

### FIREWORKS SALES BASICS

#### Fireworks Sales Regulations

The City of Shawnee fireworks regulations specific to the sale and discharge of fireworks are in Title 5, [Chapter 5.70](#) of the Shawnee Municipal Code. A valid fireworks sales permit issued by the City's Community Development Department is required for all temporary retail fireworks vendors.

The temporary retail sale of fireworks are only allowed during the hours of 8:00 a.m. and 10:00 p.m. on June 27 through July 4 each year.

#### Prohibited

- Unless specifically permitted by the Community Development Department as part of a Fireworks Display Permit issued pursuant to SMC 17.67.040(A), the following types of fireworks are prohibited from being sold or discharged at any time within the City of Shawnee:
  - Bottle Rocket. Any bottle rocket as defined in K.S.A. 31-507.
  - Unmanned Aerial Luminary; Sky Lantern; Sky Candle; or Fire Balloon. A device resembling a small hot air balloon, constructed of lightweight material which is capable of traveling through the air when powered by fire or a fuel cell until such fire or fuel cell deteriorates, causing such device to fall to the ground at an unknown location.
- All retailers are forbidden to expose fireworks where the sun shines through glass.

### FIREWORKS SALES APPLICATION GUIDE

#### Permit Requirements

- Vendors who would like the opportunity to obtain a Fireworks Sales Permit must first submit a Fireworks Sales Request form. Request forms are due to [Planning@CityofShawnee.org](mailto:Planning@CityofShawnee.org) by the second Friday of September each year. A sales location site must be selected in order to proceed.

#### Permit Selection Preference

- All vendors who had an approved Fireworks Sales Permit the prior year and operated within the Fireworks Sales requirements may choose to keep their permit, but only in the same Council Ward (with exception of the At-Large vendor). A different location within the same Council Ward is permissible. Submission of a Fireworks Sales Request form is still required.
  - Vendors will be notified by City Staff following each July 4<sup>th</sup> sales season of the satisfactory/unsatisfactory performance.
  - Vendors performing unsatisfactorily will not be permitted to apply for a sales permit the following sales year.
- The At-Large permit holder may choose any Council Ward to locate. Submission of a Fireworks Sales Request form is still required no matter where choosing to locate.
- If you were a permitted vendor during the prior sales year, and you would like to move your sales location to another Council Ward, you therefore release your permit.
- Shawnee residents and businesses have priority selection for any open Council Ward or At-Large Fireworks Sales Permit.
- If there is a permit available for any Council Ward or At-Large vendor and a Shawnee resident or business has not submitted a sales request, then the vendor will be randomly selected.

- Only vendors who have been selected and notified by the City of Shawnee Community Development Department may apply for a permit to sell fireworks. Applications are due no later than October 15 each year. An application does not constitute a permit.
- Fireworks Sales Permit applications must be completed via the Shawnee CitizenServe Portal, [https://www.cityofshawnee.org/departments/community\\_development](https://www.cityofshawnee.org/departments/community_development). Applicants must have an account to submit an application.
- Fees will be processed upon satisfactory completion of all permit requirements (no later than June 1 annually). Fees should not be paid at the time of application.
  - \$2,500
  - \$1,000 check or Bond payable to the City as an assurance that the permit holder complies with the site restoration requirements on or before July 15 annually. If the permit holder fails to restore the area to a neat and presentable condition free of temporary materials, debris, or litter, the actual and reasonable cost of the removal and restoration shall be first deducted from the bond or check, prior to return of any balance remaining.
- Any approved permit will be conditioned on the applicant filing with the Community Development Department a certificate of liability insurance covering such sales approved by the City Attorney stating that the applicant has a liability insurance policy in the minimum amount of one hundred thousand dollars (\$100,000.00) for one (1) person and five hundred thousand dollars (\$500,000.00) for injury to or death of more than one (1) person, and one hundred thousand dollars (\$100,000.00) coverage for damage to property.
  - The certificate of insurance shall name the city as an additional named insured. Evidence of the certificate and any required additional insured endorsement shall be submitted no later than June 1 annually. No permit shall be valid, and approval shall be regarded as revoked, if an approved permit holder fails to comply with these provisions.

### Application Attachments

- A letter from the applicant describing the proposed sales operations, the hours of operation, anticipated attendance, similar fireworks sales experience in other cities, including the cities' names, and general safety measures to be employed on-site.
- A sketch plan showing the location of the proposed activities, structures and signs in relation to existing buildings, parking areas, streets and property lines;
- A letter from the property owner or manager, if different from the applicant, agreeing to the use of property for fireworks sales.
- Parking Plan
  - Identify expected parking demand, on and off-site public and private parking areas. Property owner approval is required if using other adjacent private parking areas.
- Public Safety Plan, including identification of:
  - Primary on-site contact(s)
  - On-site fire extinguishers and fire hydrants
  - Emergency vehicle access points
  - Identification and contact information of a weather monitor for inclement weather
  - Shelter in-place and evacuation plan
- Traffic Control Plan:
  - Pedestrian and emergency vehicle access points
  - Barricade locations (as applicable)
  - Other traffic control devices to be used, like cones and signage

- Identification of times traffic will be impacted
  - All control measures must comply with the Manual on Uniform Traffic Control Devices (MUTCD) guidelines
- Fire Department Review
  - Location and sizes of tents or canopies.
    - A flammability certificate or fire retardant rating shall be provided for tents and canopies (see attachments 1 and 2).

**For questions, contact the Fire Marshal at 913-631-1080.**

- Any additional information deemed necessary by the Community Development Director.

### Conditional Permit Approvals - Inspections Required

- By January 1 annually the City will conditionally approve no more than five (5) permits for the temporary retail sale of fireworks. All applicants will be notified of their permit status.
- The City Building Inspector and Fire Marshall must review the application, inspect the proposed site and any structures to be used for the sales, to ensure compliance with all requirements, and any other requirements reasonably imposed by the Inspector and Fire Marshall to insure the health and safety of the public and any residents in, on, or around the premises. The Inspector and Fire Marshall shall forward a written recommendation on the application to the City.
- Fire extinguishers required.
  - Two (2) functioning and approved fire extinguishers must be provided and kept in close proximity to the stock of fireworks in all permanent buildings where fireworks are stored, sold or displayed for sale.
  - Small stands, temporarily erected to be used as a place for storing and selling fireworks only, shall have one (1) such fire extinguisher, or in lieu of the fire extinguisher, a pressurized water hose with nozzle end within five (5) feet of the fireworks stand.

### 2024 Fireworks Sales Permit Review Timeline

- September 8, 2023 - Fireworks Sales Requests forms due
- September 21, 2023 – All applicants are notified by City Staff if they can proceed with submitting a Fireworks Sales Permit application.
- October 15, 2023 – Permit applications due.
- January 1, 2024 - Notification of all applicants of conditional approval or denial of permit.
- June 1, 2024 – Permit fee, check or bond for site cleanup assurance, certificate of insurance due, and any outstanding permit requirements must be completed.
- June 20, 2024 – Approved vendors can begin setup and request Fire and Building Codes inspections. Inspections must be scheduled at least 24 hours in advance.
- June 26, 2024 – Final day for City Fire Marshal and Building Inspector inspections
- June 27, 2024 – Approved vendors may begin selling fireworks
- July 5, 2024 – Fireworks sales must cease
- July 15, 2024 – All temporary structures, materials, debris, and litter must be removed from sales locations.

This application guide is intended as a summary of City ordinances related to the Sale of Fireworks, [Chapter 5.70.040](#) the Shawnee Municipal Code. For further information, contact the Community Development Department at 913-742-6011 or at [Planning@cityofshawnee.org](mailto:Planning@cityofshawnee.org).

Attachment 1.  
Tent Label Example

**Certificate of Flame Resistance**

<b>REGISTERED FABRIC NUMBER</b> <b>F-140.01</b>	<b>ISSUED BY</b> <b>JOHNSON OUTDOORS INC.</b> <b>BINGHAMTON, NEW YORK 13902</b> <small>Manufacturers of the Finest Tent Products Described Herein</small>	<b>Date of Manufacture</b> <b>OCTOBER 2007</b>
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**This is to certify that the products herein have been manufactured from material inherently flame retardant as here after specified by the material supplier. Made in the USA.**


NAME: DALLAS PARTY TENT AND EVENT  
CITY: ARLINGTON, TX

**Certification is hereby made that:**  
The articles described on this certificate have been manufactured with an approved flame retardant chemical in compliance with California State Fire Marshal Code, NFPA-701\*, A-A-5530B, FMVSS-302, CAN/ULC-S109-MB7, CPAI-84, Underwriters Laboratory of Canada, and have been tested in accordance with the Federal Test Method Specifications and meet or exceed the Military Flame Specifications of MIL-C-43008G.

Type, color, & weight of material: 14 OZ                      Vinyl: WHITE BLOCK OUT

Description of item certified: EVOLUTION 40X40

**Flame Retardant Process Will Not Be Removed By Washing.** Eureka! Tent tops that are designed to meet Temporary Building codes are supported with a Registered Architect Stamp. For that stamp to remain valid, the tent top must be installed with 100% Eureka! Manufactured fabric components.

<b>Snyder Manufacturing, Inc.</b> <small>Manufacturer of Flame Retardant Vinyl Laminates</small>	 TENT DEPARTMENT, JOHNSON OUTDOORS INC.	<small>*Large Scale</small>
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*Attachment 2.  
Fire Code Guidelines and Inspection Information*

**Approval Required**

An inspection shall be conducted for tents and membrane structures over 400 square feet.

3103.2 Approval required.

Tents and membrane structures having an area in excess of 400 square feet (37 m2) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides which comply with all of the following:
  - 2.1. Individual tents having a maximum size of 700 square feet (65 m2).
  - 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet, not exceeding 700 square feet total.
  - 2.3. A minimum clearance of 12 feet to all structures and other tents.

Site Plan and Floor Plan

3103.6 Construction documents.

A detailed site and floor plan for tents or membrane structures with an occupant load of 50 or more shall be provided with each application for approval. The tent or membrane structure floor plan shall indicate details of the means of egress facilities, seating capacity, arrangement of the seating and location and type of heating and electrical equipment. The construction documents shall include an analysis of structural stability.

**Distances**

Fire Department access and clearance to structures shall be maintained.

503.2.1 Dimensions

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches.

12 feet of clearance shall be maintained around the tent or membrane structure.

3103.8.6 Fire break.

An unobstructed fire break passageway or fire road not less than 12 feet wide and free from guy ropes or other obstructions shall be maintained on all sides of all tents and membrane structures unless otherwise approved by the fire code official.

**Documentation**

Tents and membrane structures shall be flame treated.

3104.2 Flame propagation performance treatment.

Before a permit is granted, the owner or agent shall file with the fire code official a certificate executed by an approved testing laboratory certifying that the tents and membrane structures and their appurtenances; sidewalls, drops and tarpaulins; floor coverings, bunting and combustible decorative materials and effects, including sawdust when used on floors or passageways, are composed of material meeting the flame propagation performance criteria of NFPA 701 or shall be treated with a flame retardant in an approved manner and meet the flame propagation performance criteria of NFPA 701, and that such flame propagation performance criteria are effective for the period specified by the permit.