(11)

City of Costa Mesa, Treasury Management Division

APPLICATION FOR FIREWORKS PERMIT

Phone: (714) 754-5235

THIS DOCUMENT IS CONSIDERED A PUBLIC RECORD SUBJECT TO DISCLOSURE UNDER THE PUBLIC RECORDS REQUEST ACT.

PLEASE PRINT OR TYPE

ORGANIZATION: Permit #: _____

Name: CMHS Cheer Date Organized: _____

Mailing Address: 1052 Concord St Costa Mesa CA 92626

Principal and Permanent Meeting Place: 2650 FAIRVIEW RD., COSTA MESA, CA 92626

OFFICERS:

Name: Kori Johnson Home Address: 590 Sturgeon Dr Costa Mesa 92626

Name: Terri Martinez Home Address: 1052 Concord St Costa mesa CA 92626

Location of Fireworks Stand: Staples/Surf Shop- 233 E. 17th Street

State Sales Tax Permit No.: 102-926559 State Fire Marshal's License No.: W002309

Wholesaler or Distributor from whom the retailer proposes to purchase fireworks for sale:

Name: TNT FIREWORKS

Address: 555 N. GILBERT ST., FULLERTON ,CA 92833

The manner, method and times; and how applicant proposes to sell "safe and sane" fireworks:

RETAIL SALES OF SAFE AND SANE FIREWORKS

JUNE 30 – JULY 3 (10AM-10PM) AND JULY 4 (9AM-9PM)

Responsible adult who will deal with City in all matters for this permit:

Name: Terri Martinez Phone: 714-856-9782

Address: 1052 Concord St Costa mesa, CA 92626

Email: Terrimart7@yahoo.com

I declare under penalty of perjury that, this organization is a bona fide non-profit organization, as recognized by the State of California that was formed to benefit the youth and students of the City of Costa Mesa, with its principal and permanent meeting place within the City of Costa Mesa. Permit applicants may be asked by the Director of Finance to submit information to verify statements made on the application form. ANY APPLICANT WHO IS UNABLE TO VERIFY SUCH STATEMENTS MAY BE DISQUALIFIED FROM OBTAINING A PERMIT.

Date: 4/20/16

Authorized Signature: Terri Martinez Title: Chairperson

FOR TREASURY MANAGEMENT DIVISION USE ONLY

Date Received: _____ Receipt Number: _____

Public liability and property insurance certificate required in a minimum amount of $1,000,000 combined single limit, naming the City of Costa Mesa as additional insured.

Policy Number: _____

City of Costa Mesa, Treasury Management Division
FIREWORK STAND APPLICATION REQUIREMENTS

The Costa Mesa Municipal Code contains regulations governing the issuance of fireworks permits and the discharge of fireworks. These regulations are found in Sections 9-179 through 9-190. The City Council has also adopted Council Policy 400-2 (revised 02/19/13), which imposes additional regulations governing the sale and discharge of fireworks (copy attached).

Applications must be filed before **June 1** of the calendar year for which permit is sought. The following requirements must also be met:

SCHOOL APPLICANTS

1. High School applicants must attach a letter from the school's Principal certifying the applicant is a recognized organization supporting school activities and must certify that the organization is a tax exempt charity or non-profit organization under state and federal law in good standing or approved Newport Mesa Unified School District entity under direct control of the school.
2. Copy of temporary Seller's Permit from the State Board of Equalization
3. Copy of State Fire Marshal Retail Fireworks License
4. Original insurance certification naming the City of Costa Mesa as additional insured
5. Copy of site plan which must be approved by Building & Safety, Traffic Engineering and the Fire Department

NON-SCHOOL APPLICANTS

1. Copy of Articles of Incorporation (including amendments)
2. Copy of By-Laws
3. Current roster of officers/directors which includes name, address, and telephone number
4. Current roster of members which includes name, address, and age
5. Copies of tax exempt status from the Internal Revenue Service and the State Franchise Tax Board
6. Copy of temporary Seller's Permit from the State Board of Equalization
7. Copy of State Fire Marshal Retail Fireworks License
8. Original insurance certification naming the City of Costa Mesa as additional insured
9. Copy of site plan which must be approved by Building & Safety, Traffic Engineering and the Fire Department

The United States Flag Code permits nighttime display of the American flag when the flag is illuminated. It is the responsibility of the firework stand operator and associated firework distributor to ensure that the flag is illuminated at night when displayed. As an alternative, the City suggests that the American flag be taken down at night.

FIRE DEPARTMENT (714) 327-7400: Each Fireworks Stand will be inspected for fire-safe conditions during the time of occupancy, and a final inspection will be conducted in order to release the deposit for clean-up. Fireworks Stands are to be cleaned up before midnight of Thursday, July 7th.

BUILDING & SAFETY DIVISION (714) 754-5273: An Electrical Permit must be obtained from the City of Costa Mesa prior to the performance of any electrical work.

TRAFFIC ENGINEERING (714) 754-5323: Site plan must be approved in relation to possible interruption of traffic.

APPROVED	
Fire Department:	Date:
Building & Safety:	Date: 06/01/16
Transportation Services:	Date: 6-1-16

Costa Mesa High School

Newport-Mesa Unified School District

Jacob Haley- Principal
Guy Olguin – Co-Principal
Erik Pannizzo – Assistant Principal
Rich Peterson – Assistant Principal

May 11, 2016

To Whom It May Concern:

I am writing this letter to certify that the following applicants for fireworks booths in 2016 are recognized as organizations that support school activities at Costa Mesa High School. Further, I can certify that they operate as a tax-exempt charity or non-profit organization under state and federal law. These groups are also in good standing and are recognized as school connected organizations.

The groups are as follows:

CMHS Band / Color Guard
CMHS Baseball
CMHS Boys Basketball
✓CMHS Cheer
CMHS Football
CMHS Track & Field
CMHS Girls Soccer

CMMS Band
CMMS Delta

Please let me know if I can provide you with any additional information.

Sincerely,

Jacob Haley, Principal

2650 Fairview Road Costa Mesa, CA 92626 Phone: (714) 424-8700 Fax: (714) 424-8770

DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

CALIFORNIA STATE BOARD OF EQUALIZATION

TEMPORARY SELLER'S PERMIT

Valid 06/30/2016 through 07/04/2016

ACCOUNT NUMBER

SR EA 102-926559

CMHS CHEER BOOSTERS
COSTA MESA HIGH SCHOOL BOOSTERS
233 E 17TH ST
COSTA MESA, CA 92627-3831

NOTICE TO PERMITTEE: You are required to obey all Federal and State laws that regulate or control your business. This permit does not allow you to do otherwise.

IS HEREBY AUTHORIZED PURSUANT TO **SALES AND USE TAX LAW** TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION. THIS PERMIT IS VALID FOR THE PERIODS SHOWN AND IS NOT TRANSFERABLE.

For general tax questions, please call our Customer Service Center at 1-800-400-7115 (TTY:711).
For information on your rights, contact the Taxpayers' Rights Advocate office at 1-888-324-2798 or 1-916-324-2798.

BOE-442-ST REV. 5 (11-14)

A MESSAGE TO OUR NEW PERMIT HOLDER

As a seller, you have rights and responsibilities under the Sales and Use Tax Law. In order to assist you in your endeavor and to better understand the law, we offer the following sources of help:

- Visiting our website at *www.boe.ca.gov*
- Visiting a field office
- Attending a Basic Sales and Use Tax Law class offered at one of our field offices
- Sending your questions in writing to any one of our offices
- Calling our toll-free Customer Service Center at 1-800-400-7115 (TTY:711)

As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. You also have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,

- You have the right to seek reimbursement of the tax from your customer
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the California State Board of Equalization (BOE)
- You are responsible for following the regulations set forth by the BOE

As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a BOE representative when requested. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a BOE office, or giving it to a BOE representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with the BOE, please contact the Taxpayers' Rights Advocate office for help by calling toll-free, 1-888-324-2798 or 1-916-324-2798. Their fax number is 1-916-323-3319.

Please post this permit at the address for which it was issued and at a location visible to your customers.

CALIFORNIA STATE BOARD OF EQUALIZATION
Sales and Use Tax Department

Index 5942
PCA 59420
Source Code 125700-06

OFFICE OF THE STATE FIRE MARSHAL
RETAIL FIREWORKS LICENSE APPLICATION

(Print or Type)

Complete and return all copies to the office nearest stand location with the required fee of $50.00.
APPLICATIONS MUST BE RECEIVED PRIOR TO JUNE 15 OF THE CURRENT YEAR.

1131 S Street
Sacramento, CA 95811
(916) 445-8373

RETAIL FIREWORKS LICENSE

Licensee C.M.H.S. CHEER

Stand Location 233 E. 17TH STREET

City, State & Zip COSTA MESA, CA

County ORANGE

LOCAL CONTACT PERSON

Name LAURA LIRA

Phone (714-738-1002

-Notice-
COPY OF THIS NOTICE MUST BE POSTED AT STAND WITH A COPY OF THE LOCAL PERMIT

A validated license has been issued to this organization shown above for the sale of Safe and Sane fireworks at the location indicated. After a permit has been issued by the authority having jurisdiction this license allows the sale of only classified "Safe and Sane" fireworks at the approved location from NOON, JUNE 28 to NOON, JULY 6, of the year indicated. **NOTE:** Retail licensees are required to be at least 21 years of age, employees of fireworks stands must be at least 18 and fireworks may not be sold to anyone under the age of 16.

STATE FIRE MARSHAL
JUNE 28 2016 JULY 6 2016
W002309

MAILING ADDRESS OF LICENSEE

Name TNT FIREWORKS

Address 555 N. GILBERT

City,State & Zip FULLERTON, CA 92833

Teri Martinez
Signature of Applicant

FIRE AUTHORITY HAVING JURISDICTION

Fire Dept. COSTA MESA FIRE DEPT.

Address P.O. BOX 1200

City, State & Zip COSTA MESA, CA 92628

Signature of Applicant

4/20/16
Date

1905820 XXX2587
White-Licensee • Yellow-Fire Authority • Pink- SFM File

OSP 12 128820

(11)

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

11/1/2016

DATE (MM/DD/YYYY) 2/26/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Lockton Companies
3280 Peachtree Road NE, Suite #250
Atlanta GA 30305
(404) 460-3600

CONTACT NAME:
PHONE (A/C, No, Ext):
FAX (A/C, No):
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Everest Indemnity Insurance Company	10851
INSURER B : Maxum Indemnity Company	26743
INSURER C : Berkshire Hathaway Homestate Ins Co	20044
INSURER D : Continental Divide Insurance Company	35939
INSURER E : Cypress Insurance Company (CA)	10855
INSURER F :	

INSURED
1359665
American Promotional Events, Inc.
DBA TNT Fireworks, Inc.
555 North Gilbert Avenue
Fullerton CA 92833
XXX2587

COVERAGES **CERTIFICATE NUMBER:** 12249332 **REVISION NUMBER:** XXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT X LOC OTHER:	Y	N	SI8GL00242-151	11/1/2015	11/1/2016	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 500,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident)	$ XXXXXXX
							BODILY INJURY (Per person)	$ XXXXXXX
							BODILY INJURY (Per accident)	$ XXXXXXX
							PROPERTY DAMAGE (Per accident)	$ XXXXXXX
								$ XXXXXXX
B	UMBRELLA LIAB X OCCUR X EXCESS LIAB CLAIMS-MADE DED RETENTION $	Y	N	EXC6023470-03	11/1/2015	11/1/2016	EACH OCCURRENCE	$ 1,000,000
							AGGREGATE	$ 1,000,000
								$ XXXXXXX
C D E	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) Y/N N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	N	AMWC605740 (AOS) AMWC606356 (OR) AMWC607196 (CA)	11/1/2015 11/1/2015 11/1/2015	11/1/2016 11/1/2016 11/1/2016	X PER STATUTE OTH-ER	
							E.L. EACH ACCIDENT	$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
THIS CERTIFICATE SUPERSEDES ALL PREVIOUSLY ISSUED CERTIFICATES FOR THIS HOLDER, APPLICABLE TO THE CARRIERS LISTED AND THE POLICY TERM(S) REFERENCED.
Additional Insured: Property Located at 233 E. 17th Street, Costa Mesa, CA 92626 (XXX2587) Certificate holder is an additional insured on the General Liability as required by written contract subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER

12249332
C.M. H.S. Cheer and the City of Costa Mesa
their officers, agents and employees when acting
in their official capacities as such
77 Fair Drive
Costa Mesa CA 92626

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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INSPECTION DATE 6/29

TNT FIREWORKS

SALES ASSOCIATE LAURA CITY COSTA MESA

LOCATION# XXX2587 ORGANIZATION CMHS CHEER

SIZE 8 X 24 TYPE NN BACK DOORS 0 A-FRAMES 2

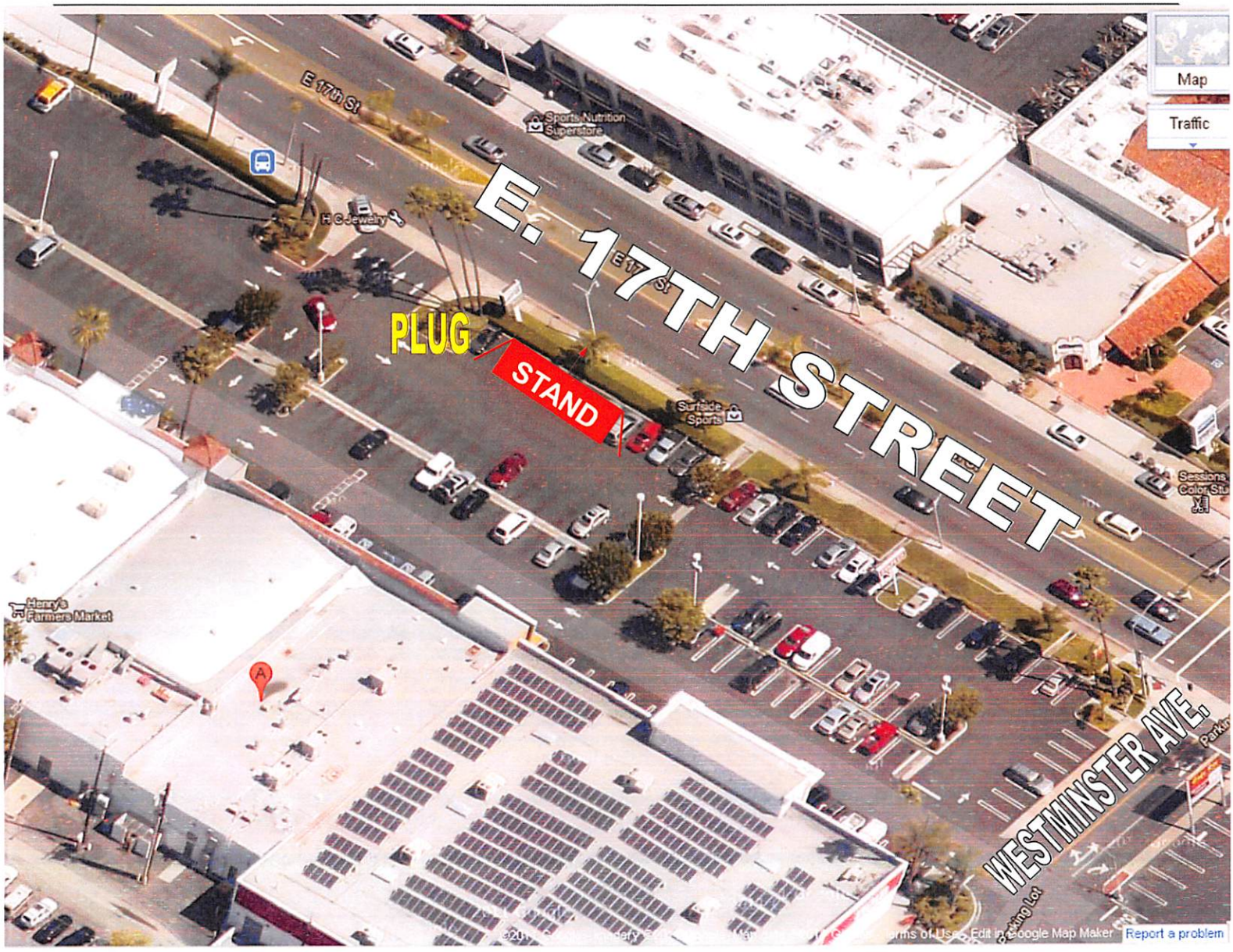
SET-UP 6/28 PER P.O. DOWN 7/5 PER P.O. LIGHTS MCGILLS

ADDRESS 233 E. 17TH STREET (SURFSIDE SPORTS)

INTERSECTION SEC 17TH & WESTMINSTER OR EAST OF SEC 17TH & ORANGE

THOMAS GUIDE — COUNTY OC PAGE 888 GRID J5

SPECIAL INSTRUCTIONS SET STAND 12' BACK FROM SIDEWALK, FACING 17TH ST. START IN THE SECOND PARKING STALL, JUST EAST OF CEMENT CURB DIVIDING THE PARKING LOTS AND SIGN



2016
CITY OF COSTA MESA
Fire Prevention Bureau
Telephone: 714.327.7400

SITING OF FIREWORKS STANDS

PURPOSE
To ensure fireworks stands are located and installed in compliance with codes governing their installation and with the authority of the property owner. Property owners who approve their location and installation must be totally aware of the consequences of fireworks stands could have on vehicle parking. This standard ensures the siting of fireworks stands is in conformance with the Costa Mesa Municipal Code before being set in place and is authorized by the person (s) having control of the property.

REQUIREMENTS
A minimum of 100 feet from any gasoline dispenser or room in which vehicles containing gasoline are repaired; a minimum distance of 35 feet to any structure; a minimum distance of 5 feet to any sidewalk or 10 feet from curbing where no sidewalk exits; no parking within 10 feet of fireworks stand; provide adult night watchperson.

REQUIRED SUBMITTAL
A site map shall be provided to the Fire Prevention Bureau prior to siting fireworks stands in the City of Costa Mesa (deliver with application to the Finance Department). The site plan shall be drawn to scale and show the following at a minimum: all property lines; surrounding streets and sidewalks with distance to stand indicated; all buildings within 100 feet of the stand with distance to buildings and occupancy use of buildings indicated; all parking spaces within 100 feet of stand; location of adult night watchperson; location and type of power source; a written statement of how **NO PARKING** within 10 feet will be enforced.

*Placement, setback requirements and property owners/agents authorization for fireworks stand is as follows:

LOCATION
Vacant lots on which stands are erected and maintained shall be free of all weeds and combustible material before the erection of any fireworks stand. It shall be the responsibility of the stand operator to see that this procedure is carried out.

The minimum placement requirements: 1) 100 feet from any gasoline dispenser or storage; 2) 35 feet from any structure; 3) 5 feet from sidewalks or 10 feet from curbing if no sidewalks; 4) location of power source if any (existing source "ES" or generator "G"). *Also note on site plan the location of the adult night watchperson (noted on site plan as "WP").

PROPERTY OWNER/Agent
Authorized by:
DMP Mesa 8, LLC,
a California limited liability company

_____ Date October 22, 2015

Mark Perlmutter, President
Print Name

Check the applicable box: [X] Owner [ ] Agent

DMP MESA 8, LLC
233 E. 17TH STREET
Loc# XXX2587