



# **FIREWORKS STAND INSTRUCTIONS**

## **SALINE COUNTY, KANSAS**

Saline County Planning & Zoning Department  
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### **READ THOROUGHLY BEFORE MAKING ANY SITE IMPROVEMENTS**

These instructions are provided to individuals who will be operating fireworks facilities in unincorporated Saline County. These instructions are to help you through the site development and inspection process and advise you of all inspection deadlines. Also included is a checklist to assist you in setting up your facility. **FAILURE TO UNDERSTAND LOCAL REQUIREMENTS AND MEET DEADLINES MAY RESULT IN DELAY OR REVOCATION OF THE FIREWORKS STAND PERMIT.**

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### **APPLICABILITY**

The establishment of a temporary fireworks stand in unincorporated Saline County is subject to the review and approval of the Saline County Zoning Administrator, a representative of the applicable Rural Fire District and a representative from the Emergency Management Department.

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### **STANDARDS**

Approval of facilities shall be determined based on compliance with the following:

- \* **Circulation.** The location and entrance of the temporary stand, tent, or its operation shall not create any hazard relating to the movement or circulation of traffic or pedestrians. In no instance shall said temporary stand, tent, or its operation, excluding any public parking area, be located less than 50 feet from the edge of the right-of-way of any public road or street.
- \* **Setbacks.** The location of the temporary stand, tent or its operation shall be at least 50 feet from any dwelling or other structure on site, including any other fireworks stands, 100 feet from adjoining property lines, and at least 10 feet from any vehicle parking area.
- \* **Parking.** Off-street parking shall be provided at a ratio of 1 space per 200 square feet of space occupied by the temporary stand, tent or its operation, but in no instance shall there be less than 5 spaces at or near the location of the operation.
- \* **Supervision.** A person 18 years of age or older shall be present to supervise the operation of the stand at all times.
- \* **Solid Waste Disposal.** The property on which the facility is located shall be maintained in a clean, clutter free manner and be free of blowing trash.

- \* **Enforcement.** The Planning Department, Emergency Management Department, Sheriff's Office and representatives of the applicable Rural Fire District may periodically inspect fireworks facilities for compliance with stated standards. Individuals authorized to inspect shall also have the authority to close any facility operating in violation of this resolution, or in violation of any other license or permit required by law.
  - \* **Sales Period.** The sales of fireworks, including the dates such sales are allowed, shall be from June 27th to July 5th, in accordance with Resolution #09-1999, Amendment #3, and other applicable laws of the State of Kansas, including the Kansas Retailer's Sales Tax Act.
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### **PERMIT REQUIRED**

Anyone operating a fireworks facility is encouraged to contact the Planning Department at 785-309-5813 before proceeding with any construction or site development. Planning Department staff will discuss the approved layout and answer any questions about the process at any time.

Per Resolution 09-1999, Amendment #3, a permit is required to sell fireworks in unincorporated Saline County. No facility location shall be established without first obtaining said permit.

#### **Application Procedure:**

The Application submittal requirements and procedure are as follows:

- \* **Application.** Prior to the establishment of a fireworks stand, the owner(s) of the subject property and/or applicant shall make application to the Saline County Planning Department for a temporary fireworks facility permit. Applications shall be filed on or before May 20<sup>th</sup> by 5:00 p.m. Each application shall be signed by the property owner (or authorized agent) and applicant and provide a contact name and phone number(s). Applications received after said date shall be returned and no action shall be taken on them.
- \* **Filing Fee.** All applications for a temporary fireworks stand shall be accompanied by a permit fee of \$1,000.00 made payable to Saline County Planning & Zoning Department.
- \* **Site Plan.** All applications for a temporary fireworks stand shall be accompanied by a detailed and legible site plan. The application shall include the following information:
  1. A copy of a current State of Kansas sales tax certificate.
  2. A certificate of general liability insurance in the amount of at least \$1,000,000.00: Saline County shown as additional loss payee.
  3. Proof that the tent fabric meets the flame propagation performance criteria of Test Method 2, as required in NFPA 701, *Standard Methods of Fire Tests for Flame Propagation of Textiles and Films*.
  4. A dimensional floor plan drawn to scale showing aisles, entrances/exits, display areas, location of fire extinguishers and telephone, and lighting.
  5. A dimensional site plan showing the following:
    - a. The location of the sales structure showing the setbacks to all property lines and all other buildings. (100' from side and rear property lines, 50' from adjacent rights of way and any tent, stand, building, or fireworks storage area; 10' from any vehicle parking area.)
    - b. The location of any on-site storage of fireworks. The location (address) of any off-site storage and an indication of whether storage is year round or temporary. If temporary, length of time.
    - c. The location of all on-site trash receptacles.

- d. The location of all exits from the structure (minimum of three (3) required).
  - e. Two U.L. listed 10-pound 4A:80B:C fire extinguishers must be accessible from within the sales structure. If the structure is smaller than 800 sq. ft., one fire extinguisher may be provided.
  - f. The location of any other fuel or heat sources such as auxiliary generators, gasoline storage, etc. must be at least 50' from stand.
  - g. The location of the toilet facilities and potable water for employees.
  - h. A parking plan for the site drawn to scale, which shows ingress and egress, parking spaces, and parking barriers to be used around the sales structure. Parking area must be 10' from fireworks stand. Parking spaces shall be numbered on drawing, one 9'x12' space required for each 200 sq. ft. of gross floor area, 24' driving aisles; minimum of 5 parking spaces required.
  - i. The location of no more than two, 2'x4' ground signs; three allowed for corner lots.
6. Signature of a representative of the applicable Rural Fire District indicating that the floor plan and site plan have been reviewed by the fire district and approved.

RFD# \_\_\_\_\_ : \_\_\_\_\_  
Fire Chief or authorized representative Date

### License Procedure:

- \* Upon approval of a Saline County Fireworks Stand License for a location, the applicant shall then be authorized to begin construction of a temporary fireworks stand. Prior to occupancy, the facility shall be inspected. Once the facility has passed the inspection, the license shall be issued to operate at that location during the period of June 27 through July 5 of that year and the facility may be stocked. No license will be issued until the facility has passed inspection and no merchandise may be placed on site until the license has been issued. The licensee shall prominently display the license and any applicable State Fire Marshall's Office licenses at the facility.

### Process:

- \* The Zoning Administrator is responsible for reviewing all permit applications for a temporary fireworks stand. Following the May 20<sup>th</sup> deadline, the Zoning Administrator shall submit each application to the appropriate fire district and to Emergency Management staff for review and recommendation. Any issues raised by the Fire District or Emergency Management staff must be resolved before the application is approved.
- \* Applicants will have until June 1<sup>st</sup> to correct any mistakes in an application. Inspections of facilities shall be scheduled from June 15<sup>th</sup> through June 20<sup>th</sup>. For those facilities that do not pass the initial inspection, additional inspections may be scheduled from June 21<sup>st</sup> through June 26<sup>th</sup>. If at any time during the process, the applicant fails to meet a deadline, the permit becomes null and void. If any deadlines fall on a Saturday or Sunday, the deadline shall be considered to be the Friday preceding the actual deadline date.
- \* If the Zoning Administrator denies an application for noncompliance, applicants may reapply for alternate locations as often as time allows up until May 20<sup>th</sup>. When an application has been denied, the applicant may reapply for no more than one (1) alternate site within 5 days of the date the original application was denied. In such cases, the Emergency Management staff and Fire District shall submit their respective recommendations to the Zoning Administrator within 5 days from the date of the application.

## **PENALTIES**

Any person or entity that elects to discharge fireworks as provided herein shall assume all liability with regard to the discharge of said fireworks. Said assumption of liability shall include the indemnification of Saline County, Kansas of any and all claims or losses resulting from the discharge of fireworks from said individual or entity. In addition, any person, firm, or corporation violating any provisions of Resolution#09-1999, Amendment #3 or doing any of the acts or things prohibited by said Resolution or by law, or failing or refusing to perform any duty imposed by said Resolution shall, upon conviction thereof, be fined not more than Five Hundred Dollars (\$500) or sentenced to not more than six months in the Saline County Jail or be both so fined and imprisoned. Said penalty provision shall be in addition to all other penalties as provided by law.