



# FIREWORK STAND/TENT PERMIT APPLICATION

Gallatin, Tennessee

Date Applied \_\_\_\_\_ / \_\_\_\_\_ /20 \_\_\_\_\_

<b>Site Address</b>	Intersecting Roads		
Applicant Name (Responsible Party)	Mailing Address	Phone	Email
<b>Dates of business operation:</b>			
Beginning on _____		through _____	
<b>Documentation Required:</b>			
<input type="checkbox"/> State Fire Marshal Permit <input type="checkbox"/> Proof of state sales tax number <input type="checkbox"/> General Liability for \$2,000,000 per occurrence			
<input type="checkbox"/> City of Gallatin Transient Vendor License <input type="checkbox"/> Highlighted portions of attached City Ordinance must be initialed			
<b>Additional Permits:</b>			
<input type="checkbox"/> Electrical-Temporary Power _____ amps		<input type="checkbox"/> Sign(s) Quantity: _____	

The Building Official and/or Fire Official may revoke any permit upon failure of retailer to correct any of the following conditions within thirty-six (36) hours following written notice of the following: 1) the permittee or the permittee’s operator has been deemed to have violated any lawful rule, regulation, or order of the City or Building Official, 2) the permittee’s application contains any false or untrue statements, 3) the permittee has failed to timely file any report or pay any tax, fee, fine, or charge, the permittee or the permittee’s operator has violated any fireworks ordinance or statute. When any activities of the permittee constitute a distinct hazard to life or property, the Building Official or Fire Official, or both, may revoke the permit immediately.

Please post your permit in weather-proof material in a conspicuous place.

Signature of Applicant	Signature of Property Owner
Date	Date

Please initial the items below

**PER ARTICLE V. FIREWORKS**

**Sec. 9-154. Permissible fireworks.**

- (1) Except as provided in this article, it is unlawful for any individual, firm, partnership, or corporation to sell or use within the City of Gallatin any fireworks, other than the following:
  - (a) Those items classified by the U.S. Department of Transportation as 1.4G Consumer Fireworks, or
  - (b) Those items that comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission and permitted for use by the general public under its regulations.
- (2) Any display using 1.3G Display Fireworks must be under the control of a licensed pyrotechnics technician.

**Sec. 9-155. Storing and structures.**

No person may smoke within a structure where fireworks are sold. No person selling fireworks may permit the presence of lighted cigars, cigarettes, or pipes within a structure where fireworks are offered for sale. At all places where fireworks are sold or stored, for the purpose of sale during the time periods set forth in this Article, signs must be posted with the words "Fireworks- No Smoking" in letters not less than four (4) inches high. An inspected and currently tagged fire extinguisher with a minimum 2A rating and one pressurized water type fire extinguisher must be present at each retail fireworks site. Fireworks sold at retail may be sold only from a freestanding structure. Fireworks must be stored at least twelve (12) feet away from windows and other areas where the sun may shine through. Fireworks are not permitted to be stored in residential districts, except for personal use. All unsold product must be removed within five (5) days of the sales period set forth in this Article.

**Sec. 9-156. Limitations on structures.**

Tents meeting the current adopted International Building Code and the Life Safety Code (NFPA 101) must be used for the retail sale of fireworks. Ground fault interrupter protection must be used for power cords that supply power to tents and other outdoor structures. Electrical wiring inside tents and other outdoor locations shall be securely installed, without splices, and lamps shall be protected from accidental breakage by a suitable fixture or guard. No structure from which fireworks are sold may exceed 3,200 square feet. Fireworks may not be stored in a permanent building.

**Sec. 9-157. Location of fireworks outlets.**

Fireworks sales are permissible only on commercial/industrial property and on agricultural residential property of at least 10 acres or more, all as approved by the Planning Department and the sales structure must be located a minimum of 45' from the right of way. Fireworks sales structures must be no closer than 60 feet from any occupied building and at least 150 feet from a residence. Fireworks sales are not allowed on any property where there is an

**Sec. 9-158. Parking for retail fireworks sales site.**

The site for a fireworks retailer shall be improved to provide at least twelve (12) graveled or paved parking places for off street and right-of-way customer parking. In addition, the retail fireworks site must provide for an on-site turn-around area so that backing of vehicles onto the street will not be necessary.

**Sec. 9-159. Additional standards for fireworks retailers.**

- (1) Any site for a fireworks retailer must be located so that all parts of the structure and fireworks inventory on the site are no closer than 100 feet to any fuel source.
- (2) The parcel in which a fireworks retail use is allowed shall be a minimum of seven hundred and fifty (750) feet from other similar uses. This distance shall be measured in a straight line from structure to structure. Priority shall be given to the retailer who obtained a permit the previous year at the same location.

**Sec. 9-160. Unlawful sale to certain children and other persons; unlawful use of fireworks.**

It is unlawful to: 1) offer for sale or to sell any fireworks to children under the age of sixteen (16) years of age or to any intoxicated person; 2) explode or ignite fireworks within six hundred (600) feet of any church, assisted living facility, nursing home, hospital, funeral home, public or private school academic structure, or within two hundred (200) feet of where fireworks are stored, sold, or offered for sale; 3) ignite or discharge any permissible articles of fireworks within or throw them from a motor vehicle; 4) place or throw any ignited article of fireworks into or at a motor vehicle, or at or near any person or group of persons; 5) ignite fireworks on another person's private property unless permission is obtained from the owner or occupant of the property; 6) launch fireworks onto property of persons who have not given permission; 7) use fireworks at times, places, or in any manner that endangers other persons; and 8) ignite fireworks during a burning ban declared by either the State of Tennessee or the City of Gallatin Fire Department, except for public (and/or group) displays for which permits have been granted.

**Sec. 9-161. Limited time period to use fireworks.**

It is unlawful to discharge or use fireworks except for the following time periods:

- (1) July 1 through July 4—The permissible hours are from 10:00 AM to 10:00 PM except for July 4 when permissible hours are from 10 AM to 11:00 PM.
- (2) December 31 through January 1—The permissible hours are from 10:00 AM on December 31 to 1:00 AM on January 1

**Sec. 9-163. Violations and penalties.**

Violations of any provision of this chapter shall be subject to a penalty of up to \$50 per violation.

**Sec. 9-164. Severability and conflict with Zoning and Other Ordinances**

In the event that any portion of this Ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other portion of this Ordinance. To the extent there is a conflict between this Ordinance, the Zoning Ordinance, or any other Ordinance, the provisions of this Ordinance shall supersede all other ordinances for purposes of regulation and use of fireworks.