



# CITY OF TOPEKA

City Clerk  
City Hall, 215 SE 7<sup>th</sup> St, Room 166  
785-368-3941

Brenda Younger, M.M.C.  
[www.topeka.org](http://www.topeka.org)  
Email: [cclerk@topeka.org](mailto:cclerk@topeka.org)

## FIREWORKS STAND APPLICATION

**(Application Deadline MAY 31)**

### APPLICANT INFORMATION

#### (Contact)

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

### BUSINESS INFORMATION (Fireworks Stand Location)

Name: \_\_\_\_\_

Location or Address: \_\_\_\_\_ Zip: \_\_\_\_\_

**Parcel Identification Number:** \_\_\_\_\_  
**(REQUIRED)**

**Zoning Verification:** \_\_\_\_\_ (Fireworks Stands must be located in properly zoned areas that generally include Commercial and Industrial Zoned areas; however, some exceptions may apply. To verify zoning, you can access the City of Topeka interactive zoning map at [www.topeka.org/planning](http://www.topeka.org/planning); or contact the Planning & Development Department at [planning@topeka.org](mailto:planning@topeka.org) or call 785-368-3728.)

State Sales Tax Number: \_\_\_\_\_

### LICENSING INFORMATION

*TMC Section 8.35.070: FIREWORKS*

**FIREWORKS** shall mean any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, or detonation that meets the definition of “consumer fireworks” or “display fireworks” as set forth in this code. [NFPA 1124, 2006]

**CONSUMER FIREWORKS** shall mean any small firework devices containing restricted amounts of pyrotechnic composition, designed primarily to produce visible or audible effects by combustion that comply with the construction, chemical composition, and labeling regulations of the U.S. Consumer Product Safety Commission (CPSC), as set forth in CPSC [16 CFR 1500](#) and [1507](#), [49 CFR 172](#), and APA Standard 87-1, Standard for the Construction and Approval for Transportation of Fireworks, Novelties and Theatrical Pyrotechnics [NFPA 1124, 2006]. Metal sparklers are specifically excluded from the definition of consumer fireworks.

**DISPLAY FIREWORKS** shall mean large fireworks devices that are explosive material intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation, as set forth in CPSC [16 CFR 1500](#) and [1507](#), [49 CFR 172](#), and APA Standard 87-1, Standard for the Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics.

**METAL SPARKLERS** it shall be unlawful for any person to possess, transport, or ignite a metal sparkler within the city.

### **SALE OF FIREWORKS:**

- (1) It shall be unlawful for any person to sell, hold for sale, or offer for sale at retail, any consumer fireworks in the city unless such person has first obtained a permit from the city as a retailer.
- (2) Any person desiring to sell or offer for sale any consumer fireworks as a retailer shall make application to the city clerk for a permit authorizing the same. Such application shall include the following information and such additional information as the fire chief shall deem necessary:
  - (i) The name and residence address of the applicant.
  - (ii) The location of the premises for which the permit is sought. If ownership of premises is different from the applicant, written consent of the owner is required.
  - (iii) When the permit is sought in a temporary structure or facility, the applicant shall provide a legal description of the premises, a description of the structure or facility to be used, and the location of such structure or facility upon the premises. All temporary structures, including tents, shall be posted with the approved NFPA 704 placards. A copy of subsection (c) of this section shall also be posted on all premises where fireworks are sold. Such notice shall be at least eight and one-half inches by 11 inches in size and printed in type no smaller than 12 characters per inch. After an inspection of the premises including review by appropriate city agencies such as the fire department and developmental services director, and consideration of the information contained in the application for a permit, the fire chief may issue a permit therefor, conditioned upon reasonable safety measures to be specified in the permit and upon payment by the applicant of a fee of \$280.00 to the city clerk. Any permit issued under the provisions of this section shall be valid only for the period of June 29th through and including July 4th of the year in which issued and shall be issued in accordance with the International Fire Code article entitled "Permits." Persons responsible for the operations of firework stands in which fireworks are stored or handled shall be familiar with safety requirements for the materials being sold, and the appropriate actions necessary in the event of a fire

**WRITTEN NOTICE REQUIRED:** Additionally, each seller is required to give each purchaser of fireworks at the time of sale a written notice stating the following:

**“DISCHARGE OF FIREWORKS IS LAWFUL IN THE CITY OF TOPEKA ON JULY 3, FROM THE HOURS OF 10:00 A.M. TO 11:00 P.M., AND ON JULY 4 FROM 10:00 A.M. TO 11:59 P.M. DISCHARGE ON ANY OTHER DAY OR DURING ANY OTHER TIMES IS UNLAWFUL.”**

**PENALTIES:** Any person convicted of violating any of the provisions in this section shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$250.00 to a maximum amount of \$499.00 per violation. In addition to any fine, the individual may be sentenced up to 179 days in jail. The fine shall not be paroled. (Ord. 20112 § 1, 3-6-18.)

**LICENSE FEE:** **\$280.00** (*Cash, Check or Credit Card Accepted - Payable to the City of Topeka*)

**LICENSE PERIOD:** **June 29 through July 4** (*6 Calendar Days*)

**APPLICATION DEADLINE:** **May 31**

I, \_\_\_\_\_, the above named applicant, do solemnly swear I have reviewed the content and requirements contained in Chapter 8.35 of the Topeka Municipal Code, which regulates Fireworks in the City of Topeka, and affirm that all information contained in the above application is accurate, complete and true.

\_\_\_\_\_  
Applicant Signature

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**(Office Use Only)**

License Fee: \$280    Cash ( ) Charge ( ) Check ( ) Check No. \_\_\_\_\_

Date Paid: \_\_\_\_\\_\_\_\_\\_\_\_\_    License No.: FRWK \_\_\_\_\_

Fire Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

Planning: \_\_\_\_\_ Date: \_\_\_\_\_