

Instructions for Obtaining Firework's Permit City of Springdale, Arkansas

1. Pick up the application in the City Clerk's Office at 201 Spring Street. We can also mail the application to you. (479-750-8117)
2. Completely fill out application.
3. Bring the application to Clayton (in planning) to verify zoning at your location **before signing the lease**. The location has to be in the correct zone to sell fireworks.(479-750-8550-or you may call Clayton)
4. Obtain \$1 Million premises liability insurance from a licensed insurance company.
5. Obtain written proof from the property owner consenting to the operation of a temporary fireworks stand. (the lease will be sufficient)
6. Attach a copy of the Arkansas Sales & Use Tax Permit.
7. Attach Fee of \$500.00 for each location.
8. Purchase the permit from the City Clerk's Office. **Do not mail** in the application without prior approval from the city clerk. (Her number is 479-750-8117)

APPLICANT'S RESPONSIBILITY:

Contact the City of Springdale Fire Marshal. The fire marshal must approve the exact location of the tent and ensure compliance with city ordinances and fire code requirements. All requirements must be met before sales to the public begin. (~~479-751-4510~~ or 479-750-8190)

Permit issued for June 28 through July 5

APPLICATION FOR PERMIT TO SELL FIREWORKS
IN THE CITY OF SPRINGDALE, ARKANSAS

Applicant's Name: _____

Address: _____

Date of Birth: _____

Social Security Number: _____

Company Name: _____

Address: _____

Arkansas Sales & Use Tax Number: _____

(Attach a copy of the State issued Sales & Use Tax Permit)

Business Phone: _____

Cell Phone: _____

Physical Address/Location of Fireworks Stand: _____

Owner of Property: _____

NOTE TO APPLICANT: Prior to the permit being issued, the following must be provided to the City Clerk:

1. _____ Proof that zoning classification of property is C-2, C-5 or A-1 zone provided the A-1 property has frontage on a Federal or State Highway. (See Clayton in the Planning Department-Room 214)
2. _____ Attach proof of \$1 million premises liability insurance provided by a licensed insurance company.
3. _____ If property is not owned by applicant, attach written consent from the property owner.
4. _____ \$500.00 Fee Received-attach copy of receipt

I, the applicant named above, acknowledge all the above information is true and correct to the best of my knowledge and belief, and I further acknowledge that I have received a copy of Ordinance No. 3339 & 3689 governing the sale of fireworks, and I agree if a permit is issued to abide by all terms set out in the ordinance.

Signature: _____

Date: _____

APPLICANT'S RESPONSIBILITY: Contact the Fire Marshal at 479-751-4510 or 479-750-8190

1. _____ Proof that property has been inspected and approved by Springdale Fire Department **prior** to sales to the public.

Original Copy to Citizen: Copies to following: City Clerk, Fire Department, Dispatch, Code Enforcement

NOTICE TO THE PUBLIC

The discharge of bottle rockets
or fireworks that travel on a
stick are prohibited in the
City of Springdale

By order of City of Springdale

Springdale Fire Department

Requirements for Fireworks Stands in the City of Springdale

Fireworks which are not prohibited under law (Ark. Code Ann. § 20-22-701, et seq.) and which are considered consumer fireworks as defined under federal law (27 C.F.R. § 555.11), except for fireworks which travel on a stick, may be sold in the city between June 28th and July 5th of any year, subject to the provisions set out herein.

No person under the age of 16 shall be allowed to purchase fireworks within the city.

Permit Required

Any person desiring to sell fireworks within the city must obtain a permit through the city clerk's office. The charge for each permit shall be \$500.00 per location. Before a permit to sell fireworks is issued by the city clerk, the person applying for the permit must show proof that such location will be insured by a licensed insurance company for \$1,000,000.00 premises liability. A vendor must contact the Springdale Fire Department and arrange for an inspection by the fire marshal to ensure compliance with city ordinance and fire code requirements prior to the sale of fireworks. All locations where fireworks are sold must comply with all Arkansas and federal law, as well as the 2000 International Fire Code and the 2002 Arkansas Fire Prevention Code, as adopted by the city.

A license to sell fireworks is required by the State of Arkansas and may be obtained from the state police.

Bottle Rockets

No person selling fireworks within the city shall be allowed to sell any fireworks which travels on a stick, as these particular fireworks are prohibited to be discharged within the city.

All locations where fireworks are sold within the city shall post a sign, visible to the public, which states,

"The discharge of bottle rockets or fireworks that travel on a stick are prohibited in the City of Springdale."

Possession of fireworks which travel on a stick at any fireworks sale site shall be considered evidence of sale of such fireworks and will result in the immediate revocation of the locations permit.

Structures (tents)

No fireworks shall be sold or stored within a permanent structure of the city. Tents or canopies and their appurtenances shall be adequately roped, braced and anchored to withstand the elements of weather and prevent against collapsing. Documentation of structural stability shall be furnished to the fire code official on request.

Tents or canopies shall be composed of material meeting the flame propagation performance criteria of NFPA 701 or shall be treated with a flame retardant in an approved manner and meet the flame propagation performance criteria of NFPA 701. Tents or canopies shall have a permanently affixed label bearing the identification of size, and fabric or material type.

Location

No fireworks stand shall be located anywhere within the city, except in a C-2, C-5 or A-1 zone provided the A-1 property has frontage on a federal or state highway.

Tents or canopies shall not be located within 50 (setback) from the street or highway. Measurement shall be from the back of curb or edge of pavement where no curb is present.

Tents or canopies shall not be located within 20 feet of lot lines, buildings, other tents, canopies, membrane structures, parked vehicles or internal combustion engines.

Tents or canopies shall not be located within 250 feet of a fuel dispensing facility.

For the purpose of determining required distances, support ropes and guy wires shall be considered as part of the tent or canopy. Lot lines shall be either the inside edge of any fence or as determined by the inspector.

An unobstructed fire break passageway or fire road not less than 12 feet wide and free from guy ropes or other obstructions shall be maintained on all sides of all tents, or canopies unless otherwise approved by the fire code official.

Means of Egress.

Exits shall be spaced at approximately equal intervals around the perimeter of the tent or canopy, and shall be located such that all points are 100 feet or less from an exit.

Tents or canopies shall have at least two (2) exits

The width of each exit shall not be less than 48 inches.

The required width of exits, aisles and passageways shall be maintained at all times to a public way. Guy wires, guy ropes and other support members shall not cross a means of egress at a height of less than 8 feet. The surface of means of egress shall be maintained in an approved manner.

Portable fire extinguishers

Each tent or canopy will have at least one dry chemical fire extinguisher. The fire extinguisher will be rated 4A (or may be a combination of a 2A dry chemical and a 2A pressurized water extinguisher as will be required in 2009) Tents or canopies exceeding 4000 sq feet will be required to have additional fire extinguishers. Fire extinguishers shall be located so as no more than 75 feet must be traveled from any location in the tent or canopy to reach a fire extinguisher. Fire extinguishers shall be located in conspicuous locations where they will be readily accessible and immediately available for use. These locations shall be along normal paths of travel. Fire extinguishers shall not be obstructed or obscured from view. Fire extinguishers shall be installed on the hangers or brackets supplied. Hangers or brackets shall be securely anchored to the mounting surface. Fire extinguishers shall be installed so that its top is not more than 4 feet above the floor.

Fuses Protected

All firework devices that are readily accessible to handling by consumer or purchaser must have their fuses protected in such a manner as to protect against accidental ignition. Safety type thread wrapped and coated fuses are exempt.

Combustible materials

The areas within and adjacent to the tent shall be maintained clear of all combustible materials or vegetation that could create a fire hazard within 20 feet of the structure. Combustible trash shall be removed at least once a day from the structure during the period the structure is occupied by the public.

Smoking

Smoking shall not be permitted in tents or canopies. Approved "No Smoking" signs shall be conspicuously posted at each entrance.

Fireworks discharge

Fireworks shall not be ignited, discharged, or otherwise used within 300 ft.

Open or exposed flame

Open flame or other devices emitting flame, fire or heat or any flammable or combustible liquids, gas, charcoal or other cooking device or any other unapproved devices shall not be permitted inside or located within 20 feet of the tent or canopy.

Clearance

There shall be a minimum clearance of at least 3 feet between the fabric envelope and all contents located inside the tent or membrane structure

Flammable and combustible liquids

Flammable-liquid-fueled equipment shall not be used in tents or canopies. Flammable and combustible liquids shall be stored outside in an approved manner not less than 50 feet from tents or canopies. Refueling shall be performed in an approved location not less than 20 feet from tents or canopies.

New June 2003

That which is underlined is added, that which is marked through is deleted

ORDINANCE NO. 3339

AN ORDINANCE AMENDING SECTION 46-56, "FIREWORKS" IN THE CODE OF ORDINANCES FOR THE CITY OF SPRINGDALE, ARKANSAS, TO ALLOW FOR THE SALE OF CERTAIN FIREWORKS UNDER CERTAIN CONDITIONS IN THE CITY OF SPRINGDALE, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, the City Council for the City of Springdale, Arkansas, finds that since fireworks are permitted to be discharged within the City, under certain circumstances, fireworks should also be allowed to be sold within the City of Springdale, Arkansas;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:

Section 1. Section 46-56 of the Code of Ordinances of the City of Springdale is hereby amended to read as follows:

Sec. 46-56. Fireworks.

(a) (1) No person shall sell or distribute in the City of Springdale, Arkansas, any firecrackers, sky rockets, bottle rockets, sparklers, roman candles, or any other explosive used for amusement purposes, or any other device or composition used to obtain visible or audible pyrotechnic display, except as specifically set out herein.

(a) (2) Fireworks which are not prohibited under law (Ark. Code Ann. §20-22-701, et. seq.) and which are considered consumer fireworks as defined under federal law (27 C.F.R. §555.11) may be sold in the City of Springdale, Arkansas, between June 28th and July 5th of any year, subject to the provisions set out herein. Any person desiring to sell fireworks within the City of Springdale must obtain a permit through the City Clerk's Office. The charge for each permit shall be \$500.00 per location. One-half of the permit fee (\$250.00) shall be placed in the revenue account of the Springdale Fire Department to cover the cost of fire inspections of locations where fireworks are sold. Before a permit to sell fireworks is issued by the City Clerk, the person applying for the permit must show proof that such location will be insured by a licensed insurance company for One Million Dollars premises liability.

(a) (3) No fireworks shall be sold or stored within a permanent structure of the City of Springdale. Further, no fireworks stand shall be located anywhere within the City of Springdale, except in a C-2 zone. All locations where fireworks are sold must comply with all Arkansas and federal law, as well as the 2000 International Fire Code

Fire Works Ordinance

and the 2002 Arkansas Fire Prevention Code, as adopted by the City of Springdale, Arkansas.

(a) (4) No person selling fireworks within the City of Springdale shall be allowed to sell any fireworks which travels on a stick, as these particular fireworks are prohibited to be discharged within the City of Springdale.

(a) (5) No fireworks stand shall be located within 250 feet of a fuel dispensing facility and all fireworks stands must have at least 50 foot setback from the street or highway.

(a) (6) No person under the age of 16 shall be allowed to purchase fireworks within the City of Springdale, Arkansas.

(a) (7) All locations where fireworks are sold within the City of Springdale shall post a sign, visible to the public, which states, "The discharge of bottle rockets or fireworks that travel on a stick are prohibited in the City of Springdale."

(b) (1) No person shall ~~possess or~~ discharge at any place, public or private, within the city boundaries of Springdale, Arkansas, any aerial firework(s) which travels on a stick, except a permit may be obtained for a public display of fireworks, as more particularly set out in this ordinance.

(b) (2) The fire chief shall permit the use of fireworks for a public display when all provisions of ~~NFPA~~ NFPA 1123 are met and after all necessary permits have been issued. If any such permit is issued, any such display shall be handled by a competent operator approved by the fire chief, and shall be of such character and so located, discharged or fired so as not to be hazardous to property or endanger any person. No such permit shall be authorized except between the hours of 8:00 a.m. and 11:00 p.m. on July 1st through July 4th of any year.

(c) No fireworks, including firecrackers, sparklers, or roman candles may be discharged within the City of Springdale, Arkansas, except as set out as follows:

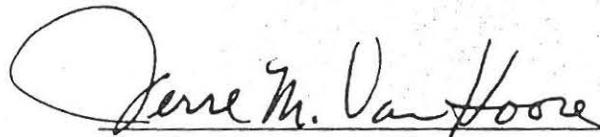
(c) (1) All legal fireworks, except aerial fireworks that travel on a stick, may be discharged on private property between the hours of 8:00 a.m. and 10:00 p.m. on July 1st through July 4th of any year, provided that the owner of the private property consents to such discharge of the fireworks; and

(c) (2) A person of at least 21 years of age shall supervise the discharge of any fireworks if any person participating in the activity is under the age of 16.

Section 2. In no other respects is the ordinance amended, except as specifically set out herein.

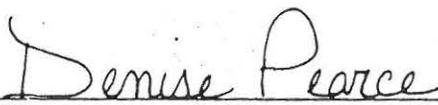
Section 3. Except for the provisions related to the \$500.00 permit fee and the fire inspection required, nothing else in this ordinance shall apply to the fireworks stand located at Highway 412 West and Jones Road, for the remaining years in which they were grandfathered under Ordinance No. 3213, which means the other provisions of this ordinance shall not apply to this location during the years 2003 and 2004.

PASSED AND APPROVED this 10th day of June, 2003.



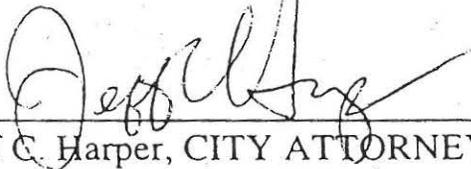
Jerre M. Van Hoose, MAYOR

ATTEST:



Denise Pearce, CITY CLERK

APPROVED AS TO FORM:



Jeff C. Harper, CITY ATTORNEY

ORDINANCE NO. 3689

AN ORDINANCE AMENDING SECTION 46-56 OF THE CODE OF ORDINANCES FOR THE CITY OF SPRINGDALE, TO DECLARE AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, the City Council for the City of Springdale finds that Section 46-56 of the Code of Ordinances for the City of Springdale, Arkansas is in need of amendment to allow the zones in which fireworks can be sold to be expanded to C-5 and A-1 zones;

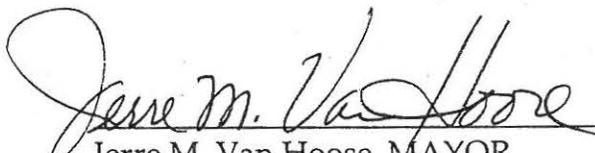
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that Sections 46-56(a)(2) and 46-56(a)(3) shall be amended to read as follows:

(a) (2) Fireworks which are not prohibited under law (Ark. Code Ann. § 20-22-701, et. seq.) and which are considered consumer fireworks as defined under federal law (27 C.F.R. § 555.11) may be sold in the city between June 28th and July 5th of any year, subject to the provisions set out herein. Any person desiring to sell fireworks within the city must obtain a permit through the city clerk's office. The charge for each permit shall be \$500.00 per location. One-half of the permit fee (\$250.00) shall be placed in the revenue account of the city fire department to cover the cost of fire inspections of locations where fireworks are sold. Before a permit to sell fireworks is issued by the city clerk, the person applying for the permit must show proof that such location will be insured by a licensed insurance company for \$1,000,000.00 premises liability. A vendor must contact the Springdale Fire Department and arrange for an inspection by the Fire Marshal to ensure compliance with city ordinance and fire code requirements prior to the sale of fireworks.

(a) (3) No fireworks shall be sold or stored within a permanent structure of the city. Further, no fireworks stand shall be located anywhere within the city, except in a C-2, C-5 or A-1 zone provided the A-1 property has frontage on a Federal or State highway. All locations where fireworks are sold must comply with all Arkansas and Federal law, as well as the 2000 International Fire Code and the 2002 Arkansas Fire Prevention Code, as adopted by the city.

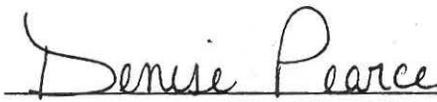
Emergency Clause. It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this 24th day of May, 2005.



Jerre M. Van Hoose, MAYOR

ATTEST:



Denise Pearce, CITY CLERK

APPROVED AS TO FORM:



Jeff C. Harper, CITY ATTORNEY

ORDINANCE NO. 4131

**AN ORDINANCE AMENDING SECTION 46-56
ENTITLED THE FIREWORKS ORDINANCE.**

WHEREAS, Section 46 of the Springdale Code of Ordinances, contains regulations pertaining to the use of fireworks in the City of Springdale, Arkansas; and

WHEREAS, Section 46-56(b)(2) of the Springdale Code of Ordinances provides that the fire chief shall permit the use of fireworks for a public display when all provisions of NFPA 1123 are met and after all necessary permits have been issued and further that no such permit shall be authorized except on July 1st through July 4th; and

WHEREAS, there is a desire to provide fireworks for public display during other days of the year at professional sporting events;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that Section 46-56 of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

Sec. 46-56. Fireworks.

(a) (1) No person shall sell or distribute in the city any firecrackers, sky rockets, bottle rockets, sparklers, roman candles, or any other explosive used for amusement purposes, or any other device or composition used to obtain visible or audible pyrotechnic display, except as specifically set out herein.

(a) (2) Fireworks which are not prohibited under law (Ark. Code Ann. § 20-22-701, et seq.) and which are considered consumer fireworks as defined under federal law (27 C.F.R. § 555.11) may be sold in the city between June 28th and July 5th of any year, subject to the provisions set out herein. Any person desiring to sell fireworks within the city must obtain a permit through the city clerk's office. The charge for each permit shall be \$500.00 per location. One-half of the permit fee (\$250.00) shall be placed in the revenue account of the city fire department to cover the cost of fire inspections of locations where fireworks are sold. Before a permit to sell fireworks is issued by the city clerk, the person applying for the permit must show proof that such location will be insured by a licensed insurance company for \$1,000,000.00 premises liability. A vendor must contact the Springdale Fire Department and arrange for an inspection by the fire marshal to ensure compliance with city ordinance and fire code requirements prior to the sale of fireworks.

(a) (3) No fireworks shall be sold or stored within a permanent structure of the city. Further, no fireworks stand shall be located anywhere within the city, except in a C-2, C-5 or A-1 zone provided the A-1 property has frontage on a federal or state highway. All locations where fireworks are sold must comply with all Arkansas and federal law, as well as the 2000 International Fire Code and the 2002 Arkansas Fire Prevention Code, as adopted by the city.

(a) (4) No person selling fireworks within the city shall be allowed to sell any fireworks which travels on a stick, as these particular fireworks are prohibited to be discharged within the city.

(a) (5) No fireworks stand shall be located within 250 feet of a fuel dispensing facility and all fireworks stands must have at least 50 foot setback from the street or highway.

(a) (6) No person under the age of 16 shall be allowed to purchase fireworks within the city.

(a) (7) All locations where fireworks are sold within the city shall post a sign, visible to the public, which states, "The discharge of bottle rockets or fireworks that travel on a stick are prohibited in the City of Springdale."

(b) (1) No person shall discharge at any place, public or private, within the city boundaries, any aerial firework(s) which travels on a stick, except a permit may be obtained for a public display of fireworks, as more particularly set out in this section.

(b) (2) The fire chief shall permit the use of fireworks for outdoor a public display when all provisions of NFPA 1123 are met and after all necessary permits have been issued. If any such permit is issued, any such display shall be handled by a competent operator approved by the fire chief, and shall be of such character and so located, discharged or fired so as not to be hazardous to property or endanger any person. No such permit shall be authorized ~~except between the hours of 8:00 a.m. and 11:00 p.m. on July 1st through July 4th of any year.~~ for the following:

A. Between the hours of 8:00 a.m. and 11:00 p.m. on July 1st through 4th of any year; or

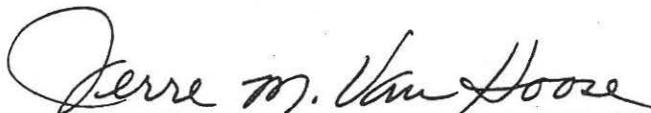
B. At professional sporting events in a P-1 zone provided that the property adjacent to the P-1 zone is commercial or agricultural, between the hours of 6:00 p.m. and 11:00 p.m. on April 1st through September 15th of any year.

(c) No fireworks, including firecrackers, sparklers, or roman candles may be discharged within the city except as set out as follows:

(c) (1) All legal fireworks, except aerial fireworks that travel on a stick, may be discharged on private property between the hours of 8:00 a.m. and 10:00 p.m. on July 1st through July 4th of any year, provided that the owner of the private property consents to such discharge of the fireworks; and

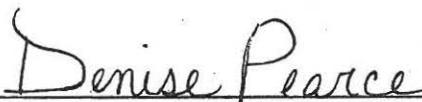
(c) (2) A person of at least 21 years of age shall supervise the discharge of any fireworks if any person participating in the activity is under the age of 16.

PASSED AND APPROVED this 13th day of November, 2007.



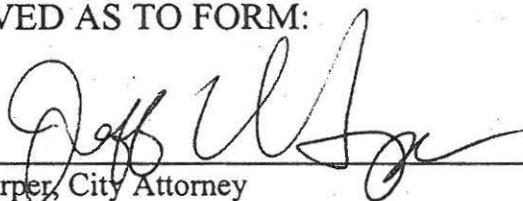
Jerre M. Van Hoose, Mayor

ATTEST:



Denise Pearce, City Clerk

APPROVED AS TO FORM:



Jeff C. Harper, City Attorney

ORDINANCE NO. 1072

**AN ORDINANCE AMENDING SEC. 46-56, FIREWORKS,
TO ALLOW THE PUBLIC DISPLAY OF FIREWORKS IN
CONNECTION WITH THE RODEO OF THE OZARKS IN
THE CITY OF SPRINGDALE, ARKANSAS.**

WHEREAS, Sec. 46-56(b)(2) of the Code of Ordinances of the City of Springdale, Arkansas, allows the Fire Chief to permit the use of fireworks for outdoor public display when certain provisions are met on July 1 through July 4 of any year;

WHEREAS, the Rodeo of the Ozarks has traditionally been held July 1 through July 4, but has since changed their schedule so that the rodeo will be held Wednesday through Saturday during the week of the year closest to July 4;

WHEREAS, the City Council for the City of Springdale, Arkansas, finds that the Code of Ordinances should be amended to allow the Rodeo of the Ozarks to continue to obtain a permit during the four days of the Rodeo of the Ozarks, which is always held in late June or early July;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that Sec. 48-56(b)(2) shall be amended as follows:

Sec. 46-56. Fireworks.

(b)(2) The fire chief shall permit the use of fireworks for outdoor public display when all provisions of NFPA 1123 are met and after all necessary permits have been issued. If any such permit is issued, any such display shall be handled by a competent operator approved by the fire chief, and shall be of such character and so located, discharged or fired so as not to be hazardous to property or endanger any person. No such permit shall be authorized except for the following:

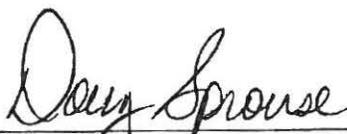
A. Between the hours of 8:00 a.m. and 11:00 p.m. on July 1st through July 4th of any year; or

B. At professional sporting events in a P-1 zone provided that the property adjacent to the P-1 zone is commercial or agricultural, between the hours of 6:00 p.m. and 11:00 p.m. on April 1st through September 30th of any year; or

C. During the four day performance of the Rodeo of the Ozarks held at the rodeo grounds at Old Missouri Road and Emma Avenue before the hours of 11:00 p.m. and as part of the Rodeo of the Ozarks celebration;

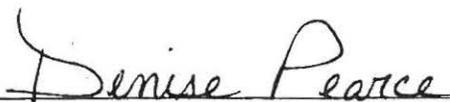
~~D.~~ Small test firing to determine the feasibility of the discharge site for future public display, provided no salute shells are discharged and provided that any such test firings shall be between the hours of 6:00 p.m. and 10:00 p.m., between April 1st and June 30th of any year.

PASSED AND APPROVED this 13th day of March, 2012.



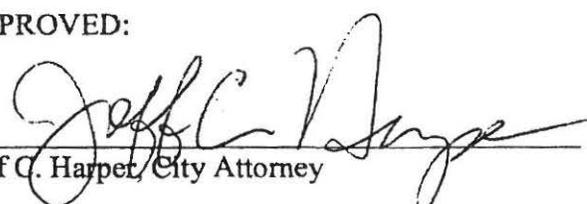
Doug Sprouse, Mayor

ATTEST:



Denise Pearce, City Clerk

APPROVED:



Jeff C. Harpet, City Attorney