FIREWORK SALES PERMITTED USE APPLICATION

BUSINESS NAME:__________________________________________________________

BUSINESS LOCATION:_______________________________________________________

CONTACT NAME:_________________________________ PHONE # ______________________

EMAIL:______________________________________________________________

ZONE:____________________

Attached:

- Description of activity
- Site Plan
  - Location, dimensions, access, storage, parking, extinguisher locations, etc.
  - List all uses in the building OR list uses in surrounding area
- Owner approval
- Fees paid
- Copy of Liability Insurance

Approvals:

City Planner________________________________________ Date:________________________

Building Inspector_________________________________ Date:_______________________

Fire Marshall________________________________________ Date:_______________________
MORGAN CITY
APPLICATION FOR BUSINESS LICENSE
90 West Young Street, PO Box 1085, Morgan Utah 84050-1085
Phone 801-829-3461, ext 2

This form is an application for a business license. The actual license will be issued when license is approved; THIS FORM MUST BE COMPLETED IN FULL.

Applicant's Name ____________________________ Home Phone ____________________________

Address ___________________________________ Cell: ____________________________

_________________________________________ Email: ____________________________

Driver's License Number: ______________________ State: ____________________________

Name of Business: ____________________________ Business Phone: ____________________________

Business location: ____________________________ Fax: ____________________________

Mailing Address (if different) ____________________________

Property Owners Name: ________________________ Phone: ____________________________

Date of Application: ____________________________ Business Opening Date: ____________________________

Brief description of Business: ____________________________________________________________

Number of full time employees (excluding owner) ____________________________

Type of Organization: (Please check all that apply)

Corporation
New Business
Partnership
Limited Liability LLC
Proprietorship
Temporary License
Home Occupation
Existing Business

Have you registered your business with the State? Yes No

Online “One-Stop” Business registration www.utah.gov

FED OR EIN# ____________________________ STATE STC# ________________ STATE REGISTRATION# ____________________________

SPECIAL EVENT REGISTRATION# ____________________________

State Contractor License (if): ____________________________ State Certification: ____________________________

Child Care: State License#: ____________________________ Completed: YES/NO

Health dept. inspection required for Restaurant/Food Service or Tanning: YES/NO

PLEASE ANSWER THE FOLLOWING QUESTIONS

- Have you been convicted of a felony? YES/NO
- Are you a registered sex offender? YES/NO
- Do you have any pending criminal charges for physical or sexual abuse or exploitation of a minor? YES/NO
- Have you had any judgments against you for engaging in fraud or moral turpitude? YES/NO

I hereby agree to conduct said business strictly in accordance with the Ordinances of Morgan City and have met all necessary requirements of the State of Utah. I understand and agree to inspections by the Fire Department, Building Department, Police Department and Health Department as required. I hereby declare that the information I have provided contained herein is true and accurate to the best of my knowledge and belief.

Applicant’s Signature ____________________________ Date: ____________________________

Date Application Accepted: ____________________________ By: ____________________________
HELP US PROTECT YOUR BUSINESS:

Please fill this out (legibly) and return it with your business license renewal. This information is for Law Enforcement and the Fire Department, for use in case of an emergency, such as fire or burglary.

<table>
<thead>
<tr>
<th>Business Name</th>
<th>Business Phone Number</th>
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Business Address

Morgan, UT 84050 or 84018

**Emergency Contact Names:**

<table>
<thead>
<tr>
<th>Contact Phone Number (After hours):</th>
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<tbody>
<tr>
<td>1.</td>
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<td>2.</td>
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<td>3.</td>
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Does your business have an AED (Automated External Defibrillator) on site?  Yes ( )  No ( )
If yes, please describe the location of the AED: (Example 2nd floor west hallway at the end):


If your business has an alarm, please provide the alarm company's name and phone number:


Are there hazardous conditions / chemicals / or other pertinent information:


Chapter 5.08 FIREWORKS

5.08.010 STATE PROVISIONS ADOPTED BY REFERENCE

This chapter includes, but is not limited to, sections of the fire prevention and fireworks act found in Utah Code 53-7 Part 2, and sections of the county and municipal fireworks act found in Utah Code 11-3, which sections are, by this reference, adopted as city ordinances. Each section of the fire prevention and fireworks act adopted by this reference shall have a new section number as determined by this present chapter. The following subsections are adopting those provisions by reference:

4. Exemptions: Adopting Utah Code §§ 11-3-10 and 53-7-221.
6. State Fire Prevention Board Rules: Rules, specifications, standards or requirements promulgated by the Utah fire prevention board as permitted or required by the various sections of the fire prevention and fireworks act, are included and adopted as part of this chapter. (2003 Code)

Footnote 1: Utah Code § 53-7-201 et seq.

5.08.020 ENFORCEMENT

The fire chief, the chief's designee, peace officers and special function officers authorized by the city within those capacities, are hereby authorized to enforce this chapter, and the applicable provisions of the fire prevention and fireworks act and the county and municipal fireworks act within Utah Code. (2003 Code)

5.08.030 SALES

1. Permit Required; Application:

   1. No person shall offer for sale or sell, at retail, any fireworks without a permit countersigned by the fire chief. A separate permit shall be required for each separate sales location, and for each of the following time periods: June 23 through July 27, inclusive; December 29 through December 31, inclusive; and two (2) days prior to and through the Chinese New Year's eve, inclusive. The fee for each permit shall be as set forth in the consolidated fee schedule. Each permit shall remain in effect for the
specified time period unless the permittee violates a provision of this chapter, in which event the permit may be revoked. Applications for a permit to sell fireworks shall be in writing on the "application for sales of fireworks" form and shall:

1. Include the name and address of the person, firm or corporation applying for the permit;
2. Describe the specific location where fireworks will be sold;
3. Include evidence of commercial general liability insurance in an amount not less than one million dollars ($1,000,000.00) per occurrence and two million dollars ($2,000,000.00) aggregate; and
4. Include any other information reasonably required by the fire department. (Ord. 15-03, 1-27-2015)

2. All of the above required information, including fees, shall be submitted no less than fourteen (14) days prior to the specified time period. However, if the permit application is for a location for which a conditional use permit has not been issued or is no longer valid, both permit applications shall be submitted no less than five (5) weeks prior to the desired time period for the sale of fireworks. The applicable and required fees shall accompany the permit application and be submitted at the time of application.

2. Sales Locations: Retail sales of fireworks shall be permitted within a permanent structure in connection with an applicable and properly issued business license which is in effect pursuant to provisions of MCC 3.02, or, from a temporary stand, or trailer or tent. Retail sales of fireworks shall be allowed only at locations within the commercial, manufacturing and industrial zoning districts. Sales both in permanent structures and in temporary stands, or trailers or tents, shall be subject to the following requirements:

1. No sales of fireworks shall be permitted from stands, trailers or tents located within one hundred feet (100') of any other building, nor within one hundred feet (100') of any gasoline pump or dispensing device, or other combustibles. No sales of fireworks shall be permitted from permanent structures located within fifty feet (50') of any gasoline pump or dispensing device, or other combustibles.
2. Fireworks stands, trailers or tents need not comply with the provisions of the international building code, however, all stands, trailers or tents shall be erected in a manner that will reasonably assure the safety of attendants and patrons.
3. Each stand, trailer or tent shall not have in excess of four hundred fifty (450) square feet of floor space, and each stand, trailer or tent shall have not less than two (2) exits, each of which must be at least thirty six inches (36") in width.
4. A sign prohibiting the discharge of any fireworks within one hundred feet (100') of the fireworks stand, trailer or tent shall be prominently displayed.
5. All employees on duty at all times shall be at least eighteen (18) years of age or older. Fireworks shall be sold only as packaged units with displays to be arranged so as to prevent the touching or handling of nonpackaged fireworks.
6. Displays of fireworks in permanent structures shall be within constant visual observation.
7. Fireworks stands, trailers or tents shall be removed within seven (7) days after retail sales cease.
8. Prior to the issuance of a permit, each applicant shall file with the city a cash deposit in an amount set forth in the consolidated fee schedule for each retail sales location to assure compliance with the provisions of this section, including, but not limited to, the removal of the stand, trailer or tent and the cleaning of the site. In the event the permittee does not comply with the provisions of this chapter or remove the stand, trailer or tent, or clean the site thereof, the city may remove the stand, trailer or tent and clean the site or cause the same to be done by other persons and the reasonable cost thereof shall be a charge against the permittee and shall be subtracted from the bond described above.
9. No person shall be permitted to sleep in the fireworks stand or trailer overnight. (2003 Code)

5.08.040 PUBLIC DISPLAY OR SPECIAL EFFECTS; PERMIT REQUIRED

1. Permit Application: No person shall discharge any display or special effects fireworks without first obtaining a permit countersigned by the fire chief. A separate permit will be required for each public display or special effects event. The fee for a single permit is as set forth in the consolidated fee schedule. Application for this permit shall be in writing on the application form "public display or special effects fireworks" and shall:
   1. Include the name, address and telephone number of the person, firm, entity or corporation applying for the permit;
   2. Describe the specific location of the discharge, display, fallout and spectator locations;
   3. Include evidence of commercial general liability insurance in an amount not less than one million dollars ($1,000,000.00) per occurrence and two million dollars ($2,000,000.00), aggregate;
   4. Describe a plan for monitoring weather conditions, crowd control and contingency plans for adverse or changing conditions;
   5. Include any additional information reasonably required by the city.
2. Time Limit For Submission; Exemptions: The above information shall be submitted to the fire chief at least fourteen (14) days prior to the planned discharge of display or special effects fireworks. Governmental subdivisions and governmental entities are exempt from the permit fee requirements of this section, however, the application must be timely submitted and the proper permit obtained prior to the planned discharge of display or special effects fireworks. (2003 Code)

5.08.050 PROHIBITED ACTS AND ACTIVITIES

1. It shall be unlawful to discharge fireworks:
   1. Within one hundred feet (100') of any place where fireworks are sold or offered for sale;
   2. Within three hundred feet (300') of any church, hospital, rest home, retirement center, school building or similar institution;
3. In such a manner that the fireworks project over or onto the property of another person without the consent of the person owning or controlling such property; or
4. In any public park.
2. It shall be unlawful to ignite, discharge or throw any fireworks from or into any motor vehicle, or at or near any person.
3. It shall be unlawful to make, sell, or offer to sell or to discharge any type of homemade fireworks.
4. It shall be unlawful to sell or to offer to sell fireworks:
   1. Without a permit;
   2. In violation of any requirement of this chapter or any regulations adopted by the Utah fire prevention board;
   3. At a location not specified in the permit application;
   4. Without the insurance coverage required in the permit application; or
   5. In violation of MCC 5.08.030B.
5. Except as provided in MCC 5.08.010D, it shall be unlawful for any person, firm or corporation to at any time own, possess, control, sell or offer to sell any fireworks other than as set forth in Utah Code § 53-7-222. (2003 Code)

5.08.060 AUTHORITY OF CITY TO PROHIBIT DISCHARGE
The city council, during times of adverse fire conditions, may review information regarding meteorological conditions, moisture content of plants and soil, and other information related thereto, and may at its discretion prohibit the use of all fireworks in the protection of the health, safety and welfare of the public. Such a prohibition shall be for a defined period of time and may be limited to identified areas of the city, or may be applicable throughout the city. (2003 Code)

5.08.070 CONFLICTING PROVISIONS
In the event there should at any time be a conflict between the provisions of this chapter, and provisions of Utah Code or the rules and regulations adopted pursuant thereto, the more strict shall control. (2003 Code)