



# Fountain Fire Department

*Fire Prevention Division*

*Fire Marshal Michael Gates*

[mgates@fountaincolorado.org](mailto:mgates@fountaincolorado.org)

## **FIREWORKS SALES PERMIT APPLICATION; PERMIT FEE \$300.00**

Application must be, filled out completely, and filed **AT LEAST 15 DAYS PRIOR** to the start of any permitted activities.

**SEE ATTACHED DOCUMENTS IS NOT ACCEPTABLE. FAILURE TO FILL OUT THIS FORM IN ITS ENTIRETY MAY RESULT IN A DISMISSAL OF THE PROPOSED PERMIT.**

### **Application information:**

APPLICANT NAME: \_\_\_\_\_

(Name of individual or firm that appears on the Colorado Retail Sales License)

Business Name: \_\_\_\_\_

Type of business:  Individual  Sole proprietorship  Partnership  Corporation  Other

Business address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_

Applicant email address: \_\_\_\_\_

EMERGENCY CONTACT: Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Public Liability Insurance Carrier: \_\_\_\_\_

Agent: \_\_\_\_\_

Policy number: \_\_\_\_\_ Phone: \_\_\_\_\_

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Fire Marshal Michael Gates  
[mgates@fountaincolorado.org](mailto:mgates@fountaincolorado.org)  
811 N. Santa Fe Avenue; Fountain, CO 80817  
719-393-6890  
[www.fountaincolorado.org](http://www.fountaincolorado.org)

**Retail Outlet Information**

- Temporary Structure (Stand, Tent, etc.)(Fire department requires a person to be on site 24 hours a day with tent structures)
- Retail Outlet inside another Occupancy (Limited to Sprinkled Group M Occupancies)
- Licensed Fireworks Sale Outlet (Fireworks as Primary Product)
- Offsite Storage (within the City of Fountain)  
(1 permit required for type and location)

Dates of permit use must be between May 31<sup>st</sup> to July 6<sup>th</sup>

From: \_\_\_\_\_ To: \_\_\_\_\_

Location of Retail Outlet for Permit Use:

\_\_\_\_\_  
(Street address or an intersection with hundred block of each street)

Owner of Property (Include the corporate or company name and responsible party)

Corporate or Company Name: \_\_\_\_\_

Corporate or Company Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Responsible Party Name: \_\_\_\_\_

Title or Position: \_\_\_\_\_ Phone: \_\_\_\_\_

**Partnership Information** (if business is to be conducted as a partnership/corporation, the name, title, and address of each partner or individual to be actively engaged in the fireworks business must be listed)

Name: \_\_\_\_\_

Title or Position: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

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**Vendor/Supplier of Fireworks (must be currently licensed as a Colorado Wholesaler of Fireworks)**

Company Name: \_\_\_\_\_

Colorado Wholesaler of Fireworks License Number: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Company Name: \_\_\_\_\_

Colorado Wholesaler of Fireworks License Number: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**Under penalties of perjury, I certify I am the named applicant above and have carefully read and understand the provisions of Colorado Fireworks Act and the Rules and Regulations promulgates by the Colorado Department of Public Safety there under concerning the sale and regulation of fireworks. This application and the answers given are true and complete to the best of my knowledge.**

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**Signature**

**Date**

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**Printed Name**

Application must be filled out completely and filed **AT LEAST 15 DAYS PRIOR** to the start of any permitted activities

APPLICANT NAME: \_\_\_\_\_  
(Name of individual or firm that appears on the Colorado Retail Sales License)

- 1- Fill out the application for temporary use and provide a site plan. These both must be signed off by the Fire Department. Obtain a temporary use permit from the City Planning Department. Retail sales inside an existing Group M Occupancy building does not require a temporary use permit.
- 2- Provide the following documentation within the application as attachments
  - a. Completed Fire Department Application
  - b. Site Plan of the location where the fireworks are to be sold
  - c. Site Security Plan to prevent theft, loss, or vandalism of Fireworks
  - d. Copy of your State of Colorado Retail Sales Tax License
  - e. Copy of you City of Fountain Business License
  - f. Copy of your State Department of Revenue Sales Tax License
  - g. Copy of you City of Fountain Temporary Use Permit
  - h. Property Owner Letter of Permission
  - i. Certificate of Liability Insurance (naming the City of Fountain in Cert Holder)
- 3- Pay Permit fee of \$300.00 to the City of Fountain Fire Department. (non-refundable)
  - a. Pay by check upon application submittal
  - b. Pay by card over the phone to City of Fountain, City Hall. 719-322-2031
  - c. Pay by cash, check or card in person at City of Fountain, City Hall
    - i. 116 S. Main Street  
Fountain, Colorado 80817
- 4- Upon completion of set, prior to occupancy, schedule a fire inspection of the Fireworks Retail Sales Site

**Retail/Wholesale Fireworks shall not be stored on site or within the City limits of Fountain without a Permit from the City of Fountain Fire Department.**

- 5- The fire department requires a representative of the selling company to be on site 24 hours a day in the occurrence of sales located inside a tent

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## **Summary of Rules Pertaining to Retailer of Fireworks Licenses**

This summary of the laws and rules pertaining to the retail sale of fireworks shall not replace a thorough understanding of the Colorado Fireworks Act (Title 12, Article 28, CRS) and the Rules and Regulations promulgated by the Colorado Department of Public Safety there under.

- 1- The only activity permitted under any permit issued pursuant to this application, is the sale (or possession/storage with intent to sell) permissible fireworks at retail to the public. Permissible fireworks are defined in CRS 12-28-101(8).
- 2- No Retailer of Fireworks may sell, offer for sale, expose for sale, or possess with intent to sell permissible fireworks which have not been purchased by a wholesaler licensed by the State of Colorado. The Retailer shall keep a copy of each invoice for fireworks purchased from a wholesaler and such invoice must show the license number of the wholesaler. Such records must be available for inspection and maintained for so long as any fireworks included on the invoice are held in the Retailer's possession.
- 3- Prior to the start of any permitted activities, the license holder must obtain a permit from the City of Fountain Fire Department. The Retailer of Fireworks License and all required permits must be prominently displayed at the retailer's place of business.
- 4- For all sales, the retailer must verify that the purchaser is over sixteen years of age by way of inspecting the purchaser's driver's license or other state issued identification card. Warning signs required by CRS 12-28-102(4).
- 5- Any violation of the Colorado Fireworks Act and the Rules and Regulations promulgated by the Colorado Department of Public Safety there under shall be cause for suspension or revocation of any fireworks licenses held by the applicant and may result in criminal prosecution pursuant to CRS 12-8-110.

## **Permit Requirements**

- 1- License required. No permit shall be issued to any person to sell, offer for sale, expose for sale, or possess with intent to sell permissible fireworks for retail, unless said person is licensed by the State of Colorado as a fireworks retailer.
- 2- Sale and retail display. No person shall construct a retail display nor offer for sale any fireworks upon highways, sidewalks, public property or in group A or E occupancies.
- 3- Permit restrictions. The fire code official is authorized to limit the quantity of fireworks permitted at a given location. No person possessing a permit for storage of explosives at any place shall keep or store an amount greater than authorized in such permit. Only the kind of explosive specified in such a permit shall be kept or stored.
- 4- Sale of Fireworks limited. The retail sales of fireworks are limited to a period of May 31<sup>st</sup> through July 6<sup>th</sup>.
- 5- Sale of Fireworks to Juveniles. No person under sixteen years of age may purchase or sell any fireworks, including permissible fireworks.
- 6- Financial responsibility. Before a permit is issued as required by Section 5601.2, the applicant shall file with the City of Fountain a corporate surety bond in the principal sum of \$100,000.00 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act

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authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from the bond requirement.

- 7- Permit Fee. A permit fee of \$300.00 shall be paid upon application for a retail sale of fireworks.
- 8- Storage. Where the temporary storage of permissible consumer fireworks, 1.4G is allowed by section 5601.1.3, exception 4, and such storage shall comply with the applicable requirements of NFPA 1124

**Violation – Penalty:**

It is unlawful for any person to violate any of the provisions of this code. Violations of this code shall be cause for suspension or revocation of any fireworks permit held by the applicant and may result in criminal prosecution. Every person convicted of a violation of any provision set forth in this Code shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment not exceeding one year, or both such fine and imprisonment. Each and every day during which such violation shall occur and continue to occur shall be separate offense. Fire Code Official has the authority to confiscate all merchandise to be sold, pending conviction or release.

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**Signature**

**Date**

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**Printed Name**