



**City of
Riverbank**

Office of the City Clerk / Elections
6707 Third Street • Suite A • Riverbank CA 95367
Direct: (209) 863-7198 • Dept.: (209) 863-7122 • FAX: (209) 869-7100
E-mail: cityclerk@riverbank.org

**TEMPORARY FIREWORKS SALES & STAND PERMIT
INSTRUCTIONS AND APPLICATION**

(Keep instruction pages 1-3 for reference)

REQUIREMENTS

You are responsible in knowing the dates and times for the sale of fireworks. This application is between the Applicant and the City of Riverbank; all responsibilities for the accurate completion of the application, communication in regards to this process, and compliance by the Applicant with the laws governing fireworks remains with the Applicant and does not shift to any third party used for assistance.

Incomplete applications submitted by the deadline may result in denial of the application. **No application will be accepted after MONDAY, APRIL 1ST.** All applications and questions are to be directed to Gaby Hernandez, City Clerk, (209) 863-7198 or cityclerk@riverbank.org.

Application packets are available on the City’s website front page at www.riverbank.org.

DATES TO REMEMBER	ACTION (2023) – During normal business hours.
March 1 – April 1	Application period to file for a temporary fireworks booth sale permit. <ul style="list-style-type: none"> City office are closed to the public ALL FRIDAYS. You May: <ul style="list-style-type: none"> Bring in your application. Packets must be hand delivered. Must be received by the deadline (date and time).
5:30 p.m. April 1st	Deadline to submit all documentation (NO EXCEPTIONS).
No later than May 30th	Notification Letter as to the acceptance or rejection of the application will be e-mailed to the applicant.
No sooner than June 26 th	Temporary stand may be erected beginning on this day.
June 28th (12:00 noon – 10:00 p.m.)	Sales may begin of safe and sane fireworks. <ul style="list-style-type: none"> Failure to abide by this law shall cause a permit to be immediately revoked, loss of future permits, and fines may be imposed.
June 28th – July 4th (9:00 a.m. – 10:00 p.m.)	Dates and times of Sales of safe and sane firework. <ul style="list-style-type: none"> Failure to abide by this law shall cause a permit to be immediately revoked, loss of future permits, and fines may be imposed.
June 28th – July 6th (12:00 noon – 10:00 p.m.)	Discharge of days and time of safe and sane fireworks in the City. <ul style="list-style-type: none"> Fines from \$325 to \$1,050 will be imposed; no warnings.
July 5th 12:00 noon deadline	All unsold fireworks stock shall be removed from the booth location.
July 7 th	Remove fireworks stand.

Eligibility for a Temporary Fireworks Sales Permit: (This application must be completed and submitted by the nonprofit agency's Officer; all communication will be conducted directly with the applicant. If you use a third party for assistance, it will be the applicant's responsibility to communicate with the third party.)

- (A) The applicant must be a bona fide nonprofit organization or corporation, as recognized by the State of California, or a tax-exempt organization or corporation recognized by the Federal Internal Revenue Service that was formed primarily for veteran, patriotic, welfare, civic betterment, charitable, or charitable purposes; or
- (B) The applicant must be a nonprofit or tax-exempt organization affiliated with the Riverbank Unified School District, located within the city limits of the City of Riverbank, or
- (C) The applicant must be a nonprofit or tax-exempt organization from a school within six (6) miles of the city limits that has a student body consisting of at least fifty (50) percent Riverbank residents.
 - (1) Said applicant from a school outside the city limits shall not be eligible for a permit if a permit is granted or is expected to be granted by another jurisdiction.
- (D) **The nonprofit or tax-exempt organization shall:**
 - (1) Provide proof of having a minimum of (10) members of which at least 80 percent of its current members reside within the city limits of Riverbank, and
 - (2) Provide proof of having been established within the city's postal area (95367) for at least a period of (1) year, and
 - (3) Provide proof of having its principal and permanent meeting place in the city's postal area 95367); and
 - (4) Provide proof of having demonstrated its purpose for existence, by stating what direct and continuous services and benefits Riverbank community has received in the past (12) months.
 - (5) An applicant from a school outside the city limits that may not meet all the aforementioned criteria shall meet criteria that are satisfactory to the Program Administrator.

Applicant Responsibilities This application is between the Applicant and the City of Riverbank, and does not shift or transfer to any third party hired by the applicant for assistance. To ensure the risks and responsibilities of the sale of fireworks in the City are acknowledged and known by the applicant, the applicant shall:

- Be responsible for the accurate completion of the application;
- Communicate with the City in regards to any questions, clarifications, or completion of the process;
- Comply by the laws governing the sale of fireworks and the permit issued;
- Be considered the responsible authorized principal officer who may sign and submit the application on behalf of the applicant organization;

City of Riverbank Laws on Fireworks

- The Applicant shall read, abide to, and acknowledge the provided copy of Riverbank Municipal Code, Title 9, Chapter 92, governing the sale of safe and sane fireworks in the City of Riverbank. (A copy is provided as part of the application packet.)
 - **Fees** A \$50.00 check for the permit processing fee must be attached to the application; the Business License \$50.00 fee is waived for nonprofit organizations.

Liability Insurance Coverage

In accordance with the City's Risk Management Authority: The Vendor shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability.

Vendor's general liability policies shall be primary and shall not seek contribution from the City's coverage, and be endorsed using Insurance Services Office form CG 20 10 (or equivalent) to provide that City and its officers, officials, employees, and agents shall be additional insureds under such policies.

Note: Liability Certificates are required to state the **City of Riverbank as the "Certificate Holder"** and must have the **separate "additionally insured endorsement"** attached. Applications without this correct certificate will be denied. Please double check this requirement.

Complete and Return the Required Document. ([Failure to pay the fee and provide all required documentation by the deadline shall stop further consideration of your application.](#))

Return by hand delivery to: City of Riverbank, c/o City Clerk, 6707 Third Street, Suite A, Riverbank, 95367

Notification on Status of Your Application

- Email is the fastest method of notification by the City. A decision will be made no later than **May 30th**. Please ensure that a valid, legible email address is provided. It is very important that the applicant periodically check the email account during the application period and sale of fireworks period for any communication sent by the City during the period of April 1 – May 30. [Please do not call or email the City Clerk for the status of your application prior to May 30th.](#)
- If problems with approval of the application arise, communication shall be between the Applicant and the City Clerk of the City of Riverbank.

Third Party Assistance

Although there is no prohibition for an organization to hire a third party to assist them, the completion of the application and the process is between the Applicant and the City of Riverbank; all responsibilities for the accurate completion of the application, communication in regards to this process, and knowledge and compliance by the Applicant and Organization Members/Agents with the laws governing fireworks remains with the Applicant, and does not shift or transfer to any third party used or hired for assistance.

(Date stamp upon receipt) \$50 check attached.



APPLICATION FOR TEMPORARY FIREWORKS SALES PERMIT 2024

Deadline: 5:30 pm – APRIL 1, 2024

Complete and return this application with the required documents, and \$50 check payment to the City Clerk.

PART – 1 of 4: APPLICANT/ORGANIZATION INFORMATION

Organization's Name:		Principal Meeting Address:	
Applicant's First & Last Name (must be a Principal Officer)		Organization's Mailing Address:	
Email:	Phone No.	Emergency Phone No.	
Type of Community Service Provided:			Date Organization came into existence
State BOE Seller's Permit No.	Cal Fire License No.	Current Tax Exemption No.	

Property Owner Information (you must complete the City's Property Owner Consent Form)

Name of Property Owner:	Address:
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Three Principal Officers of the Organization

Name	Title	Address	Phone
		Bus./Res.	
		Bus./Res.	
		Bus./Res.	

Alternate Organization Officer to Submit Application or Receive Temporary Sales Permit (must have ID)

First and Last Name:	Officer's Title:	Contact Phone No.	Email Address:
As the Alternate Officer of the Organization authorized to submit this application and receive the Temporary Sales Permit, I am responsible to ensure the permit I receive from the City of Riverbank on behalf of the Organization will be given to the Principle Applicant of this Organization.			
Signature:	Print Name:	Date:	

I declare under penalty of perjury under the laws of the State of California that I am a duly appointed Principal Officer and agent of the Organization submitting this application. I am authorized by its Board to submit this application. I further declare that the above information and required attachments submitted with this application is true and correct. I acknowledge that any false information provided will result in denial and revocation of any issued permit, and denial of any future permits. I further acknowledge that as the responsible Organization Officer I shall ensure that all applicable State, County, and City laws will be understood and adhered to. Furthermore, I authorize the stated Alternate Officer to submit this application or receive the permit on my behalf, if I am unable to do so.

Applicant's Signature:	Print Name:	Date:
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PART – 2 of 4

Fireworks Distributor/Wholesaler Information

Company Name:		Address:	
Contact Person Name:	Email:	Phone No.	

EMERGENCY SITUATION

First call 911 for Fire and Police assistance. Second, please contact Gaby Hernandez, City Clerk at (209) 863-7198 (during business hours of 7:30 am – 5:30 pm).

RELEASE AND HOLD HARMLESS

I acknowledge that as a Principle Officer and Applicant, our organization shall maintain, prior to the beginning of, for the duration of the Temporary Sales Permit, and while in possession of fireworks, a liability insurance policy covering public liability and property damage insurance.

As the authorized Officer, on behalf of the Applicant Organization, we shall indemnify, defend and hold harmless the City of Riverbank, its officers, officials, agents, employees and volunteers from, and against any and all causes of action, claims, liabilities, obligations, judgements, losses, damages, injuries, including death, expense, cost (including without limitation cost and fees of litigation and legal counsels’ fees) of every nature arising out of the Applicant and/ or the Organizations agents performance or out of the operations conducted by or in connection with the City of Riverbank’s issuance of a permit for the sale of fireworks to the applicant or organization agents or its failure to comply with any of its obligations set forth in the City, County, or State laws, including the passive negligence of the City, its officers, agents servants, and employees. In the event the City indemnitees are made a party to any action, lawsuit, or other adversarial proceeding arising from Vendor’s performance of an issued fireworks sales permit, the Vendor shall provide a defense to the City indemnitees, or at the City’s option, reimburse the City indemnitees their costs of defense, including reasonable legal counsels’ fees, incurred in defense of such claims. **(The President/Chair of the Organization’s Board must sign this portion of the application.)**

President/Chair Signature	Print Name	Date
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ACKNOWLEDGEMENT TO ONLY SELL “SANE AND SAFE” FIREWORKS

I hereby confirm that all fireworks that will be sold during the permitted period and under the conditions set forth by the City of Riverbank will meet the definition of “Safe and Sane Fireworks” under the California Health and Safety Code and shall not come within the definition of “dangerous fireworks” or “exempt fireworks”. I understand that this application and the permit, if issued are not transferable to another organization, and all sales shall be sold and shall cease in accordance with the period indicated by the City of Riverbank’s Temporary Sales Permit.

Applicant’s Signature	Print Name	Date
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I further confirm that I have read Riverbank Municipal Code, Title 9, Chapter 92 provided and fully understand, acknowledge, and will comply with all laws set by the City of Riverbank, Stanislaus Consolidated Fire Protection District, and the State of California to sell, transport, and store safe and sane fireworks in the City of Riverbank.

Applicant’s Signature	Print Name	Date
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(Failure to provide all the required documents will stop further consideration of this application. Please double check the requirements and your documentation.)

- Typed Statement:** List of charitable contributions/services provided to the Community in the last twelve (12) months and contact information of receiver who may verify this charity.
- Proof of tax exemption that is active and in good standing.** A copy of 501(c) (3) or 23701d designation for nonprofit Federal tax Exempt Status, or proof of State Tax Exemption: Section 214 of the Tax and Revenue Code. May be obtained from the Departments Internet website.
- Ten (10) Organization Members:** A list of names, and contact information; with at least three (3) that are principle officers.
- First time applicant:** Provide proof of the organization’s existence in the City for at least one year prior to March 31, 2024.
- Location Consent (City) Form:** Property Owner’s authorization, with **original signature** (no copy).
- Map** – Showing where the fireworks **stand location and the required distance requirements** set by the Fire Protection District. (It must show the required safety distances.)
- Certificate of Liability Insurance shall:**
 - Indicate Vendor’s commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability.
 - Indicate Vendor’s general liability policies shall be primary and shall not seek contribution from the City’s coverage, and be endorsed using Insurance Services Office form CG 20 10 (or equivalent) to provide that City and its officers, officials, employees, and agents shall be additional insureds under such policies.
 - Indicate the City of Riverbank as the “Certificate Holder” and have a separate additional insured endorsement of the City and its officers, officials, employees, and agents attached.
 - Indicate that a 30-day notice prior to cancellation or material change shall be provided.
- Cal Fire** – State Fire Marshal Retail Fireworks License Application (copy).
- California Board of Equalization Temporary Sellers Permit** (copy). Note: It must reflect the address of where the booth will be set up to sell fireworks.
- Copy of **Consolidated Fire Protection District’s Application** forms.
- \$50.00 Check** for permit processing fee (per Municipal Code): Made out to “City of Riverbank”. Please note: **This payment does not guarantee issuance of a permit by the City.**
- All documents with the required information are attached.

PART – 4 of 4: FINAL DETERMINATION OF APPLICATION

(For City official use only – Do not write on this page)

DETERMINATION OF APPLICATION

Organization Name:

Reasons Approval Pending:

Applicant Notified by:	<input type="checkbox"/> Email: _____ Date:	<input type="checkbox"/> USPS Letter _____ Date:	<input type="checkbox"/> Phone: Spoke with _____ Date:
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Reason for Denial:

Applicant Notified by:	<input type="checkbox"/> Email: _____ Date:	<input type="checkbox"/> USPS Letter _____ Date:	<input type="checkbox"/> Phone: Spoke with _____ Date:
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PERMIT:	Granted <input type="checkbox"/>	Denied: <input type="checkbox"/>	\$50 Check #: <input type="checkbox"/>	Temporary Sales Permit # 2023-
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Applicant Notified by:	<input type="checkbox"/> Email: _____ Date:	<input type="checkbox"/> USPS Letter _____ Date:	<input type="checkbox"/> Phone: Spoke with _____ Date:
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Permit provided to Applicant:	Picked up by _____	Date: _____	Mailed USPS on _____
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Authorized by (print name and title):

Signature: _____	Date: _____
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PROPERTY OWNER AUTHORIZATION FORM

This form must be completed by the Owner of Record of the property where the fireworks stand will be located and attached to the City's Fireworks Temporary Sales Permit Application.

Permission is hereby granted to _____ and
(Fireworks wholesaler/distributor)

_____ for the exclusive right to use the
(Organization's name and address)

property located at _____ in the City of
(Fireworks stand location (address))

Riverbank, California, for a temporary fireworks stand and sale of safe and sane fireworks.

Fireworks stand: The stand may be erected *no earlier than June 26th* and shall be removed *no later than July 7th*.

Sale of safe and sane fireworks: No earlier than 12:00 p.m. noon on June 27th and thereafter daily from 9:00 a.m. to 10:00 p.m., and shall stop by 10:00 p.m. on July 4th.

It is understood that the retail fireworks operations will be conducted in accordance with all City, County, and State regulations. In addition, I will ensure that the permitted Organization shall not leave any debris, litter, or any other evidence of temporary use.

Property Owner Printed Name:		Title	
Mailing Address			
Email:		Phone No.	
Signature:			Date:

(To ensure the security of the property owner's permission, a "wet" signature must be on this form and submitted along with the application (no copies or electronic signatures accepted).