The county administrator may uphold or overrule the decision of the license administrator.
 - c. Any revocation of a permit shall bar the permit holder from obtaining unified government permits and licenses relating to fireworks for a period of two years.
- (12) Any person or agency convicted of the violation of this section or for failure to obtain a permit for the retail sale of fireworks, as stated in this section, shall bar that individual and/or agency from obtaining unified government permits and licenses relating to fireworks for a period of two years.

(Code 1988, § 15-75; Ord. No. 65434, § 5, 5-18-1989; Ord. No. O-13-01, § 1, 2-1-2001; Ord. No. O-45-02, § 1, 6-6-2002; Ord. No. O-74-05, § 1, 10-6-2005; Ord. No. O-33-09, § 1, 5-7-2009; Ord. No. O-44-09, §§ 2, 3, 6-4-2009; Ord. No. O-27-13, § 2, 4-4-2013)

Sec. 15-93. - Discharge of fireworks.

- (a) Discharging of fireworks shall be allowed only between the hours of 9:00 a.m. and 11:00 p.m. from July 2 through July 4. No person shall discharge any fireworks at any other times, except as otherwise permitted in this article.
- (b) No person shall ignite or discharge any fireworks within 1,000 feet of any hospital, sanitarium, infirmary, or home for the aged.
- (c) No person shall ignite or discharge any fireworks into, under, or on a car or vehicle, whether it is moving or standing still.
- (d) No person shall ignite or discharge any fireworks within 150 feet of any retail stand or facility where fireworks are stored.
- (e) No person shall throw or place any fireworks in any assembly or gathering of persons.
- (f) No person shall throw, place, ignite, or discharge any fireworks on any sidewalk, street, or alley.
- (g) No person shall ignite or discharge any fireworks in any building.
- (h) No person shall ignite or discharge any fireworks not approved under this article.

(Code 1988, § 15-76; Ord. No. 65434, § 6, 5-18-1989; Ord. No. O-13-01, § 2, 2-1-2001)

Sec. 15-94. - Public displays.

- (a) *Permit required.* All persons discharging fireworks for public display within the city limits shall obtain a city permit. Permits will be issued only to those persons with the requisite competence and skill, in the opinion of the fire marshal, and only when, in the opinion of the fire marshal, the proposed display will be conducted in a manner not hazardous to persons or property.
- (b) *Application for permit.*
 - (1) An applicant for a permit for a public exhibition or display of fireworks shall, at least 15 days before the day set for the display, file with the city license department a written application duly subscribed and sworn to by the applicant.
 - (2) Such application shall set forth the following information:
 - a. The name of the association, organization, or corporation sponsoring the display, together with the names of the persons to be in charge of the firing and discharging of the display;
 - b. The date and time of day at which the display is to be held;
 - c. The exact location planned for the display;
 - d. A description setting forth the age, experience, residence, and physical characteristics of the persons who are to do the actual firing and discharging of the fireworks;
 - e. The number and kinds of fireworks to be discharged;
 - f. The manner and place of the storage of such fireworks between the date of purchase and date of display;
 - g. A diagram or sketch of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, streets, and other lines of communication, the lines behind which the public will be restrained, and the location of all nearby trees, telegraph and telephone lines, or other overhead obstructions.
 - (3) An application fee may be charged in an amount to be set by the city administrator.
- (c) *Insurance policy required.* Before a permit will be issued for a public exhibition or display of fireworks, the applicant shall file with the city license department a certificate of liability insurance, approved as to form by the city attorney, stating that the applicant has a liability insurance policy in the minimum amount of \$500,000.00 per occurrence, combined single limit bodily injury and property damage. In addition, the certificate of insurance shall name the city as an additional named insured.
- (d) *Conduct of public displays.*
 - (1) A public display of fireworks shall be permitted only when the actual point at which the fireworks are to be fired is at least 200 feet from the nearest permanent building, public street, railroad, or other means of travel, and 50 feet from the nearest aboveground telephone or telegraph line, tree, or other overhead obstruction.
 - (2) No public display of fireworks shall be discharged, ignited or exploded within 1,000 feet of any hospital.
 - (3) The audience at a public display of fireworks shall be restrained behind lines at least 100 feet from the point at which the fireworks are discharged, and only persons in active charge of the display shall be allowed inside these lines.
 - (4) All fireworks that fire a projectile shall be set up so that the projectile will go into the air as nearly as possible at an angle of not more than 15 degrees from vertical and directed away from the spectators. Where such fireworks are to be fired beside a lake or other large body of water, they shall be directed in such a manner that the falling residue from the deflagration will fall into such body of water.

- (5) Any fireworks that remain unfired after the display is concluded shall be immediately disposed of in a safe manner for the particular type of fireworks and as directed by the fire marshal.
- (6) No fireworks display shall be held during any windstorm in which the wind reaches a velocity of more than 30 miles per hour. In such cases, the fire marshal may authorize the display at a future date suitable to the group holding the display.
- (7) There shall be at all times at least two operators of the display constantly on duty during the discharge.
- (8) At least two fire extinguishers of a type approved by the state fire marshal shall be kept at as widely separated points as possible within the actual area in which the discharging is being done.

(Code 1988, § 15-77; Ord. No. 65434, § 7, 5-18-1989)

Sec. 15-95. - Enforcement of provisions.

The fire marshal is charged with the duty of enforcing all the provisions, terms, and regulations of this article, and he may cause to be confiscated and destroyed all fireworks sold, used, or possessed in violation of this article.

(Code 1988, § 15-78; Ord. No. 65434, § 8, 5-18-1989)

Sec. 15-96. - Suspension of sale and discharge in emergency.

The mayor, after consultation with the city council, the fire marshal, and such other persons as he deems appropriate, may, in his discretion, declare a state of emergency and may suspend the sale and discharge of any fireworks when, in his opinion, the continued sale and discharge pose an unreasonable risk to the safety of the public due to a fire as a result of climate or other natural conditions.

(Code 1988, § 15-79; Ord. No. 65434, § 9, 5-18-1989)

Sec. 15-97. - Violation; penalty.

- (a) Except as provided in subsection (b) of this section, violation of any provision of this article regulating the sale or discharge of any fireworks shall be punished by a fine of not less than \$500.00 or more than \$1,500.00, by imprisonment in the city jail for a period not exceeding 90 days, or by both such fine and imprisonment, in the discretion of the court. Each violation shall constitute a separate offense.
- (b) The sale, possession, or discharge of any fireworks not approved in this article shall be punished by a fine of not less than \$1,000.00 or more than \$2,000.00, by imprisonment in the city jail for a period not exceeding 90 days, or by both such fine and imprisonment in the discretion of the court. Each violation shall constitute a separate offense.
- (c) Violation of any other provision of this article not covered by subsections (a) or (b) of this section shall be punished by a fine of not less than \$100.00 or more than \$500.00, by imprisonment in the city jail for a period not exceeding 30 days, or by both such fine and imprisonment in the discretion of the court. Each violation shall constitute a separate offense.
- (d) In addition, any violations of the provisions of this article which result in a conviction in the municipal court of the city or in any court of this state shall bar the person so convicted from obtaining city permits and licenses relating to fireworks for a period of two years.

(Code 1988, § 15-80; Ord. No. 65434, § 10, 5-18-1989)

TO BE POSTED

Sec. 15-90. Approved fireworks.

The sale, use, manufacture, storage, possession, and discharge of all pyrotechnic items listed as follows are permitted with the limitations described:

(1) *Ground and handheld sparkling devices.*

- a. *Dipped stick or sparkler.* Stick or wire coated with pyrotechnic composition that produces a shower of sparks upon ignition. Total pyrotechnic composition may not exceed 100 grams per item. Those devices containing any perchlorate or chlorate salts may not exceed five grams of pyrotechnic composition per item.
- b. *Cylindrical fountain.* Cylindrical tube not more than three-fourths of an inch (19 millimeters) interior diameter, containing up to 75 grams of pyrotechnic composition. Upon ignition, a shower of colored sparks, and sometimes a whistling effect, is produced. This device may be provided with a spike for insertion into the ground, a wood or plastic base for placing on the ground, or a wood or cardboard handle, if intended to be handheld.
- c. *Cone fountain.* Cardboard or heavy paper cone containing up to 50 grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain.
- d. *Illuminating torch.* Cylindrical tube containing up to 100 grams of pyrotechnic composition. Upon ignition, colored fire is produced. May be spike, base, or handheld.
- e. *Wheel.* Pyrotechnic device attached to a post or tree by means of a nail or string. Each wheel may contain up to six "driver" units, tubes not exceeding one-half inch (12.5 millimeters) inside diameter and containing up to 60 grams of pyrotechnic composition. Upon ignition, the wheel revolves, producing a shower of color and sparks and, sometimes a whistling effect.
- f. *Ground spinner.* Small device similar to a wheel in design and effect and placed on the ground and ignited. A shower of sparks and color is produced by the rapidly spinning device.
- g. *Flitter sparkler.* Narrow paper tube filled with pyrotechnic composition that produces color and sparks upon ignition. This device does not have a fuse for ignition. The paper at one end of the tube is ignited to make the device function.

(2) *Aerial devices.*

- a. *Helicopter, aerial spinner.* A tube not more than one-half of an inch (12.5 millimeters) interior diameter and containing up to 20 grams of pyrotechnic composition. A propeller or blade is attached, which, upon ignition, lifts the rapidly spinning device into the air. A visible or audible effect is produced at the height of flight.
- b. *Roman candle.* Heavy paper or cardboard tube not exceeding three-eighths of an inch (9.5 millimeters) inside diameter and containing up to 20 grams of pyrotechnic composition. Upon ignition, up to ten "stars" (pellets of pressed pyrotechnic composition that burn with bright color) are individually expelled at several second intervals.
- c. *Mine, shell.* Heavy cardboard or paper tube up to 2 1/2 inches (63.5 millimeters) inside diameter attached to a wood or plastic base and containing up to 40 grams of pyrotechnic composition. Upon ignition, "stars" (pellets of pressed pyrotechnic composition that burn with bright color), firecrackers, or other devices are propelled into the air. The tube remains on the ground.

(3) *Audible ground devices.*

- a. *Firecracker, salute.* Small paper-wrapped or cardboard tube containing not more than 50 milligrams of pyrotechnic composition. Upon ignition, noise and a flash of light are produced.
- b. *Chaser.* Small paper or cardboard tube that travels along the ground upon ignition. A whistling effect, or other noise, is often produced. The explosive composition used to create the noise may not exceed 50 milligrams.

(4) *Combination items.* Fireworks devices containing combinations of two or more of the effects described in subsections (1), (2), and (3) of this section.

(5) *Novelties and trick noisemakers.*

- a. *Snake, glow worm.* Pressed pellet of pyrotechnic composition that produces a large, snake-like ash upon burning. The ash expands in length as the pellet burns. These devices may not contain mercuric thiocyanate.

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- b. *Smoke device.* Tube or sphere containing pyrotechnic composition that, upon ignition, produces white or colored smoke as the primary effect.
- c. *Wire sparkler.* Wire coated with pyrotechnic composition that produces a shower of sparks upon ignition. These items may not contain magnesium and must not exceed 100 grams of composition per item. Devices containing any chlorate or perchlorate salts may not exceed five grams of composition per item.
- d. *Trick noisemaker.* Item that produces a small report intended to surprise the user. These devices include:
 - 1. *Party popper.* Small plastic or paper item containing not more than 16 milligrams of explosive composition that is friction sensitive. A string protruding from the device is pulled to ignite it, expelling paper streamers and producing a small report.
 - 2. *Booby trap.* Small tube with string protruding from both ends, similar to a party popper in design. The ends of the string are pulled to ignite the friction-sensitive composition, producing a small report.
 - 3. *Snapper.* Small, paper-wrapped item containing a minute quantity of explosive composition coated on small bits of sand. When dropped, the device explodes, producing a small report.
 - 4. *Trick match.* Kitchen or book match that has been coated with a small quantity of explosive or pyrotechnic composition. Upon ignition of the match, a small report or a shower of sparks is produced.
 - 5. *Cigarette load.* Small wooden peg that has been coated with a small quantity of explosive composition. Upon ignition of a cigarette containing one of the pegs, a small report is produced.
 - 6. *Auto burglar alarm.* Tube which contains pyrotechnic composition that produces a loud whistle and/or smoke when ignited. A small quantity of explosive, not exceeding 50 grams, may also be used to produce a small report. A squib is used to ignite the device.

Sec. 15-91. Prohibited fireworks.

The sale, use, manufacture, storage, possession, and discharge of all pyrotechnic items not approved in section 15-90 are prohibited, except as otherwise provided in this article, including, but not limited to, the following items:

- (1) ***Bottle rocket.*** Any rocket mounted on a stick.
- (2) ***Sky rocket.*** Tube not exceeding one-half of an inch (12.5 millimeters) interior diameter that may contain up to 20 grams of pyrotechnic composition. Sky rockets contain a wooden stick for guidance and stability and rise into the air upon ignition. A burst of color, noise, or both is produced at the height of flight.
- (3) ***Missile-type rocket.*** A device similar to a sky rocket in size, composition, and effect that uses fins rather than a stick for guidance and stability and has a report.
(Code 1988, § 15-74; Ord. No. 65434, § 4, 5-18-1989)
- (4) ***Unmanned aerial luminary; sky, Chinese, or Kongming lantern; sky candle; or fire balloon.*** A device resembling a small hot air balloon, constructed of lightweight material which is capable of traveling through the air when powered by fire or a fuel cell until such fire or fuel cell deteriorates, causing such device to fall to the ground at an unknown location.

Sec. 15-93. Discharge of fireworks.

- (a) Discharging of fireworks shall be allowed only between the hours of 9:00 a.m. and 11:00 p.m. from July 2 through July 4. No person shall discharge any fireworks at any other times, except as otherwise permitted in this article.
- (b) No person shall ignite or discharge any fireworks within 1,000 feet of any hospital, sanitarium, infirmary, or home for the aged.
- (c) No person shall ignite or discharge any fireworks into, under, or on a car or vehicle, whether it is moving or standing still.
- (d) No person shall ignite or discharge any fireworks within 150 feet of any retail stand or facility where fireworks are stored.
- (e) No person shall throw or place any fireworks in any assembly or gathering of persons.
- (f) No person shall throw, place, ignite, or discharge any fireworks on any sidewalk, street, or alley.
- (g) No person shall ignite or discharge any fireworks in any building.
- (h) No person shall ignite or discharge any fireworks not approved under this article.

TO BE POSTED

CODIGO DE KANSAS CITY, KANSAS

SECCION NO. 15-90. FUEGOS ARTIFICIALES APROBADOS

1) Artefactos centelleantes de piso o de mano

- a. Luces de bengala (sparklers): Vara o alambre que produce una lluvia de centellas al encenderse.
- b. Fuentes cilíndricas: Tubo cilíndrico que al encenderse se produce una lluvia de centellas de colores y algunas veces un efecto de silbido.
- c. Fuentes cónicas (cone fountain): Cono de cartón cuyo efecto es igual al de la fuente cilíndrica.
- d. Antorcha luminosa (illuminating torch): Tubo cilíndrico que al encenderse produce fuego de colores. Puede ser una vara, base o de mano.
- e. Ruedas (wheel): artefacto que se pone en un poste o árbol mediante un clavo o hilo. Al encenderse la rueda gira y produce una lluvia de colores y algunas veces un efecto de silbido.
- f. Giratorios terrestres (ground spinner): artefacto similar a la rueda, se coloca en el piso y se enciende.
- g. Luces de bengala tipo "flitter": Un tubo de papel que produce color y centellas al encenderse. El papel en un extremo del tubo se enciende para hacerlo funcionar.

2) Artefactos aéreos

- a. Helicópteros, dispositivos giratorios aéreos: Un tubo al que se le coloca un propulsor o aspa y al encenderse se eleva rápidamente girando en el aire. Se produce un efecto visible o audible a la altura del vuelo.
- b. Vela romana: Tubo de cartón que al encenderse despiden hasta 10 "estrellas" que se despiden individualmente a intervalos de segundos.
- c. Minas: tubo de cartón grueso anexo a una base de madera o plástico, al encenderse despiden "estrellas", cohetes o otros mecanismos que salen hacia el aire. El tubo permanece en el piso.

3) Artefactos audibles de piso

- a. Petardos, cohetes: Pequeños tubos envueltos en papel o cartón que al encenderse producen ruido y un flash de luz.
- b. Cazadores (chasers): Tubos pequeños que viajan por el piso al ser prendidos. Producen un efecto de silbido u otro ruido.

4) Dispositivos de efectos combinados

Dispositivos de los Fuegos Artificiales que Contienen Combinaciones de dos o mas de los efectos descritos en secciones 1, 2 y 3 de esta sección.

5) Novedades

- a. Víboras, gusanos (snake, glow worm): Bolitas que al prenderse producen cenizas en forma de víbora. La ceniza se alarga a medida que se quema.
- b. Dispositivo de humo: Tubo o esfera que al quemarse produce humo blanco o de colores.
- c. Bengalas de alambre (wire sparkler): Alambre que produce una lluvia de centellas.
- d. Tronadores (trick noisemaker): Artefacto que produce una pequeña detonación para sorprender al usuario, estos artefactos incluyen:
 - 1) Tronadores de fiesta (party poppers): Plástico pequeño o papel que es sensible a la fricción. Al jalarse el hilo saliente para encenderlo, despiden tiras de papel y una pequeña detonación.
 - 2) Booby trap: Pequeño tubo con un hilo que sale de ambos lados, similar a un party popper. Se jala uno de los hilos y produce una pequeña detonación.
 - 3) Snoope: Artículo pequeño que cuando se avienta hacia el piso, explota produciendo una pequeña detonación.
 - 4) Cerillo (Trick match): Cerillo que al encenderse produce una pequeña detonación o una lluvia de estrellitas.

TO BE POSTED

- 5) Carga de cigarro (cigarrete load): Vara pequeña de madera que al encender el cigarro que la contiene produce una pequeña detonación.
- 6) Alarma contra robos: Tubo que produce un silbido fuerte y/o humo al encenderse.

SECCIÓN NO. 15-91. FUEGOS ARTIFICIALES PROHIBIDOS

- 1) Bottle rocket: Cualquier cohete montado en una vara.
- 2) Sky rocket: Contienen una vara de madera para guía y estabilidad y se elevan al aire al encenderse. Se produce una lluvia de color o ruido o ambos al final del vuelo.
- 3) Cohete tipo misil: Un dispositivo parecido al sky rocket que utiliza alas en lugar de una vara y produce una detonación.
- 4) Careciente de tripulación lumbrera; Celaje, Chinesco, Luminarias, Vela celaje; O Globo de fuego. Un dispositivo parecido a un globo de aire caliente, construido de material ligero y capaz de viajar a través del aire cuando encendido por fuego O celda de combustible hasta que el fuego O Célula de combustible se deteriora, causando el dicho dispositivo caer al suelo en un lugar desconocido.

SECCION NO. 15-93. Reglas para detonar fuegos artificiales

- a) El uso de fuegos artificiales se permitirá solamente de 9:00 A.M. a 11 P.M. del 2 al 4 de julio. Nadie debe usar ningún tipo de fuego artificial en ningún otro momento, a menos que esté permitido.
- b) Ninguna persona debe detonar fuegos artificiales dentro de una distancia de mil pies de un hospital, sanatorio, clínica u hogar para ancianos.
- c) Ninguna persona debe encender o detonar ningún fuego artificial dentro, debajo o sobre un carro o vehículo, ya sea en movimiento o estacionado.
- d) Ninguna persona debe encender fuegos artificiales dentro 150 pies de una venta al por menor o facilidades donde se guardan los fuegos artificiales.
- e) Ninguna persona deberá aventar o colocar ningún fuego artificial en una asamblea o grupo de personas.
- f) Ninguna persona deberá aventar, colocar, encender o detonar ningún fuego artificial en las banquetas, calles o callejones.
- g) Ninguna persona deberá encender o detonar ningún tipo de fuegos artificiales en edificios.
- h) Ninguna persona debe encender o detonar ningún tipo de fuegos artificiales que no estén aprobados bajo este artículo.

TO BE DISTRIBUTED WITH EACH SALE

Sec. 15-91. Prohibited fireworks.

The sale, use, manufacture, storage, possession, and discharge of all pyrotechnic items not approved in section 15-90 are prohibited, except as otherwise provided in this article, including, but not limited to, the following items:

(1) **Bottle rocket.** Any rocket mounted on a stick.

(2) **Sky rocket.** Tube not exceeding one-half of an inch (12.5 millimeters) interior diameter that may contain up to 20 grams of pyrotechnic composition. Sky rockets contain a wooden stick for guidance and stability and rise into the air upon ignition. A burst of color, noise, or both is produced at the height of flight.

(3) **Missile-type rocket.** A device similar to a sky rocket in size, composition, and effect that uses fins rather than a stick for guidance and stability and has a report.

(Code 1988, § 15-74; Ord. No. 65434, § 4, 5-18-1989)

(4) **Unmanned aerial luminary; sky, Chinese, or Kongming lantern; sky candle; or fire balloon.** A device resembling a small hot air balloon, constructed of lightweight material which is capable of traveling through the air when powered by fire or a fuel cell until such fire or fuel cell deteriorates, causing such device to fall to the ground at an unknown location.

Sec. 15-93. Discharge of fireworks.

(a) Discharging of fireworks shall be allowed only between the hours of 9:00 a.m. and 11:00 p.m. from July 2 through July 4. No person shall discharge any fireworks at any other times, except as otherwise permitted in this article.

(b) No person shall ignite or discharge any fireworks within 1,000 feet of any hospital, sanitarium, infirmary, or home for the aged.

(c) No person shall ignite or discharge any fireworks into, under, or on a car or vehicle, whether it is moving or standing still.

(d) No person shall ignite or discharge any fireworks within 150 feet of any retail stand or facility where fireworks are stored.

(e) No person shall throw or place any fireworks in any assembly or gathering of persons.

(f) No person shall throw, place, ignite, or discharge any fireworks on any sidewalk, street, or alley.

(g) No person shall ignite or discharge any fireworks in any building.

(h) No person shall ignite or discharge any fireworks not approved under this article.

SECCIÓN NO. 15-91. FUEGOS ARTIFICIALES PROHIBIDOS

1) Bottle rocket: Cualquier cohete montado en una vara.

2) Sky rocket: Contienen una vara de madera para guía y estabilidad y se elevan al aire al encenderse. Se produce una lluvia de color o ruido o ambos al final del vuelo.

3) Cohete tipo misil: Un dispositivo parecido al sky rocket que utiliza alas en lugar de una vara y produce una detonación.

4) Careciente de tripulación lumbrera; Celaje, Chinesco, Luminarias, Vela celaje; O Globo de fuego. Un dispositivo parecido a un globo de aire caliente, construido de material ligero y capaz de viajar a través del aire cuando encendido por fuego O celda de combustible hasta que el fuego O Célula de combustible se deteriora, causando el dicho dispositivo caer al suelo en un lugar desconocido.

SECCION NO. 15-93. Reglas para detonar fuegos artificiales

a) El uso de fuegos artificiales se permitirá solamente de 9:00 A.M. a 11 P.M. del 2 al 4 de julio. Nadie debe usar ningún tipo de fuego artificial en ningún otro momento, a menos que esté permitido.

b) Ninguna persona debe detonar fuegos artificiales dentro de una distancia de mil pies de un hospital, sanatorio, clínica u hogar para ancianos.

c) Ninguna persona debe encender o detonar ningún fuego artificial dentro, debajo o sobre un carro o vehículo, ya sea en movimiento o estacionado.

d) Ninguna persona debe encender fuegos artificiales dentro 150 pies de una venta al por menor o facilidades donde se guardan los fuegos artificiales.

e) Ninguna persona deberá aventar o colocar ningún fuego artificial en una asamblea o grupo de personas.

f) Ninguna persona deberá aventar, colocar, encender o detonar ningún fuego artificial en las banquetas, calles o callejones.

g) Ninguna persona deberá encender o detonar ningún tipo de fuegos artificiales en edificios.

h) Ninguna persona debe encender o detonar ningún tipo de fuegos artificiales que no estén aprobados bajo este artículo.

TO BE DISTRIBUTED WITH EACH SALE