

FIREWORKS PERMIT PROCEDURE
6/3/99

**READ THIS PROCEDURE BEFORE ATTEMPTING TO
COMPLETE THE APPLICATION/PERMIT.**

1. Applicant must complete the APPLICATION side of the necessary form. ALL information requested must be provided.
2. A copy of the insurance coverage must be attached to the application.
3. No permit will be granted before June 24.
4. The sale site must be inspected by Planning/Zoning and Public Works **before** the permit is issued. The fee is based on square footage of the site and that cannot be determined until the tent/building/structure is inspected and measured.
5. The PERMIT side of the form will be completed by Planning/Zoning and Public Works.
6. When the completed PERMIT form is returned, the fee can be paid by the applicant and the permit can be issued (after June 24).
7. The permit is valid for no more than 45 days from the date of issuance.
8. A copy of the Fireworks Ordinance can be given to an applicant at no charge.

17-341. FIREWORKS SALES PERMITS. There shall be collected for each location within the city for which a fireworks sales permit has been issued pursuant to section 5-1102 of this code permit fees based upon the square footage of the structure from which fireworks are to be sold:

- | | |
|--|-------------|
| (a) For structures not exceeding 400 square feet | \$ 2,500.00 |
| (b) For structures having square footage of 401, but not exceeding 800 square feet | \$ 5,000.00 |
| (c) For structures greater than 800 square feet, but not exceeding 1,500 square feet | \$ 7,500.00 |
| (d) For structures exceeding 1,500 square feet | \$10,000.00 |

For the purposes of this section, square footage shall be determined by the interior dimension measurement of the structure.

(Code 2003; Code 2007)

ARTICLE 11.
FIREWORKS; SALE AND DISCHARGE

5-1101. FIREWORKS. Except as hereinafter provided, it shall be unlawful for any person to sell or discharge fireworks as defined by the regulations of the fire marshall of the state of Kansas within the city.
(Ord. 748; Code 2003)

5-1102. SALE OF FIREWORKS. Upon application to the city clerk, a permit to sell fireworks shall be granted upon the following conditions.

(a) All applications for a permit to sell fireworks shall be submitted to the city clerk at least ten (10) days prior to the granting of such permit. No permits shall be granted prior to June 24th of the year in which fireworks will be sold pursuant to such permit.

(b) Approval of the location upon which fireworks are to be stored and/or sold, provided, however, that no such location shall be within one-hundred fifty (150) feet of another permit location, measured structure to structure. If a tent is used for the construction of the fireworks stand, the material must be of a flame-retardant type. Each such location upon which fireworks are to be sold shall provide for the public not less than one (1) off-street parking stall per one-hundred (100) square feet of sales structure floor area and adequate ingress and egress aisles. Fireworks shall not be stored or sold within fifty (50) feet of any source of flame, sparks, or flammable or volatile liquids in excess of one (1) gallon, except in stores where cleaners, paints, and oils are handled in sealed containers only. A description of each location referred to herein shall be provided to and approved by the public works director or his/her designee of the city prior to the issuance of a permit to sell fireworks. Each vendor shall furnish without cost to the city such flagperson and attendants as are necessary to insure the orderly parking of vehicles around each sale site, and shall in no way interfere with the normal flow of traffic on public roads. No vendor shall allow parking on public right-of-way around any sale site.

(c) Prior to issuance of the permit, an inspection will be made of the applicant's facility to determine the square footage of the stand/tent/building and other pertinent laws and no permit shall be issued for any premises not in compliance with such laws. The sale of fireworks will be allowed in areas zoned D, E, F and G in the city. No sales of fireworks shall occur at any location, building, structure, tent or other similarly describable enclosure in conjunction with the retail sales of non-fireworks related items except as allowed by staff at the written request of the vendor. Any items sold under this exception must be approved by city staff prior to any sale taking place.

(d) Approval of all safety precautions and equipment at each sales site by the public works director or his/her designee; such precautions to include fire extinguishers and such other equipment as required by applicable state and city laws and regulations.

(e) Each vendor shall obtain a policy of general comprehensive liability insurance for a minimum coverage of \$500,000 per occurrence, with the city of

Haysville named as an additional insured, and shall provide the city with a copy of the certificate of such insurance. Such policy or policies shall not be cancelable by the vendor upon less than thirty (30) days notice.

(f) Each vendor shall obtain a policy of product liability insurance for a minimum coverage of \$500,000 per occurrence for products sold and/or stored within the city by the vendor, and shall provide the city with a copy of the certificate of such insurance. Such policy or policies shall not be cancelable by the vendor upon less than thirty (30) days notice.

(g) Each vendor shall at all times indemnify the City of Haysville, Kansas, its officials, representatives, designees and employees, and shall defend, save and hold them harmless, from and against any and all claims, actions, damages, liability and expense, including but not limited to attorneys and other professional fees, in connection with loss of life, personal injury and/or damage to property arising from or out of the storage, sale, discharge and/or transportation of fireworks by such vendor and vendor's customers, representatives, employees, contractors and designees.

(h) Permit fees shall be collected for each sale location based on square feet of the structure. The square footage shall be determined by the interior dimension measurements of the physical structure of the stand/tent/building. Permit fees as established by section 17-341 shall be collected for each sale location and shall be based on the square footage of the structure or location.

(i) Permit fees as established by section 17-341 shall be collected for each sale location and shall be based on the square footage of the structure or location. Each permit so issued shall be valid for forty-five (45) calendar days and then shall expire.

(j) No permit shall be issued or renewed to a holder who has failed to demonstrate financial responsibility. In this regard and by way of illustration, evidence that the holder of a permit has failed to pay the cost of merchandise when due, failed to pay costs associated with leased land or facilities when due, or failed to pay wages of employees when due in connection with sales of fireworks in prior years, may constitute sufficient grounds for the rejection of an application for a permit.

(Ord. 748, Sec. 2; Ord. 748-A, Ord. 748-B; Code 2003)

5-1103. DESIGNATED SALE TIMES. Fireworks permitted under this article shall be sold only during the following times; 8:00 a.m. to 10:30 p.m., June 27th through July 2nd and 8:00 a.m. to midnight July 3rd and July 4th.

(Ord. 748, Sec. 3; Code 2003)

5-1104. DESIGNATED TIMES FOR FIREWORKS DETONATION. Fireworks, which may be displayed, detonated, discharged, and/or ignited within the city limits shall only be those devices commonly known as fireworks legal for sale within the state of Kansas. Residents of the city and their guests may detonate fireworks permitted under this article on their private property during authorized shooting hours as set forth in this article. The detonation of fireworks within the city shall be permitted only between 8:00 a.m. and 10:30 p.m. June 27th through July 2nd. On July 3rd and July 4th detonation of fireworks will be permitted between the hours of 8:00 a.m. to

midnight. On December 31st detonation of fireworks will be permitted between the hours of 6:00 p.m. to 1:00 a.m. January 1st.

(Ord. 748, Sec. 4; Code 2003)

- 5-1105. **DISCHARGE OF FIREWORKS: EMERGENCY CONDITIONS.** Upon the determination of the mayor and based upon recommendations of the city staff, the discharge of fireworks may be limited, suspended or prohibited within the city limits of the city even during those times generally permitted by this article. Such determination shall be made if it appears to the mayor that the discharge of fireworks constitutes an immediate hazard to the safety of property or persons within the city. Such limitation, suspension or prohibition shall be by emergency proclamation, signed by the mayor, which shall be publicized and posted at the City Hall. If thereafter, circumstances occur which minimize or eliminate the hazardous condition resulting in such proclamation, the proclamation may be rescinded or modified by subsequent proclamation with similar posting. In the absence of the mayor, the then serving president of the council shall be empowered to issue such proclamation.

(Ord. 748, Sec. 5; Code 2003)

- 5-1106. **PROCEEDS FROM FIREWORKS PERMIT SALES.** Proceeds from the sale of fireworks permits shall be used to fund capital improvements for the Haysville Park System and/or the July 4th public fireworks display.

(Ord. 748, Sec. 6; Code 2003)

- 5-1107. **PENALTY CONNECTED WITH THE SALE OF FIREWORKS.** The violation of any provision shall be punishable by a fine of \$2,500.00 and/or imprisonment for not more than one (1) year and/or revocation of any permit to sell fireworks. Any permit holder violating any provisions shall first be issued a warning by the police department, and on any second or subsequent violation of this article, the police department shall revoke the permit for sale and terminate the sale of fireworks by the violator. Any permit holder whose permit is revoked hereunder may appeal to the governing body by notice served upon the city clerk, and a hearing shall be called and held not less than twenty-four (24) hours from the date of the filing of such notice of appeal.

(Ord. 748, Sec. 7; Code 2003)

- 5-1108. **PENALTY FOR UNLAWFUL DETONATION OF FIREWORKS.** The violation of any provision contained in section 5-1104 of this article shall be punishable by a fine not to exceed two hundred fifty dollars (\$250.00) and forfeiture of any and all fireworks that were then in the possession of the alleged offender.

(Ord. 748, Sec. 8; Code 2003)



Sedgwick County Fire District #1 Tents or Temporary Membrane Structure Permit Requirements

The Sedgwick County Fire Code has established the following requirements for the use of any **TENT OR TEMPORARY MEMBRANE STRUCTURE** having an area in excess of 200 square feet or any canopy in excess of 400 square feet, except those used exclusively for camping

Application requirements:

1. A completed permit application is submitted for each tent or temporary membrane structure being used on the property at least 10 days prior to the date of the event
2. \$35.00 permit fee for each structure is included
3. A site plan indicating compliance with the site requirements is provided
4. A certificate of flame-retardant treatment is provided for each structure (serial number on the tent must match the number on the certificate)

Site requirements:

1. The site plan will need to be legible showing the location of the tent, in feet, from other structures, access roads, streets, vehicle parking, and property lines.
2. No flammable or combustible liquids are to be stored within 50 feet of any of tent, canopy or temporary membrane structure

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- ▶ [Arson Task Force](#)
- ▶ [Chief Gary Curmode](#)
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- 3. Generators and other internal combustion power sources shall be separated from temporary membrane structures, tents and canopies by a minimum of 20 feet (6096 mm) and be isolated from contact with the public by fencing, enclosure or other approved means
- 4. Combustible vegetation shall be removed from the area occupied by a temporary membrane structure, tent or canopy and from areas within 30 feet (9144 mm) of such structures
- 5. Hay, straw and similar combustible materials shall not be stored inside or within 30 feet (9144 mm) of a temporary membrane structure, tent or canopy being used for cooking or public assembly.

EXCEPTION: Hay, straw and similar combustible materials treated with a flame retardant in an approved manner (documentation must be on site as the material will be subject to testing by the fire department at the owners expense)

- 6. Temporary membrane structures, tents and canopies shall not be located within 20 feet (6096 mm) of property lines, buildings, temporary membrane structures, other tents and canopies, parked vehicles or internal combustion engines. For the purpose of determining required distances, support ropes and guy wires shall be considered as part of the temporary membrane structure, tent or canopy.

EXCEPTION: Separation distance between temporary membrane structures, tents and canopies, not used for cooking, is not required when the aggregate floor area does not exceed 15,000 square feet

- 7. Balloons and other similar devices that contain or are filled with toxic, explosive or other flammable gasses are not permitted in or adjacent to any tent, canopy or temporary membrane structure.
- 8. The floor surface inside a tent or temporary membrane structure and the grounds outside within a 30 feet perimeter shall be kept clear of combustible waste. Such waste shall be stored in approved containers until removed from the premises

Structure Requirements:

- 1. A certificate of flame-retardant treatment is to be provided for each structure being permitted. This certificate shall include:
 - a. Identification of tent, canopy or temporary membrane structure, size and fabric type

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**Sedgwick County Fire
District # 1
4343 N. Woodlawn
Wichita, KS 67220
Tel: (316) 660-3473
Fax: (316) 744-0944
Emergency: 911**

- b. Date the fabric was last treated with a flame retardant solution
 - c. Trade name and type of solution utilized in the flame retardant treatment
 - d. Name of persons and firm treating the material
 - e. Make and manufacturer of the tent, canopy or temporary membrane
2. Exits shall be space at approximately equal intervals around the perimeter of the tent so that no point within the tent is more than 100 feet from an exit. The numbers of exits required are as follows:
 - a. up to 199 persons 2 exits minimum 6 feet minimum exit width of each exit
 - b. 200 – 499 persons 3 exits minimum 6 feet minimum exit width of each exit
 - c. 500 – 999 persons 4 exits minimum 8 feet minimum exit width of each exit
 - d. 1000 – 1999 persons 5 exits minimum 10 feet minimum exit width of each exit
 - e. 2000 – 2999 persons 6 exits minimum 10 feet minimum exit width of each exit
 - f. over 3000 persons 7 exits minimum 10 feet minimum exit width of each exit
3. Exits signs are to be placed over each required exit doorway. Self-luminous signs are required when the occupant load exceeds 100 persons.
4. Exit openings from tents shall remain open unless covered by a flame-resistant curtain, provided:

Curtains shall be free sliding on a metal support. The support shall be a minimum of 7 feet above the floor level at the exit. The curtains shall be so arranged that, when open, no part of the curtains obstructs the exit. The curtains shall be of a color, or colors, which contrast with the color of the tent.
5. Guy wires, guy ropes and other support members shall not cross a means of egress at a height of less than 7 feet
6. Tent, canopy or temporary membrane structures and their attachments shall be adequately braced and anchored to withstand the elements of the weather against collapsing.

Interior Requirements:

1. If required, an interior floor plan shall be provided to the fire department for review and approval.
2. Fire extinguishers and other fire protection appliances are to be provided in every tent, canopy or temporary membrane structure as follows:
 - a. 200 up to and including 500 square feet: one 2A-10BC
 - b. 501 up to and including 1000 square feet: two 2A-10BC
 - c. 1001 up to and including 3000 square feet: three 2A-10BC
 - d. 3001 up to and including 5000 square feet: four 2A-10BC
 - e. 5001 up to and including 7000 square feet: five 2A-10BC
3. An occupant load shall be established for the tent based upon 1 person for every 15 square feet when tables and chairs are used and one person for every 7 square feet when only chairs are used. Only the usable floor space needs to be calculated when determining the occupant load
4. Smoking is prohibited by any persons in any tent, canopy or temporary membrane structure. "No Smoking Signs" are required to be posted in conspicuous locations
5. Combustible vegetation shall be removed from the area occupied by a temporary membrane structure, tent or canopy and from areas within 30 feet (9144 mm) of such structures.
6. Hay, straw and similar combustible materials shall not be stored inside or within 30 feet (9144 mm) of a temporary membrane structure, tent or canopy being used for cooking or public assembly.

EXCEPTION: Hay, straw and similar combustible materials treated with a flame retardant in an approved manner

PERMIT APPLICATION PROCEDURE

Submit a completed tent permit application 10 business days prior to the event date. The permit application must include a detailed site plan, certificate of flammability (obtained from your tent supplier), and a fee payment of \$35 per tent.

The completed permit application is reviewed. The application is reviewed for completion; the site plan is reviewed for legibility, distance of the tent in feet from other structures, access roads and streets, vehicle parking distances, distance from property lines, location of generators and other internal combustion power sources, storage of flammable or combustible liquids, and the storage of other combustible items. The certificate of flammability is verified for compliance with the information stated in item #1 of the structure requirements and verification of fee payment. A completed application includes the permit application, site plan, certificate of flammability and fee payment. Sorry, we can no longer accept faxed applications. **An incomplete application will be returned – no exceptions!**

When approved, a permit to erect the tent is issued to the permit applicant. This permit will authorize your tent supplier to erect the tent. **NO TENT STAKES OR POLES SHALL BE PLACED IN THE GROUND NOR SHALL THE TENT BE ERECTED**, unless the tent supplier has a copy of the permit approval letter in their possession. If the tent is found to have been erected without the permit approval notice, citations will be issued to the tent supplier. If the tent is discovered in the process of being erected without the permit approval notice, an immediate work stoppage order shall be issued and the tent installation shall cease whether or not the tent is completely erected.

Inspection is requested from the permit applicant. The inspection must be requested at least 24 hours in advance. At the time of the inspection, all fire extinguishers, exit signs, lighting, and any other equipment will need to be installed. All fire extinguishers shall be fully charged and tagged by an authorized state of Kansas fire extinguishing company and placed at accessible locations near the exits. NO extinguisher is to be obstructed in anyway which will prevent it from being easy accessed in the event of a fire. Fire Extinguisher number and type will need to comply with item #3 of the Interior Requirements. Exits are to be provided in accordance with item #2 with exit signs being provided in accordance with item #3 of the Structure Requirements.

When occupancy is approved (based upon the results of the site inspection) a permit to occupy the tent is issued from the fire department. The permit to occupy the tent is issued by a fire department inspector after compliance with the tent permit requirements has been verified. These requirements are stated on the Tent or Temporary Membrane Structure Permit Requirement sheet.

✎ Tent or Temporary Membrane Structure Permit Application

✎ Adobe Acrobat Reader Required

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last update: 08/25/06
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**SEDGWICK COUNTY DEPARTMENT
FIREWORKS DISPLAY
PERMIT APPLICATION
REQUIREMENTS**



*The following information must be submitted with the **FIREWORKS DISPLAY PERMIT APPLICATION** no less than 10 days **prior** to the date of the display stated on the application:*

The permit application shall include a detailed diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged; the location of buildings, highways and other lines of communication; the lines behind which the audience will be restrained; and the location of nearby trees, telegraph or telephone lines and other overhead obstructions. A directional arrow indicating north, south, east, and west shall be shown.

The permit application shall also include a current copy of the display operator's license.

Indoor displays shall include a floor diagram of the interior showing the point at which the fireworks are to be discharged, the lines behind which the audience will be restrained, any overhead obstructions, and placement of fire extinguishers.

Indoor display applications shall include a pyrotechnic special effects technical informational package. Such information shall include the type and amount of materials being used and shall meet the approval of the property owner. The informational packet shall include **READABLE** copies of insurance certificates, licenses and product information being used inside the facility including Material Safety Data Sheets (MSDS).

No permit for a supervised public display of fireworks shall be issued until a certificate evidencing a public liability insurance in total aggregate amount of not less than **\$500,000.00 per display for injury or death** to persons or injury to property by reason of the permitted display and arising from any acts of the permittee, his/her agents, employees, or subcontractors, has been filed with the fire prevention bureau, *which Certificate of Insurance shall name as additional insured "Board of County Commissioners of Sedgwick County, Kansas, Sedgwick County Fire District Number One, their agents, officers, and employees. Displays at the Kansas Coliseum shall also include that facility as an additional insured.*

Any information submitted with the permit application shall be clearly legible, including that information which may be sent by fax mail to the permit applicant prior to making an application to the Sedgwick County Fire Department. Failure to do so will cause the permit application to be denied.

An application fee for the permit of \$50.00 (fifty dollars) shall be submitted with the application. The fee is to be submitted by check or money order payable to the Sedgwick County Fire Department.

The completed application can be mailed or brought to the Sedgwick County Fire Department at 4343 N. Woodlawn in Wichita, Kansas 67220. The phone number is (316)660-3400. If additional information is needed, please contact the Sedgwick County Fire Department Fire Prevention Bureau at the above location.