



Lindsay Department of Public Safety
Rick Carrillo – Director of Public Safety
185 N. Gale Hill Ave
Lindsay, Ca 93247
Tel: (559)562-2511
Fax: (559)562-7126

TO: APPLICANT

DATE: MAY 10, 2023

FROM: RICK CARRILLO, DIRECTOR OF PUBLIC SAFETY

A handwritten signature in blue ink, appearing to be "Rick Carrillo", is written over the printed name.

SUBJECT: RETAIL SALE OF SAFE & SANE FIREWORKS

Attached please find a copy of Fire Ordinance 8.22, which gives details for filing a fireworks application. **Application, attachments, and fees must be filed and paid on or by noon, Friday, June 9, 2023 at the Lindsay Public Safety Department.**

For your information, the following forms are required to be filed:

1. Application for Permit for Retail Sale of Safe and Sane Fireworks (City Service/Planning).
2. California State Fire Marshal Retail Fireworks Application (California State Fire Marshal). (Generally, your sales representative will obtain).
3. Retailer Fireworks Permit (City of Lindsay website).
4. Property Owner's Permission Slip -Must be filled Out- (City of Lindsay website).
5. Business License Application (City of Lindsay website or Lindsay Finance Department).
6. Application for Temporary Seller's Permit (State of California, Board of Equalization).
7. Insurance.
8. Detailed map of the proposed location of the fireworks booth.

Fireworks Ordinance Chapter 8.22 attached.



CITY OF LINDSAY

APPLICATION FOR PERMIT FOR RETAIL SALE OF SAFE & SANE FIREWORKS

I, _____, certify that I am the designated representative of the organization applying for a permit for the retail sale of safe and sane fireworks as shown below. I accept personal responsibility, along with the officers of the organization for the conduct and operation of any fireworks stand operated in sanction with this permit. I have read the provisions of the Lindsay Municipal Code (Ordinance No. 490) and understand that violations provide criminal penalties.

	YES	NO
Organization is non-profit and the principal meeting place is within the boundaries of the City of Lindsay (Certificate of Determination of exemption is attached).		
Organization has provided adequate liability insurance making the provision for the indemnification of and holding harmless of the City of Lindsay (Certificate of Insurance is attached)		
DEPOSIT FEES PAID		
DATE(S) OF SALE	DAYS: _____ to _____ From: _____ to _____	

This Permit may be suspended or revoked at any time if, in the judgment of the Police Chief or City Manager, the construction of the stands or the conduct of the operations do not conform to the provisions of this Ordinance, such officers or either of them, may order the stand immediately closed, and the permit to operate such stand shall then be suspended and/or revoked.

APPROVED BY PLANNING MANAGER ON: _____

 Planning Manager

Once this document is processed, it becomes the actual fireworks permit and should be kept in the fireworks booth.



PERMIT NO. _____

**LINDSAY DEPARTMENT OF PUBLIC SAFETY
Retailer Fireworks Permit**

No person shall “do any of the following”:

- a) Sell any “safe and sane” fireworks as a retailer without a permit.
- b) Make a public display of fireworks without a permit.
- c) Manufacture, possess, or sell any dangerous fireworks.

Pursuant to the above provisions:

I (we) hereby certify that all fireworks now on hand are not “dangerous” fireworks, as defined in the above code, and that any merchandise hereafter purchased and/or offered for sale by me (us) shall be in strict compliance with the provisions of said code and/or any local laws or ordinances, as pertaining thereto.

Storage and sale of all fireworks shall be subject to such restrictions as may be deemed advisable by the granting authority issuing the permit.

ALL ITEMS BELOW MUST BE COMPLETED. INCOMPLETE INFORMATION MAY RESULT IN YOUR APPLICATION FOR A PERMIT BEING DECLINED. A FEE OF \$523.00 PAYABLE TO THE CITY OF LINDSAY IS REQUIRED.

- 1. Applicant’s Name:_____
- 2. Mailing Address:_____
- 3. Contact Phone No:_____
- 4. Stand Location:_____
- 5. Property Owner at Stand Location:_____
- 6. Property Owner’s Address: _____
- 7. I certify I have received written permission from the above owner to locate my stand on his property (Copy Attached). _____
- 8. Insurance Company: _____
- 9. Policy Number:_____
- 10. State Board of Equalization Resale Permit No: _____
- 11. State Fire Marshal’s License No:_____
- 12. Applicant’s Signature:_____

Permit is hereby: Granted _____ Denied _____

Issuing Authority _____ Signature _____

Date: _____ Title: _____



TO: RICK CARRILLO
Director of Public Safety
And Other Interested Parties

PROPERTY PERMISSION USE

TO WHOM IT MAY CONCERN:

THE UNDERSIGNED, OWNER AND/OR CONTROLLING PARTY, OF THE PROPERTY LISTED BELOW HEREBY GRANTS PERMISSION TO:

AND FIREWORKRES CO., INC., THE USE OF THE PROPERTY LOCATED AT:

_____ APN _____
(ASSESSORS PARCEL NUMBER)

CITY OF LINDSAY, COUNTY OF TULARE.

THE ORGANIZATION AND/OR FIREWORKS CO. INC. AGREE TO SEE THAT THE PROPERTY LISTED ABOVE WILL BE CLEARED OF ALL STANDS AND REFUSE WITHIN SEVEN (7) DAYS OF THE CLOSE OF THE SEASON.

NAME - PLEASE PRINT
(PROPERTY OWNER/CONTROLLER OF PROPERTY)

SIGNATURE

DATED: _____ AT _____, CA

PROPERTY OWNER: PLEASE INDICATE BELOW THE NAME OF THE ADDITIONAL INSURED AND HOW YOU WISH YOUR CERTIFICATE OF INSURANCE TO READ:

ADDITIONAL INSURED: _____

CERTIFICATE OF INSURANCE TO BE MAILED TO: _____

Same: _____

PHONE: _____

CERTIFICATE OF INSURANCE WILL BE MAILED PRIOR TO ERECTING OF STANDS AND THE SALE OF ANY MERCHANDISE.

Note: Any change in ownership or address requires a new application.

City of Lindsay Business License Application



FOR CITY USE ONLY
Acct. # _____
Class _____
Cat. Code _____
Bus. Group _____

1-Day Quarterly Semi-annual

Change: **Owner** **Name** **Location**

Business Name _____ Location of Business _____

Type of Business _____ Email _____

Mailing Address _____ City _____ State _____ ZIP _____

Email _____ Phone: () _____ Est. Monthly Gross Receipts _____

Type: Single Owner Partnership Corporation Name of Corporation (if applicable): _____

Owner Name _____

Owner Address _____ City _____ State _____ ZIP _____

State ID# _____ Fed. ID# (if applicable) _____ Board of Equalization # _____

State License# _____ Business Start Date or Date of Relocation _____

Business License Questionnaire

Fully describe/explain the nature of the business below in the space provided and then answer each question listed below

Yes No

1. Will the building be used for education, instruction, daycare, worship, or dining? If yes, how many square feet will you be using? _____ What is the maximum number of people anticipated at any given time?
2. Will the business operation include selling or serving alcoholic beverages? If yes, what type of ABC license? _____ What is the size in square feet of the seating area? _____
3. Is this a home business? If Yes, you must apply for a Home Occupation Business License in addition to this application. Attached ___ Yes ___ No
4. Will the business operation include the sales or serving of tobacco products? If yes, what is the tobacco resale number? _____ What type of tobacco products will be sold? _____
5. Will the business operation include any work, use, or storage conducted outside of a wholly enclosed building? If yes, explain _____
6. Will the business change the occupancy? If yes, specify: _____
7. Will the business operation include discharging any waste, wastewater, or rinse water to the ground, street, or storm drain?
8. Will the business operation include washing of any equipment or vehicles?
9. Will the business operation include the repair or maintenance of motor vehicles?
10. Will the business operation include motor vehicle fuel dispensing including gasoline, diesel, compressed natural gas, liquefied natural gas, liquefied petroleum gas (propane), or hydrogen gas?
11. Will the business operation include any use, processing, handling, storage, or discharge of chemicals, including hazardous chemicals and solvents?
12. Will the business generate any hazardous waste or e-waste at this site?
13. Will the business operation include sanding, cutting, or shaping of wood, metal, plastic, or other products producing combustible dust or fibers?
14. Will the business install, modify, rehabilitate a sign? If yes, apply for sign permit and may require a building permit

15. Will the business operation include manufacturing? If yes, specify _____
16. Will the business operation include the preparation of food or beverages? If food is prepared, must include organic recycling in refuse collection if the business generates 4 cubic yards/per week or more of solid waste

17. Commercial Utility Account:

Before opening a commercial account, you will need the following.

___ Copy of a lease agreement or proof of ownership.

___ Have a signature on the business license by Planning ONLY (this will verify that your business is an allowed use at the location)

___ Have paid the inspections fees

___ Refuse assessment by Mid Valley Disposal. Contact Ricardo Torres at 559-567-0527 to obtain the type of services your business will need:

Recycle: _____ (___)/week **Green waste:** _____ (___)/week **Trash** _____ (___)/week
 (Bin Size) (Bin Size) (Bin Size)

Organic: _____ (___)/week **Locking Bins:** ___ Yes ___ No
 (Bin Size)

___ Are you requesting self-hauling of any of the refuse services above mention? If YES, customer must obtain approval and signature from Mid Valley Disposal Recycling Coordination as well as to submit the REFUSE SELF HAUL CERTIFICATION FORM. Attached ___ Yes ___ No

Self-Haul Certification Authorization:		
Approved By: _____ (Name), Recycling Coordinator	Recycle	Green Waste Cooking Oil
Approved By: _____ (Signature)	Reference No: _____	
Approval Date: _____	Received Self-Haul Certification Form: ___ Yes ___ No	

18. BUILDING OWNER/PROPERTY MANAGEMENT COMPANY INFORMATION

Select one: Building Owner Property Management Company

Name _____

Address _____ City and Zip _____

Telephone contact _____

Approval of the Business License Application does not alleviate the business owner from obtaining the required building permits for previously unpermitted construction or any proposed improvements.

19. Disability Access

UNDER FEDERAL AND STATE LAW, COMPLIANCE WITH DISABILITY ACCESS LAWS IS A SERIOUS AND SIGNIFICANT RESPONSIBILITY THAT APPLIES TO ALL CALIFORNIA BUILDING OWNERS AND TENANTS WITH BUILDINGS OPEN TO THE PUBLIC. YOU MAY OBTAIN INFORMATION ABOUT YOUR LEGAL OBLIGATIONS AND HOW TO COMPLY WITH DISABILITY ACCESS LAWS AT THE FOLLOWING AGENCIES:

- DIVISION OF THE STATE ARCHITECT: <https://www.dgs.ca.gov/dsa>
- DEPARTMENT OF REHABILITATION: <https://www.dor.ca.gov/Home/DisabilityAccessServices>
- CALIFORNIA COMMISSION ON DISABILITY ACCESS: <https://www.dgs.ca.gov/CCDA>

20. Acknowledgements

I ACKNOWLEDGE AND UNDERSTAND THAT IT IS THE RESPONSIBILITY OF THE APPLICANT/LICENSEE TO ENSURE THEIR BUSINESS COMPLIES WITH ALL APPLICABLE CITY OF LINDSAY MUNICIPAL CODES, CITY ZONING ORDINANCES AND STATE AND FEDERAL LAWS. NON-COMPLIANCE MAY RESULT IN THE REVOCATION OF YOUR CITY OF LINDSAY BUSINESS LICENSE. *THE CITY OF LINDSAY RECOMMENDS BUSINESS OWNERS CONTACT THE CITY OF LINDSAY'S PLANNING DEPARTMENT AT (559) 562-7102 EXT 4 **PRIOR TO** RENTING, LEASING OR PURCHASING A PROPERTY TO VERIFY THEIR PROPOSED USE COMPLIES WITH THE CITY OF LINDSAY'S ZONING ORDINANCE.*

I FURTHER UNDERSTAND THAT THE FOLLOWING APPLIES TO BUSINESSES WHO ARE MAKING APPLICATION FOR A CITY OF LINDSAY BUSINESS LICENSE (*Please initial beside each item to acknowledge you have read and understand*):

_____ All signage must be reviewed, approved and permitted by the City of LINDSAY's City Services and Planning Department. Please contact (559) 562-7102 EXT 4 regarding sign permits **PRIOR TO** installation of **ANY** signage.

_____ All modifications, other than aesthetic changes (i.e. painting, flooring), to a structure located within the City of LINDSAY are subject to approval and issuance of a City of LINDSAY Building Permit. These include, but are not limited to, repairs and improvements to plumbing, electrical and mechanical systems. Please contact the City of LINDSAY's City Services Department at (559) 562-7102 EXT 4 **PRIOR TO** any alteration or modification of any building or structure to determine if a building permit is required.

_____ Trash and recycling services **ARE MANDATORY** in the City of LINDSAY.

_____ A business license will not be issued until the application has been reviewed by the Planning Department to determine if any land use approvals (i.e., discretionary permits) are necessary for compliance with zoning regulations. To confirm the zoning of your business, please contact the City of LINDSAY's Planning Department at (559) 562-7102 EXT 4.

_____ The business location will be required to maintain parking lots and existing landscaping if they are determined to be in need of repair. The City of LINDSAY's Planning Department may require landscape for sites that do not have current landscaping. Lot frontage maintenance is the responsibility of the business at this location.

_____ Dependent on the type of tenant improvements which are proposed as part of your business, the site may be required to conform to all Americans with Disabilities Act (A.D.A.) improvements. It is advised that regardless, A.D.A. improvements be made to protect you, the business and/or property owner, from potential litigation. *Consultation with a Certified Access Specialist (CAsp) is strongly advised.*

_____ Contractors shall provide verification of Workers' Compensation Insurance coverage, if required by California law.

_____ To determine if an interceptor (ex, grease traps) is required or if an existing interceptor needs to be serviced in relation to the type of business operation you will be conducting (i.e. restaurant, food preparation, car/truck wash, etc.), please contact the City Services Department at (559) 562-7102 EXT 4

PRIOR TO THE ISSUANCE OF A BUSINESS LICENSE, THE CITY WILL CONDUCT AN INSPECTION OF THE BUSINESS LOCATION, IF LOCATED WITHIN THE INCORPORATED CITY LIMITS OF LINDSAY. THE PREMISES WILL BE INSPECTED **PRIOR TO** THE BUSINESS OPENING FOR BUSINESS AND MUST BE SET UP AND/OR STOCKED. IF THE CITY CANNOT CONTACT THE APPLICANT WITHIN 60 DAYS OF THE APPLICATION DATE, THE APPLICATION WILL CONSIDERED WITHDRAWN, AND ALL FEES PAID WILL BE NONREFUNDABLE.

SUBMITTAL OF A BUSINESS LICENSE APPLICATION AND PAYMENT OF FEE(S) DOES NOT CONSTITUTE AN APPROVAL OF A LICENSE TO OPERATE A BUSINESS. **NO BUSINESS SHALL OPERATE UNTIL THE BUSINESS LICENSE HAS BEEN APPROVED AND ISSUED BY THE CITY OF LINDSAY.**

CAUTION!

Payment of Business Tax does not authorize payer to engage in a business or profession contrary to city ordinances (including zoning ordinances) or state and federal regulations

Sales and Use Tax may apply to your business activities. You may seek written advice regarding the application of tax to your particular business by writing to the nearest State Board of Equalization Office

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Authorized Signature _____ Date _____

FOR CITY USE

APPROVAL DATES	REMARKS	INSPECTION FEE	FEES	
Planning		Building \$	Regular	\$
Building		Fire \$	Application	\$
Fire		Total Insp Fee \$	CASP	\$
Other		PAID DATE:	TOTAL AMOUNT DUE	\$
		RECEIPT #:		
APPROVAL SIGNATURES				
PLANNING DEPT.	BUILDING DEPT.	FIRE DEPT.	OTHER	

Zoning Classification _____
 APN _____
 Class of Building _____

Fire Zone District _____
 Areas and Neighborhood _____
 Occupancy Capacity _____



City of Lindsay Application for Special Event Permit

City Services and Planning Department
150 N. Mirage Ave. Lindsay, CA 93247
(559) 562-7102 ext. 4

Purpose

A Special Event Permit allows City Staff to evaluate proposed uses that may be appropriate in the applicable zone, but whose effects on the site and surrounding areas cannot be determined before a discretionary review by the City Planning Department.

Review Process

Prior to submitting an application, the applicant is required to schedule a Pre-Application Meeting with Planning Staff to determine the Class of special use. This will allow Staff to determine what materials and documentation are required and expedite the process.

Class Description and Required Materials

Class I: Temporary Signs, Grand Opening Banners, Balloons

Requirements: Special Event Permit Application, Site Plan

Class II: Temporary Uses of 31 days or Less (Valentine's Day flower sales, firework sales)

Requirements: Special Event Permit Application, Site Plan, Business License, Property Owner's Permission

Class III: Events with less than 100 attendees

Requirements: Special Event Permit Application, Site Plan, Circulation Plan

Class IV: Events with 100-499 attendees

Requirements: Special Event Permit Application, Site Plan, Circulation Plan, Waste Plan, Safety Plan

Class V: Events with greater than 500 attendees; Events involving the sale of alcohol; Events involving street closures; Concerts; Filming

Requirements: Special Event Permit Application, Site Plan, Circulation Plan, Waste Plan, Safety Plan, ABC License, Fire Department Inspection, Building and Safety Inspection

*Class I, II, and III Events may be approved administratively. Class IV and V Events must be approved by the Lindsay City Council

Class I: \$250

Class III: \$450

Class II: \$350

Class IV: \$800 Deposit

Class V: \$1,500 Deposit

Revised 02-23 by Resolution 22-65

Instructions

This comprehensive application has been designed to assist you in developing your event plan while also informing you of your responsibilities as an event organizer and the fees, requirements, and other permits that may be required. All sections must be completed. Use N/A for "not applicable" for questions or sections that do not apply to your event. Incomplete applications will not be accepted and will delay processing which could affect the availability of your preferred event date or location.

Applicant Information

Name of Applicant/Responsible Party

(must match the signature on page 13)

Street Address

Apt/Unit/Suite

City

State

Zip Code

Email Address

Daytime Phone

Cell Phone

Fax

Name of Event Organizer/Producer

(if different from Applicant)

Street Address

Apt/Unit/Suite

City

State

Zip Code

Daytime Phone

Cell Phone

Fax

Sponsoring Organization/Company

Contact Name

Contact Phone

Street Address

Apt/Unit/Suite

City

State

Zip Code

Public Information

Contact Name

Contact Phone

Email Address

Website

Onsite/Day of Event Contact Information

Contact Name

Contact Cell Number

Event Details

Event Name

Event Location

1Additional Documentation Required: Please attach a copy of your overall event layout (Site Plan) as well as any fenced areas and/or a route map for parades, runs, walks, marches, etc. Maps must include location of stages; bleachers; portable restroom facilities; alcohol dispensing areas; fencing line; entrances, exits and emergency exits; first aid; vendors; inflatables; rides; tents, canopies, booths or other temporary structures; and waste and recycling receptacles/dumpsters. For events with street closures, the site map and/or route map must include surrounding street names; directional arrows; twenty (20) foot emergency fire lane; street closure points; barriers/barricades; signs; start and finish area; water or first aid stations; and band/DJ locations.

Set-up Date(s):

to

Set-up Times:

to

Event Date(s):

to

Event Hours (time event is open to the general public):

to

Step-off Time (applicable only for events with a route such as a parade, run, walk, etc.):

Tear Down

Date(s):

to

Tear Down

Times:

to

Number of Participants (use total number of units/floats for parades):

Number of Spectators:

Total Anticipated Attendance:

Type of Event (check all that apply):

Run Walk Cycling Parade Certified Farmers Market Concert

Street Festival Park Festival Fireworks Promotional/Marketing Fundraiser

Protest/Ralley Filming Tournament

Open to the Public Private Event (not open to the public)

OTHER:

Has this event been produced before? No Yes

Previous name(s), date(s), and location(s) of event:

Will there be an admission or entry fee? No Yes

Event Description (Provide a detailed description of your event. Attach additional pages or materials as needed):

Park Use

The City of Lindsay offers many public parks that can be used as the venue for your event. This application can be used to reserve a park for a special event.

Street Closure Information

There are three types of street closures: 1 hard street closures, 2 rolling street closures and 3 lane closures. If your event includes a street closure, you will need to submit a Traffic Control Plan (TCP). The Director of City Services and Planning will determine whether a professional TCP is required based on the location and type of street closure, if the event will generate additional traffic, or if existing traffic will be severely interrupted. The Director must approve the TCP before the Special Event Permit can be issued. Applicant is responsible for providing and properly placing the necessary traffic control equipment such as barriers/barricades, cones, delineators, and advisory and detour signage to implement the TCP. Street closure points must be manned at all times. In most cases, volunteers will be required to facilitate the closure (including set-up and tear down times). The number of volunteers will depend on the location, type, and nature of the closure. In some cases, Lindsay Police Officers will be required to be stationed at each closure point during the duration of the street closure, for a fee. Applicant is responsible for hiring the officers and a fee for their service will be in addition to the Special Use Permit. Use of volunteers will be determined by the Lindsay Police Department.

Event will occupy: One Lane Two Lanes Half of Street Full Street Sidewalk Only

Closure Type: Rolling Street Closure (Street opens to normal traffic after participants pass)
 Hard Street Closure (Street closed for an extended period of time and/or event equipment will be placed in street for the duration of the event; no vehicle access)

Street Name	Between	and	Start Time	End Time
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Street Name	Between	and	Start Time	End Time
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Street Name	Between	and	Start Time	End Time
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Attach additional pages or materials as needed.

Regional Transit

Any proposed route along Tulare County Area Transit (TCaT) must not impede bus movements. Buses must be allowed to proceed without interruption. If your route impacts TCaT or to request a list of service times, please contact TCaT at (559) 624-7180 or visit www.ridetcat.org. Keeping bus detours to a minimum is appreciated. When detours are required, lead time for notifying TCaT's bus ridership is required.

Parking Plan

When planning your event, it is important to consider the impact your event will have on parking in the area. In some cases, a parking management plan will be required if the venue cannot accommodate the number of anticipated attendees. If a parking management plan is required, you will be required to identify City owned and/or private parking lots that will be utilized, a shuttle plan, the use of carpools, public transportation, ADA accessible parking provisions, and/or special parking requests.

The City of Lindsay has a number of parking facilities available for your event. For information on parking facilities please contact Planning at 559 562-7102 ext. 8041. If your event will have a significant impact on residential parking facilities, you must provide 72 hour notice of the proposed event and potential impacts to local parking.

Accessibility

As an event organizer, you are required to comply with all Federal, State, County and City ADA laws applicable to your event per the Americans with Disabilities Act. All event venues, structures and activities shall be accessible to persons with disabilities. If a portion of your event cannot be made accessible, an alternate area must be provided with the same activities that are in the inaccessible area. This area must include signage indicating that it is an ADA accessible area.

You need to consider the following access as you plan your event: first aid, information center, parking, clear paths of travel (to and from, and inside the event restrooms (see "Restrooms" for requirements, seating, signage, drinking fountains, phones, transportation and access to vendors. If all areas are not accessible, directional signage, a map, or program must be provided to attendees indicating the location of accessible restrooms, parking, drinking fountains, phones, etc.

Compliance with the Americans with Disabilities Act and any and all amendments to the act shall be the sole responsibility of the applicant. The applicant agrees to defend and hold the City harmless from any expense or liability arising from the applicant's non-compliance. For more information about the Americans with Disabilities Act and compliance at events, please visit www.ada.gov.

Security Plan

You may be required to hire Lindsay Police Department officers, a professional security company, or a combination of both in order to obtain your permit. The number and type of security personnel required will depend on anticipated attendance, location of the event, presence of alcohol, history of the event, nature of the event, and street closures.

If you are required to hire Lindsay Police Officers, you will be responsible for reimbursing the Lindsay Police Department for the officers' time. This fee will be in addition to the Special Events Permit fee and a deposit will be required

Alcohol Management Plan

Alcohol service and consumption on public property is allowed by Special Event Permit only. If you are interested in serving or selling alcohol at your event, you will need to receive approval from the Chief of Lindsay Police. Once permission has been granted, you may apply for a California Alcoholic Beverage Control (ABC) license. Commercial enterprises and caterers are subject to different requirements. Please contact ABC's Fresno District Office at (559) 225-6334 or visit www.abc.ca.gov for questions and an application.

The following rules apply to alcohol service or sales on City of Lindsay public property:

- All alcohol must be sold and consumed within a fenced venue (ABC license type will dictate the size and type of fencing)
- If the alcohol area is accessible to all ages, anyone wishing to purchase or consume alcohol must present a current ID, and if that attendee is 21 years of age or older, they must be issued a nontransferable wristband. All attendees must present their wristband to be served or consume alcohol.

- Servers must be 21 years of age or older
- Servers may not consume alcoholic beverages while serving
- Attendees may be served no more than two standard drinks at a time. The City defines one standard drink size as:
 - 12 ounce beer
 - 5 ounces of wine
 - 1 ounce distilled spirit/hard alcohol in a mixed drink
 - Shots are not permitted on public property
- Alcohol cups must be paper or plastic and be distinguishable from other beverages
- Service must end a minimum of 30 minutes before the scheduled event end time
- City Staff may establish a start and end time when alcohol may be served
- Non-alcoholic beverages and water must be available at the event

Are you requesting permission to serve alcohol at your event? No Yes

If yes, which? (Check all that apply): Beer Wine Distilled Spirits

Will the alcohol be sold to the attendees? No Yes Is the event open to all ages? No Yes

Explain your sales plan (ticket system, cash at service area, how IDs will be checked etc.):

Explain who will serve the alcohol (professional bartenders, volunteers, etc.):

How many alcohol service locations will you have and where will they be located (please include on site map):

Do you have an alcohol sponsor? No Yes

If yes, explain:

Medical Plan

Have you made provisions for on-site medical services? No Yes

If yes, please describe your medical plan:

Amplified Sound/Entertainment Related Activities

The City of Lindsay defines "amplified sound" as speech, music or other sound projected or transmitted by electronic equipment including amplifiers, loudspeakers, microphones, or similar devices or combinations of devices which are powered by electricity, battery or combustible fuel and which are intended to increase the volume, range, distance or intensity of speech, music or other sound. In accordance with Lindsay Municipal Code 8.20 Noise Control the following restrictions apply to amplified sound:

- No person shall use amplified sound before 7am and after 10pm unless prior authorization is received, and permission is included in your Special Event Permit.

Will your event include amplified sound? No Yes What times are you requesting amplified sound?

Start Time	End Time
------------	----------

Will sound checks be conducted prior to the start time? No Yes If yes, what time?

Describe the sound equipment that will be used at the event:

Are there any musical entertainment features related to your event?³ ___ No ___ Yes

³Additional Documentation Required: Please attach a performance schedule including all performers/bands/DJs, types of music, and set times

Does the entertainment include the use of fireworks, strobes, lasers, or other electrical equipment?⁴ ___ No ___ Yes

If yes, explain:

⁴Additional Documentation Required: The license holder must submit a letter of intent and shoot schedule. Please contact the Lindsay Fire Department (559) 562-2511 for more information.

Does the entertainment include any inflatables (Bounce Houses)? No Yes

If yes, explain:

Does the entertainment include carnival rides?⁵ No Yes

If yes, explain:

⁵Additional Documentation Required: The carnival company must submit a letter of intent with a site plan to the Lindsay Fire Department. Please contact the Fire Department at (559) 562-2511 for more information.

Does the entertainment include animals (petting zoo, pony rides, etc)? No Yes

If yes, explain:

Does the entertainment include vehicles (car show, displays, etc.)? No Yes

If yes, explain:

Generators

Portable generators must be placed in an area where attendees are unlikely to come into contact with them, be placed at least 10 feet from any combustible materials, and located a minimum of 10 feet from tents or canopies. The refueling of hot generators is not allowed. When refueling a generator, you must wait until the generator cools, and then refill it from a self-closing safety can. A portable fire extinguisher, minimum 2A 10B:C size, with a current Fire Marshall tag attached must be on-hand and easily accessible at all times.

Fencing

Fenced area refers to any event or area within the event that is closed off by temporary fencing. The Lindsay Fire Department will review your site map and set an occupancy load for the fenced area. When developing your fence plan, please keep in mind the following rules:

- In addition to the main entrance, two exits shall be provided when the venue accommodates fewer than 1,000 attendees; three exits for 1,000 to 3,000 attendees; and four exits when the venue accommodates more than 3,000 attendees.
Exits shall be equally spaced along the perimeter of the fence and shall be spaced so that no exit is greater than a distance of 400 feet of travel from the next exit.
Exit width shall provide an opening of no less than 48 inches.
Each exit shall have a security guard or volunteer assigned to it.

- Each emergency exit shall be indicated by a sign with a white background and contrasting red letters; sign shall measure 18 x 24 inches; sign lettering shall measure 12 inches in height; and signs shall be placed at the top center of the exit panel.
- In some cases, a Fire Department inspection may be required, for a fee, to set the occupancy load and check access and exits. For questions about fencing or to make arrangements for an inspection, please contact the Fire Department at (559) 562-2511 for more information.

Stages/Platforms

Stages/platforms may require an inspection by the City Building Inspector (for a fee).

Will your event include the installation of stages or platforms? ___NO ___YES

How many stages?

If yes, indicate the number and corresponding size (please include on site map):

Tents/Canopies/Temporary Structures

The standard 10x10 canopy is allowed at events without a special permit. These canopies can be grouped into clusters of no more than seven. There must be a minimum 12 foot space between each cluster of canopies.

Tents that are larger than 200 square feet and canopies that are larger than 400 square feet must be permitted and inspected by the Lindsay Fire Department. The following California State Fire Code regulations apply to tents/canopies of this size:

Location:

- Must be placed at least 10 feet from any building or temporary structure.
- A fire access roadway, at least 20 feet wide, to each tent must be provided.
- All vehicles with an internal combustion engine must be at least 20 feet from any tent/canopy/ temporary structure.

Tent/Canopy Material:

- All tent materials must be either fire retardant or made to be fire retardant in a Fire Department approved manner.
- Proof that materials are fire retardant must be posted on the premises.
- All weeds, vegetation and combustible waste must be removed from the area occupied by the tent/temporary structure, as well as from a 30 foot area surrounding the tent/canopy/temporary structure.

Seating:

- Chair rows may be no longer than 15 seats and have 18 inches of clearance front to back.
- Aisles must be at least 44 inches wide.

Exits:

- Exits must be evenly spaced at least every 100 feet around the perimeter.
- Exit signs must be used when the occupancy exceeds 50 attendees.

Will your event include tents or canopies?

No Yes

If yes, indicate the number and corresponding size (please include on site map):

For questions about tents/canopies/temporary structures, permit information or to make arrangements for an inspection, please contact the Lindsay Fire Department at (559) 562-2511 for more information.

Vendors

The City of Lindsay defines "vendor" as an organization or business that sells or advertises products and/or services to event attendees. Generally, there are three categories of vendors: 1) food/beverage, 2) merchandise and 3) information. A City of Lindsay Business License (BL) is required for vendors who wish to sell, expose for sale, or offer for sale any food/beverage or merchandise in the City of Lindsay. Please contact the Lindsay Department of City Services at (559) 562-7102 ext. 4 for BL information. You should require each vendor to provide you, the event organizer, with a copy of their BL (if applicable).

Does your event include food vendors?⁶ No Yes If yes, how many?

Does your event include food trucks? No Yes If yes, how many?

⁶Additional Permit Required: A City of Lindsay Business License is required for vendors to sell the general public. Please contact the Planning at (559) 562-7102 ext. 8041 for permit information.

Will any of the food vendors or food trucks be cooking or heating food on-site? ⁷

If yes, how many?

⁷Additional Permit Required: Each food vendor must obtain a Tulare County Food Facilities Permit. Each vendor must display this document on site. A Lindsay Fire Department Inspection may be required (for a fee).

What method(s) will be used? Gas Electric Charcoal Other

What is your plan for disposing of grease, charcoal and/or wastewater?

Does your event include merchandise vendors? ___No ___Yes If yes, how many?

Does your event include information vendors? ___No ___Yes If yes, how many?

Will any items or services sold at your event present any unique liability issues? (massage, pony rides, tattooing, piercing etc.) No Yes

If yes, explain:

Certified Farmers Market

A certified farmer's market⁸ is a location where agricultural products are sold by producers directly to consumers or to individuals, organizations or entities that subsequently sell or distribute the products directly to end users.

⁸Additional Permit Required: The California Department of Food and Agriculture (CDFA) governs the Certified Farmers Market Program and Tulare County Environmental Health. Visit <https://www.cdfa.ca.gov/egov/Jfarmersmarket> for information pertaining to the CFDA's laws and regulations. Please contact Tulare County at (559) 624-7400 or visit <https://tularecountyeh.org/eh/> for licensing information.

Waste Management/Recycling

You are responsible for properly disposing of all waste and garbage throughout the term of your event. Immediately upon conclusion of the event, the area must be returned to a clean condition.

Should you fail to perform adequate cleanup or damage occurs to City property, you will be billed at full recovery rates, plus overhead for cleanup and repair. In addition, such failure may result in denial of future approval for a Special Event Permit or the requirement of a cash deposit or bond. The City may charge a damage deposit of up to \$5,000 for events with a history of damage or waste problems or for those events with the potential for damage or significant waste.

In an effort to make our City more sustainable, you as the event organizer are responsible for providing a sufficient number of garbage, organics, and recycling receptacles at your event. The City of Lindsay does not provide commercial waste or recycling services. Mid Valley Disposal provides these collection services throughout the City. Please ask the Department of City Services for their contact information.

Restrooms

You are required to provide restroom accommodations for event attendees. Depending on the location of your event, you may need to rent portable restrooms and hand washing stations. The City of Lindsay recommends one portable toilet per every 100 anticipated attendees, or portion thereof. When portable toilets are provided, at least one toilet at each location must be ADA accessible. Where multiple toilets are clustered at a single location, 5% of the toilets at each cluster must be ADA accessible.

The total number of portable toilets you provide should also take into consideration event duration, whether alcohol and/or food will be served, if children are attending the event and patron gender (women require more facilities than men). Visit <http://unitedsiteservices.com/uses-and-planning/special-events/planning-tool> to help you determine how many toilets and handwashing stations you should provide based upon your unique event plan.

Marketing/Advertising/Promotions

Please ensure that you have conditional approval before you begin to market, advertise, or promote your event. Acceptance of the Special Event Permit Application is not a guarantee of the date or location nor automatic approval of your event. Once you have conditional approval you may proceed to market, advertise, or promote your event at your own risk. However, if the permit is not granted and the event is therefore cancelled, you may not hold the City of Lindsay responsible or liable for any of the costs incurred from your marketing, advertising or promotions.

Applicants may not use the City of Lindsay's logo for promotional purposes unless authorized by the City Council.

Do you plan to place signs or hang banners on City property?⁹

If yes, please explain:

No Yes

⁹Additional Permit Required: Please contact Planning at (559) 562-7102 ext 8041 for information regarding signage in City limits.

Notification

An event can change the normal flow of residential and business activity, potentially causing a negative impact to the community. As the event organizer, you are responsible for notifying those residents and businesses that will be impacted by your event. If your event involves a street closure, amplified sound (more than announcements or music from a boom box), pyrotechnics, the sale of alcohol, or you anticipate more than 500 attendees at the event during peak time, you will be required to notify, in writing, all residents and businesses residing within a two City block radius or 300 feet surrounding the event venue and/or route at least 30 days prior to the event. You can distribute the notification door to door or mail it to the impacted area. The City of Lindsay can provide a database of addresses if requested.

Door to door written notification may not be practical for all event venues. Under some circumstances (for example apartments or office buildings with numerous tenants) the City will allow you to use an alternate method of notification, such as email blasts or posting the notification on a community or shared board. Arrangements must be made with the Property Manager.

Notification must include the following information:

1. Name of event
2. Location of event (include route if applicable)
3. Event hours
4. Street closure times and detours (if applicable)
5. Anticipated attendance
6. Use of amplified sound or pyrotechnics (if applicable)
7. Event organizer contact for further information or queries

A copy of the notification must be pre-approved by City Services and Planning before distributing.

To complete the notification requirement, you must submit a copy of the approved notification and the method and date the notification was distributed to Planning. You, as the event organizer, are responsible for all printing and distribution costs.

Advisory signs are another method of notification that will be required for all events that impact a major use roadway. The applicant will be provided with a list of required advisory signs and placement specifications. You, as the event organizer are responsible for providing and placing advisory signs.

Advisory signs must meet the following Manual on Uniform Traffic Control Devices (MUTCD) standards:

- Must be orange with black lettering and include the date and length of street closure and contact information of event organizer
- Must be posted 48 hours prior to the event date
- Must be professional in appearance
- Must not exceed 16 square feet
- Must have a minimum letter size of 2.5 inches
- May not be attached to traffic control signs or other authorized highway signs
- Must be located a minimum distance of 30 feet from street intersection
- Must be removed within one day following the conclusion of the event

Indemnity

Applicant and/or the sponsoring organization shall defend, indemnify, and hold harmless the City of Lindsay, its officials, agents, employees and volunteers from and against all actions, losses, damages, liability, costs and expenses of every type and description, including, but not limited to, attorney's fee, to which any or all of them may be subjected by reason of, or resulting from, directly or indirectly, in whole or in part, the acts or omissions of the applicant, sponsoring organization, or its officers, agents, employees or volunteers directly or indirectly arising from the exercise of the authority under the Special Event Permit.

Insurance

Verification of insurance must be submitted along with the Special Event Application. You must submit two documents to satisfy insurance requirements:

1. Certificate of Insurance documenting General Liability insurance coverage in the amount of not less than \$1 million per occurrence and \$2 million in the Aggregate submitted for the event date and any set-up and/or tear down dates.

The standard proof of insurance is the ACORD certificate form

The name of the insured, the insurance carrier, the policy number, coverage limits, and effective and expiration dates for the coverage must be stated on the certificate of insurance

- If alcohol will be sold or consumed at the event, \$1 million in liquor liability insurance is required
- Insurance certificates must be signed by an authorized representative of the insurance carrier. Electronic signatures are acceptable

Class IV and V events require \$2 million General Liability and \$3 million Aggregate insurance

Events classified by Staff as "high risk" require \$3 million General Liability and \$6 million Aggregate insurance

2. An Additional Insured Endorsement is required to reflect that the insurance policy has been amended to include the City of Lindsay as an additional insured.

- The Additional Endorsement must reference the policy number as it appears on the certificate
- "The City of Lindsay, its officials, agents, employees and volunteers" must be named as additionally insured on the Additional Insured Endorsement

Your permit will not be issued until both the Certificate of Insurance and Additional Insured Endorsement have been received.

Signature

I have read the rules and regulations contained in this document and agree to abide by these rules and regulations. I am duly authorized by the Organizer or Sponsoring Company to submit this application on their/its behalf and agree to be financially responsible for any fees and costs that may be incurred by or on behalf of the event in the City of Lindsay. I certify that the information that I have provided on this application is true and to the best of my knowledge. If the event details change, I agree to submit a revised application or provide additional information in writing at least 10 days prior to the event.

Name
(please print)

Signature

By checking this box as an electronic signature, I agree to all the terms and conditions that may apply to the special event permitting process and agree that all information contained in this application is true and correct to my knowledge.

Date

Driver's License Number¹⁰

¹⁰Additional Permit Required: Please attach a current copy of your Driver's License or California ID to completed application.

Form Of Payment

A non-refundable application fee of \$50 is due at the time you submit your application. Your application is not considered complete until this fee is received. Permit fees are due 60 days in advance of your event. Applications submitted within 60 days of an event require a \$50 non-refundable late processing fee in addition to the \$50 application fee and permit fee payment in full. Checks must be made payable to "City of Lindsay" and will not be accepted less than 30 days prior to the event.

Please indicate the type(s) of payment method you wish to use:

- Cash - must be presented to clerk
- Personal/Business Check - attach or present to clerk
- Money Order/Cashiers Check - attach or present to clerk
- Visa/MasterCard/Discover - must be present when applying

Refund Policy

Any refunds due, less the non-refundable application fee and late application fee if applicable, will be processed and mailed within 21 business days of the event or cancellation. Payments made by cash or check will be refunded with a check. Payments made by credit card will be returned to the credit card.

Checklist

Thank you for completing the Special Event Permit Application. Before you submit your application to the City of Lindsay, Planning Department, please make sure you have completed the following steps:

- Signed AND dated your application
- Attached your event site map (and route map if applicable)
- Included the \$50 non-refundable application fee. If you are submitting less than 60 days prior to the event date, please include a \$50 non-refundable, late processing fee (for a total of \$100 in application fees) AND the permit fees based on your anticipated attendance
- Attached a copy of your current Driver's License or California ID

Submitting Your Application:

All applications must be submitted at least 45 days prior to the event date via:

Mail:

City of Lindsay
Attn: Planning
150 N Mirage Ave.
Lindsay, CA 93247

Email: ccannon@lindsay.ca.us

In person:

City of Lindsay
150 N Mirage Ave.
Lindsay, CA 93247

Hours of Operation: Monday through Friday, 8am to 5pm; Closed for lunch from 12pm to 1pm

Questions?

Please call Planning at (559) 562-7102 ext. 8041 or email ccannon@lindsay.ca.us

***Best wishes for
a successful event!***



Temporary Sellers

Are You a Temporary Seller?

Generally, if you make three or more sales of items subject to California sales and use tax in a 12-month period, you are required to register for a California seller's permit and pay tax on your taxable sales.

However, if you will be selling items at a location for less than 90 days, you are considered a temporary seller, and are required to hold a temporary seller's permit. You will need to register each temporary sales location. On the other hand, if you already hold a seller's permit for a permanent place of business but also make sales at a temporary location, you will **not** need to register for a separate temporary seller's permit. Instead, you must register for a sub-permit for each of your temporary locations.



The following is a list of the most common types of sellers who may need a temporary seller's permit when operating less than 90 days.

A List of the Most Common Types of Sellers Who May Need a Temporary Sellers Permit

Type	Description of Sales
Firework Stands/Holiday Trees	The sale of fireworks and Christmas trees. You are required to register each location where sales are made and obtain a temporary seller's permit.
Garage Sales	When you have a garage sale and sell used items, you are generally not required to hold a seller's permit. However, if you have more than two garage sales within a 12-month period, you are required to hold a seller's permit.
Online Auction Sales	Your online sales of merchandise are generally taxable in California even when you sell through online auction houses such as eBay. However, some online auction houses are considered marketplace facilitators, and therefore the retailer of the items you sell, and will collect and report the tax on those sales. You will be required to hold a seller's permit and report the tax if the online auction house is not considered a marketplace facilitator. For more information, please see publication 109, Internet Sales (www.cdtfa.ca.gov/formspubs/pub109/) and our Tax Guide for Marketplace Facilitator Act (www.cdtfa.ca.gov/industry/MPFAct.htm).
Crafts	You are required to have a permit if you are selling, even temporarily, new or handcrafted items or used items you purchased for the purpose of reselling to others.
Conventions/Trade Shows	If you participate in California conventions and trade shows and make sales or take orders for sales at or during the conventions or trade shows, you will generally be required to hold either an ongoing or temporary seller's permit. For in-state retailers, you must obtain an ongoing seller's permit if you are engaged in the business of selling tangible personal property. Out-of-state retailers that exceed specific sales thresholds are required to obtain an ongoing seller's permit. Retailers not exceeding these thresholds are only required to obtain a temporary seller's permit. For more information regarding these thresholds, please see publication 77, Out-of-State Sellers: Do You Need to Register with California? (www.cdtfa.ca.gov/formspubs/pub77/#notrequired)
Swap Meets, Flea Markets or Special Events	In general, sellers at swap meets, flea markets and special events that make retail sales are required to obtain a seller's permit. As a seller at swap meets, flea markets and special events, you are required to provide specific information to the operator of the event. You can use form CDTFA-410-D, Swap Meets, Flea Markets, or Special Events Certification (www.cdtfa.ca.gov/formspubs/cdtfa410d.pdf), to provide the required information. For more information, please see publication 111, Operators of Swap Meets, Flea Markets, or Special Events (www.cdtfa.ca.gov/formspubs/pub111/).

Register for a Temporary Seller's Permit

Obtaining a temporary seller's permit is easy and free. Please visit our [Online Services](http://www.cdtfa.ca.gov/services/) (www.cdtfa.ca.gov/services/) webpage, select the Registrations tab and follow the steps to register a business activity with the California Department of Tax and Fee Administration (CDTFA).

Temporary permits are issued to individuals with no permanent place of business, and cover a selling period of 90 days or less at one location. The registration process is the same whether you are registering for a temporary seller's permit or a seller's permit for a permanent business location. However, there are some things to keep in mind when registering for a temporary seller's permit.

- > You may obtain a temporary seller's permit 90 days prior to your business start date.

- › You need to provide a valid start and end date for each temporary sales location.
- › You may register for multiple locations on a temporary seller's permit as long as they operate within the same 90-day period.
- › You may not add a new sales location to an existing temporary seller's permit.

Once you finish registering, you may print a temporary seller's permit for each location.

File Your Return

People who are issued temporary seller's permits are required to file a return due on or before the last day following the month after the temporary sales location closes. For example, if you have a temporary seller's permit for a sales location active from January 15, 2020 – January 27, 2020, then your return is due on or before February 29, 2020.

For more information on how to file and what you need to get started, please visit our [Online Services \(www.cdtfa.ca.gov/services/\)](http://www.cdtfa.ca.gov/services/) webpage and select the File a Return tab.

Sales Made on State Designated Fairgrounds

Effective July 1, 2018, if you are a retailer who makes sales of tangible personal property that take place on the real property of a California state-designated fair ("state-designated fairground"), you must separately state the amount of those sales on your Sales and Use Tax return. Sales that take place on state-designated fairgrounds include over-the-counter sales on the fairgrounds and also may include sales in which the property is shipped or delivered to or from the fairground.

The separately reported amount will be used for funding allocation purposes only. *There is no additional tax or fee due on these sales.* For more information on the new reporting requirement, please see our [Tax Guide for Reporting Requirements for Sales on State-Designated Fairgrounds \(www.cdtfa.ca.gov/industry/state-fairgrounds.htm\)](http://www.cdtfa.ca.gov/industry/state-fairgrounds.htm).

Know Your Tax Rates

The sales and use tax rate that you are required to report and pay will vary depending on where you do business. We offer several tools on our website to help you identify the correct tax rate. You can look up a [tax rate by address \(https://maps.cdtfa.ca.gov/\)](https://maps.cdtfa.ca.gov/) or look up [tax rates by city and county \(www.cdtfa.ca.gov/taxes-and-fees/sales-use-tax-rates.htm\)](http://www.cdtfa.ca.gov/taxes-and-fees/sales-use-tax-rates.htm).

Exceptions

There are instances when certain sellers are exempt from holding a seller's permit based upon the items they sell and the type of seller they are. Below is a list of sellers that may be exempt from obtaining a temporary seller's permit.

- › **Direct Sales/Sales Agents** – If you do not have a storefront and you only sell products you buy from an Revenue and Taxation Code (RTC) section 6015 retailer – like Avon or Tupperware – you do not need a seller's permit. In this case, you are considered an agent of the retailer, and that company will remit sales tax to the CDTFA on your behalf. Typically, individuals who sell these products will have “shows” or “parties” and sell merchandise at their own home, a customer's home, or through direct sales to friends and family. For more information please see [RTC section 6015 \(www.cdtfa.ca.gov/lawguides/vol1/sutr/6015.html\)](http://www.cdtfa.ca.gov/lawguides/vol1/sutr/6015.html)
- › **Exempt Food Products** – If you only sell cold food (that is not hot prepared), your sales are generally considered nontaxable, and you will not be required to obtain a seller's permit. For more information, please see [Regulation 1603, Taxable Sales of Food Products \(www.cdtfa.ca.gov/lawguides/vol1/sutr/1603.html\)](http://www.cdtfa.ca.gov/lawguides/vol1/sutr/1603.html) and [publication 22, Dining and Beverage Industry \(www.cdtfa.ca.gov/formspubs/pub22.pdf\)](http://www.cdtfa.ca.gov/formspubs/pub22.pdf).
- › **Occasional Sellers** – If your taxable sales are infrequent, you may not be required to obtain a seller's permit. For instance, a person who holds a garage sale no more than twice in a 12 month period would qualify as an occasional seller. For more information, please see [Regulation 1595, Occasional Sales – Sale of a Business – Business Reorganization \(www.cdtfa.ca.gov/lawguides/vol1/sutr/1595.html\)](http://www.cdtfa.ca.gov/lawguides/vol1/sutr/1595.html).
- › **Qualified Itinerant Veteran Vendors** – If you are a veteran who received an honorable discharge and are unable to work in manual labor because of a service-connected disability, you may work as a traveling vendor, without a seller's permit, if you meet all of the required conditions. This exemption from the requirement to obtain a seller's permit is valid until January 1, 2022. For more information, please see [RTC section 6018.3, Itinerant Veteran Vendors \(www.cdtfa.ca.gov/lawguides/vol1/sutr/6018-3.html\)](http://www.cdtfa.ca.gov/lawguides/vol1/sutr/6018-3.html).

If You Need Help

If at any time you need assistance with topics included in this guide – or with topics not included – feel free to contact us by telephone or email. For contact information and hours of operation please see our [How to Contact Us \(www.cdtfa.ca.gov/contact.htm\)](http://www.cdtfa.ca.gov/contact.htm) webpage.

If you have suggestions for improving this guide, please [contact us via email \(mailto:BTfD-AIS.IndustryGuides@cdtfa.ca.gov?subject=Guide for Temporary Sellers\)](mailto:BTfD-AIS.IndustryGuides@cdtfa.ca.gov?subject=Guide%20for%20Temporary%20Sellers).

Additional Resources

- › [Publication 107, Do You Need a California Seller's Permit? \(www.cdtfa.ca.gov/formspubs/pub107/\)](http://www.cdtfa.ca.gov/formspubs/pub107/)
- › [Publication 73, Your California Seller's Permit \(www.cdtfa.ca.gov/lawguides/vol1/sutr/1595.html\)](http://www.cdtfa.ca.gov/lawguides/vol1/sutr/1595.html)
- › [Publication 105, District Taxes and Sales Delivered in California \(www.cdtfa.ca.gov/formspubs/pub105/\)](http://www.cdtfa.ca.gov/formspubs/pub105/)
- › [Guide for New Permits and License Holders \(www.cdtfa.ca.gov/industry/permit-holders.htm\)](http://www.cdtfa.ca.gov/industry/permit-holders.htm)
- › [Local and District Tax Guide for Retailers \(www.cdtfa.ca.gov/industry/localanddistricttaxes.htm\)](http://www.cdtfa.ca.gov/industry/localanddistricttaxes.htm)

LEADERSHIP

Gavin Newsom

Governor (<https://www.gov.ca.gov/>)

Amy Tong

Secretary, Government Operations Agency
(<https://www.govops.ca.gov/about/leadership/>)

Nicolas Maduros

Director, CDTFA

QUICK LINKS

About CDTFA (www.cdtfa.ca.gov/about.htm)
External Tax Resources (www.cdtfa.ca.gov/external-tax-resources.htm)
Job Opportunities (www.cdtfa.ca.gov/jobs/)
Information for Local Jurisdictions and Districts
(www.cdtfa.ca.gov/taxes-and-fees/local-and-district-taxes.htm)

SOCIAL MEDIA

 (<https://www.facebook.com/CDTFA>)

 (<https://twitter.com/cdtfa>)



(<https://www.youtube.com/channel/UChhR8089KCKrv2p4bbipu8>)



(https://www.linkedin.com/company/cdtfa?trk=top_nav_home)



(<https://www.instagram.com/CDTFA/>)

STATE CAMPAIGNS

COVID-19 Updates (<https://covid19.ca.gov/>)

Flex Alert (<http://flexalert.org>)

Register to Vote (<http://registertovote.ca.gov>)

Save Our Water (<https://saveourwater.com>)

CONTACT US

 1-800-400-7115

 California Relay Service (CRS)
(<https://ddtp.cpuc.ca.gov/relay.aspx>) : 711

 Email CDTFA (www.cdtfa.ca.gov/email/)

 Office Locations (www.cdtfa.ca.gov/office-locations.htm)

 CDTFA Directory (www.cdtfa.ca.gov/directory.htm)

Additional Contacts (www.cdtfa.ca.gov/contact.htm)

[Conditions of Use \(www.cdtfa.ca.gov/use.htm\)](http://www.cdtfa.ca.gov/use.htm)

[Privacy Policy \(www.cdtfa.ca.gov/privacy.htm\)](http://www.cdtfa.ca.gov/privacy.htm)

[Accessibility \(www.cdtfa.ca.gov/accessibility.htm\)](http://www.cdtfa.ca.gov/accessibility.htm)

 [Accessibility Certificate](#)

[Languages \(www.cdtfa.ca.gov/languages.htm\)](http://www.cdtfa.ca.gov/languages.htm)

8.22 Fireworks

8.22.010 Procedures

8.22.020 Permit Issuance

8.22.030 Hours Of Operation; Sales; Discharge

8.22.040 Vendor Liability Insurance Required

8.22.050 Compliance With Local, State And Federal Regulations

8.22.060 Temporary Use Permit

8.22.070 Temporary Sales Tax Permit Required

8.22.080 Booth Dimensions; Temporary Status Only

8.22.090 General Requirements

8.22.100 Operation Of Stand

8.22.110 Fireworks Limitations And Prohibitions

8.22.120 Fire Department Inspection

8.22.130 Enforcement; Penalties

8.22.140 Violations

8.22.010 Procedures

The director of public safety, or their designee, may, upon due application and approval of the City Manager or their designee, issue to properly qualified persons and organizations a permit for the retail sale of safe and sane fireworks. Applicants must be community-benefit, nonprofit associations or nonprofit corporations organized primarily for veteran, patriotic, welfare, religious, youth or eleemosynary purposes. Each such organization must have its principal and permanent meeting place within the corporate boundaries of the city of Lindsay. There shall be no more than one retail stand/booth for each permittee.

(Ord. 591, 2021, Ord. 490 § 1 (part), 1998)

8.22.020 Permit Issuance

Upon verification of the application by the director of public safety or their designee, the City Manager or their designee may authorize a permit to be issued. Such permit shall be issued or denied at the discretion of the City Manager or their designee and subject to such other reasonable conditions as the City manager or their designee deems necessary to protect the public health, safety and welfare. Permits shall be issued only to persons who are twenty-one years of age or older at the time of application.

(Ord 591 2021, Ord. 490 § 1 (part), 1998)

8.22.030 Hours Of Operation; Sales; Discharge

- A. Safe and sane fireworks as defined by Section 12529 of the state of California Health and Safety Code may be sold within the city limits only during the period beginning at twelve noon on the twenty-ninth day of June and ending at eleven-thirty p.m. on the fourth day of July, pursuant to the provisions of this chapter and not otherwise.
- B. Safe and sane fireworks may be discharged (ignited, exploded) within the city only between the hours of five p.m. and eleven p.m. on the fourth day of July.

(Ord. 490 § 1 (part), 1998)

8.22.040 Vendor Liability Insurance Required

Prior to issuance of a permit, the applicant must, at his own expense, secure from, a reputable insurance company permitted to do business in the state, a policy of public liability and property damage insurance, with minimum limits of one hundred thousand dollars/three hundred thousand dollars bodily injury and fifty thousand dollars property damage, and provide evidence of same to the administrative authority.

- A. The policy shall name the city and its officers, agents and employees as additional insured and shall protect them from claims for damage or injury suffered by any person arising from the sale and/or use of safe and sane fireworks.
- B. The insurance shall be in full force and effect on the date of issuance of the fireworks permit and shall expire not less than one year after the last date of fireworks sales established by the city council each year.

(Ord. 490 § 1 (part), 1998)

8.22.050 Compliance With Local, State And Federal Regulations

Permittees must comply with all local, state and federal regulations relating to the sale and disposition of fireworks.

(Ord. 490 § 1 (part), 1998)

8.22.060 Temporary Use Permit

Permittees must obtain a temporary use permit from the Lindsay planning department. Applicants for the temporary use permit must identify the proposed site and show written permission from the owner authorizing use of said site for the stated purpose. Applications for temporary use permits are limited to authorized representatives of the individual nonprofit entities.

(Ord. 490 § 1 (part), 1998)

8.22.070 Temporary Sales Tax Permit Required

Organizations selling fireworks are required to obtain a temporary sales tax permit from the State Board of Equalization.

(Ord. 490 § 1 (part), 1998)

8.22.080 Booth Dimensions; Temporary Status Only

All retail sales of safe and sane fireworks shall be permitted only from within a temporary fireworks stand and sales from any other building, facility or structure is prohibited. Temporary stands shall be subject to the following provisions:

- A. No fireworks stand shall be located within twenty-five feet of any building nor within one hundred feet of any gasoline pump or liquid propane storage area.
- B. All stands shall be erected under the supervision of the Lindsay building inspector who shall require that stands be constructed in a manner to reasonably ensure the safety of attendants and customers. Strict adherence to the Lindsay building code need not apply.
- C. No stand shall have a floor area in excess of four hundred square feet. The width and length of each stand shall be a maximum of ten feet by forty feet, respectively.
- D. Each stand must have at least two exits located on separate walls.

- E. Each stand shall keep easily accessible a minimum of one two-and-one-half gallon water pressure type fire extinguisher and one 2A10BC rated dry chemical fire extinguisher and each shall be in good working order and bear a current inspection sticker. Extinguishers must be of a type approved for such use by the Lindsay fire department.

(Ord. 490 § 1 (part), 1998)

8.22.090 General Requirements

- A. Each stand must be located in an area clear of all weeds and combustible materials within fifty feet in all directions.
- B. "NO SMOKING" signs shall be prominently displayed on the front, back and sides of the fireworks stand.
- C. Each stand must be attended at all times by a supervising adult of at least twenty-one years of age whenever fireworks are inside the stand. Remaining inside the stand for any reason between the hours of eleven p.m. to nine a.m. is strictly prohibited.
- D. The sale of fireworks shall not begin before twelve noon on the twenty-ninth day of June and shall not continue beyond eleven p.m. on the fourth day of July.
- E. Hours of operation shall be limited to nine a.m. to eleven p.m. daily.
- F. All unsold stock and any litter shall be removed from the location by five p.m. on the fifth day of July.
- G. The fireworks stand shall be removed from the temporary location by eight p.m. on the sixth day of July, and any resulting litter shall be cleared from said location by said time and date.
- H. Prior to the issuance of a permit, each applicant shall deposit one hundred dollars (cash, certificate of deposit or a surety bond made payable to the city of Lindsay) with the public safety director or his designee, under the provisions of this chapter. Such deposit shall be refundable upon full compliance with the provisions and requirements of this chapter, including but not limited to the removal of the stand and cleaning of the site. In the event the permittee does not so comply in the manner required by the Lindsay building inspector, the city may do so, or cause the same to be done by other persons, and the reasonable cost thereof shall be a charge against the permittee and his deposit or surety bond.

(Ord. 490 § 1 (part), 1998)

8.22.100 Operation Of Stand

- A. No entity other than the organization named on the permit shall operate the stand for which the permit is issued.
- B. No person other than members of the organization named on the permit, or the wives or husbands or members' children at least twenty-one years of age shall sell or otherwise participate in the sale of fireworks at such stand.
- C. No person shall be paid any consideration for selling or otherwise participating in the sale of fireworks at any stand.

(Ord. 490 § 1 (part), 1998)

8.22.110 Fireworks Limitations And Prohibitions

- A. All fireworks sold and/or discharged within the city limits must be of a type permitted by law and described as "Safe and Sane" and shall bear the caption "approved by the State Fire Marshal."
- B. No person shall ignite, light or cause to be lighted any fireworks or other combustible material within the stand or within two hundred feet thereof.
- C. It is unlawful for any person to ignite, explode, project or otherwise fire or use, or permit the ignition, explosion or projection of any fireworks upon, over or onto the property of another, or to ignite, explode, project or otherwise fire or make use of any fireworks within ten feet of any residence, dwelling or other structure.

(Ord. 490 § 1 (part), 1998)

8.22.120 Fire Department Inspection

Fireworks stands will be inspected at least twice daily during the days of operation. Each inspection and report will consist of not less than one-half hour, which time will be billed to the permittee at the time of application in accordance with fees established for said inspections.

(Ord. 490 § 1 (part), 1998)

8.22.130 Enforcement; Penalties

If, in the judgment of the director of public safety or his designee, the construction of the stand, materials offered for sale, or the conduct of the operations therein do not conform to the provisions of this chapter, said director or his designee may order the stand immediately closed.

(Ord. 490 § 2, 1998)

8.22.140 Violations

- A. This chapter authorizes the imposition of administrative fines or penalties on any person who violates any provision of this chapter. Its purpose is to encourage and obtain compliance with the provisions of this chapter for the benefit and protection of the entire community. Said administrative fines are imposed under authority of Government Code Section 53069.4, Health and Safety Code Section 12557, and the police power of the city.
 - 1. The issuance of citations imposing administrative fines may be performed at the discretion of the officials of the City of Lindsay; and the issuance of a citation to any person constitutes but one remedy of the city to redress violations of this code by any person. By adopting this chapter, the city does not intend to limit its authority to employ any other remedy, civil or criminal, to redress any violation of this code by any person, which this city may otherwise pursue.
 - 2. The adoption of this chapter does not in any way affect or repeal the California Fire Code, as adopted by the City of Lindsay.
 - 3. The imposition of fines related to "dangerous fireworks" under this chapter shall be limited to persons, including responsible persons, who possess, sell, use and/or display, or the seizure of, 25 pounds or less (gross weight) of such dangerous fireworks.
 - 4. Fines collected pursuant to this chapter related to "dangerous fireworks" shall not be subject to Health and Safety Code Section 12706, which section provides that certain fines collected by a court of the state be deposited with, and disbursed by, the County Treasurer.

5. The city shall provide cost reimbursement to the State Fire Marshal if required pursuant to regulations to be adopted by the State Fire Marshal addressing the State Fire Marshal's cost for the transportation and disposal of "dangerous fireworks" seized by the city, which costs will be part of any administrative fine imposed. However, such cost reimbursement shall not be required unless and until the State Fire Marshal provides services for the disposal of "dangerous fireworks."
6. Because of the serious threat of fire or injury posed by the use of "dangerous fireworks" that can result from persistent or repeated failures to comply with the provisions of this code and the effect of such conditions or activities on the safety and the use and enjoyment of surrounding properties and to the public health, safety and welfare, this chapter imposes strict civil liability upon the owners of residential real property for all violations of this code existing on their residential real property. Each contiguous use, display and/or possession shall constitute a separate violation and shall be subject to a separate administrative fine.

B. Issuance of Administrative Citations. Whenever a Code Enforcement Officer (CEO) determines that a violation of the code has occurred, the CEO may issue an administrative citation on a city-approved form listing the code violation(s) and the amount of the administrative fine required to be paid by the responsible person(s) in accordance with the provisions of this chapter and Lindsay Municipal Code Title 1, Chapter 1.13.

C. Administrative Fines. Each person who violates any provision of this code, or any provision of state law, as it relates to the possession, use, storage, sale and/or display of "dangerous fireworks" or each person that is considered to be a "responsible person" for a location where dangerous fireworks are possessed, used, stored, sold, or displayed, shall be subject to the imposition and payment of an administrative fine or fines as provided below:

Number of offenses	Amount of Administrative Penalty
First	\$1,000
Second	\$2,000
Third and subsequent violation	\$3,000

1. Payment of the administrative fine shall not excuse or discharge a citee from the duty to immediately abate and correct a violation of the code, nor from any other responsibility or legal consequences for a continuation or a repeated occurrence(s) of a violation of the code.
2. For purposes of this chapter, in calculating the amount of an administrative fine, the number of offenses shall include every offense documented in the last three years, unless the citation was vacated pursuant to an appeal.

D. Right to an Administrative Hearing. Any citee may contest the violation(s) by filing a request for an administrative hearing on a city-approved form with Code Enforcement within 20 calendar days from the issuance date of a citation. Any applicable administrative hearing fee imposed by the City of Lindsay shall apply at the then applicable rate. If Code Enforcement does not receive the request in the required time period, the citee shall have waived a right to a hearing and the citation shall be deemed confirmed and final.

E. Administrative Hearing Procedures. The issuance of any citation pursuant to this chapter, the conduct of any administrative hearing therefor, and any other matter of procedure not addressed

herein shall be conducted in accordance with Lindsay Municipal Code Chapter 1.13, except as otherwise provided herein.

F. Administrative Hearing-Mitigating Factors.

1. In cases where the citation is issued to a property owner, a lessee, or a holder of a special events permit, parent or guardian of minors caught with dangerous fireworks, as the responsible person, and the citee was not present on the property at the time the citation was issued, it is a defense to the citation that the citee, as the responsible person, did not explicitly or implicitly consent to or condone the use of dangerous fireworks on his or her property and could not, in spite of the exercise of reasonable care and diligence, control the use of dangerous fireworks on his or her property and/or at his or her special event. The hearing officer may consider the following factors in determining if the citee exercised reasonable care and diligence:
 - a. Whether the citee provided express notice to relevant persons that the use of dangerous fireworks is strictly prohibited at all times;
 - b. Whether, based on the circumstances known to the citee at the time of the violation, the citee could have reasonably foreseen that dangerous fireworks might be used, including, but not limited to, whether the citee, any individual occupying the property, or any individual attending the special event, has received, or otherwise been involved in, any citation issued for the use of dangerous fireworks in the past five years;
 - c. Whether the citee took any reasonable measures designed to ensure that dangerous fireworks would not be used, and if so, the extent and effectiveness of such measures;
 - d. Any other information reasonably related to the citee's culpability, or lack thereof, with respect to permitting or allowing the use of dangerous fireworks.
 - e. If, based on the considerations above, the hearing officer determines that the citee took reasonably prudent action to prevent and discourage the use of dangerous fireworks on the property, then the hearing officer may vacate the citation or modify the amount of the penalty, as appropriate.

(Ord. 490 § 3, 1998)

HISTORY

Amended by Ord. [564](#) on 5/22/2018



FIREWORKS FEES

SPECIAL EVENT PERMIT, CLASS II \$350

CITY OF LINDSAY (BUSINESS LICENSE) \$73

DEPOSIT (CLEANING/REFUNDABLE) \$100

TOTAL \$523.00