

- (c) The purpose for which the applicant is primarily existing and for which it was organized;
 - (d) The names and addresses of the officers, if any, of the applicant;
 - (e) The location where the applicant will sell fireworks;
 - (f) When the applicant was organized and established;
 - (g) The location of the applicant's principal and permanent meeting place;
 - (h) The name, address, and state fire marshal's license number of any wholesaler or distributor from whom the retailer proposes to purchase fireworks for resale;
 - (i) The applicant's state board of equalization sales tax permit number;
 - (j) The manner, method and times, when and how the applicant proposes to sell safe and sane fireworks;
 - (k) Such other information as the director of finance may require to make his investigation.
- (Ord. No. 04-5, § 1, 5-17-04)

Sec. 9-183. Time for filing; non-transferability; duration.

An application shall be filed on or before June 1 of the calendar year for which the permit is sought. Any permit issued shall be valid for the premises or location for which issued, shall not be transferable, assignable or renewable, and shall be valid only for the dates specified in the permit. (Ord. No. 04-5, § 1, 5-17-04)

Sec. 9-184. Location approval.

Before granting the permit, the director of finance shall obtain clearance of the location from the fire department of the City of Costa Mesa. (Ord. No. 04-5, § 1, 5-17-04)

Sec. 9-185. Issuance of permit.

The director of finance shall, on satisfying himself that the applicant meets the requirements of this article, grant a permit, subject to any conditions the director deems necessary for the public's safety and general welfare. (Ord. No. 04-5, § 1, 5-17-04)

Sec. 9-186. Permit and clean-up fees.

(a) The permit fee for selling fireworks within the city shall be set by resolution of the city council. The permit fee must be paid at the time the application for a fireworks stand is filed.

(b) A separate fee shall be set by resolution of the city council for the city's fireworks clean-up fee. The fireworks clean-up fee shall be paid at the time the application for a fireworks stand is filed. (Ord. No. 06-3, § 2, 2-7-06)

Sec. 9-187. Compliance with permit restrictions.

Any person operating a temporary stand for the display and sale of fireworks shall abide by and comply with all the requirements set forth in the application for a permit to operate the same and all conditions and restrictions imposed by the director of finance in granting the permit. (Ord. No. 04-5, § 1, 5-17-04)

Sec. 9-188. Bond to ensure removal.

Prior to the erection of any temporary stand for the display and sale of fireworks, the permittee shall post with the city a cash deposit in a sum set by resolution of city council to be forfeited to the city in the event the permittee does not remove said stand, equipment and rubbish from the premises upon which the stand is located before midnight of July 7, of the year for which said permit is granted. The fire department shall make an inspection, and, if all equipment, rubbish and debris are removed by the permittee as aforesaid, it shall notify the director of finance and the cash bond shall thereupon be returned to the permittee. (Ord. No. 04-5, § 1, 5-17-04)

Sec. 9-189. Insurance required.

Prior to the erection of any temporary stand for the display and sale of fireworks, the permittee shall procure public liability and property insurance covering its operation in and about said stand and premises in a minimum amount of one million dollars (\$1,000,000) combined single limit. The permittee shall file a certificate of such insurance with the city clerk. (Ord. No. 04-5, § 1, 5-17-04)

Sec. 9-190. Prohibitions; state permit required.

(a) No person shall discharge, sell or offer for sale, any fireworks within the city which are classified as dangerous fireworks, or wood core or metal core sparklers as those terms are defined by the California Health and Safety Code.

(b) No person shall sell or offer for sale fireworks within the city without first having obtained a Retail Fireworks License from the Office of the State Fire Marshal as required under the laws of the State.

(c) No person shall sell or offer for sale fireworks within the city to a person under the age of eighteen (18) years.

(d) No person shall sell or offer for sale fireworks within the city unless such sale occurs between July 1st and 8:00 p.m. on July 4th, inclusive.



(e) No person shall discharge any fireworks of any kind within the city, except on July 4th between 4:00 p.m. and 10:00 p.m. of such day.

(f) No person under the age of eighteen (18) years shall discharge any fireworks unless in the presence of an adult.

(g) No person shall throw, toss, project or position an ignited firework of any kind in such a manner as to cause the firework or contents thereof to come in contact with another person's body, private property or real property.

(h) No person shall sell or offer for sale any fireworks in violation of the regulations established by city council resolution for the protection of city residents.

(Ord. No. 04-5, § 1, 5-17-04)