

FIREWORKS SALES APPLICATION and/or LICENSE

City of Herculaneum, Missouri

#1 Parkwood Court, Herculaneum, Mo. 63048

Phone: 636-475-4447 & Fax: 636-475-6191

Email: cityofherky@cityofherculaneum.org

Owner's Name: _____ Yes () No () _____ () _____
(Last) (First) (Middle Initial) (U.S. Citizen) (Naturalized Citizen)

Owner's Address: _____

Phone: _____ D/O/B: _____ S.S.#: _____ - _____ - _____

Manager (if different than owner): _____
(Last) (First) (Middle Initial)

Address: _____

Phone: _____ D/O/B: _____ S.S.#: _____ - _____ - _____

Location of Stand (Commercial Area **only**): _____

Type of Structure: _____

Stand open from June 20, 20____ to July 05, 20_____.

Must Comply with the City of Herculaneum Rules and Regulations.

FEE: Seven hundred and fifty dollars and no/100 (\$750.00) per location.

Applicant and/or Owners Signature

Fee Paid: _____

Date: _____

Approved: _____

Not Approved: _____

FIREWORKS REGULATIONS

Definition: Fireworks shall have same definition as provided by state law.

May Be Discharged: When: Fireworks may be discharged by individuals inside the City of Herculaneum, Missouri, only on the 4th of July each year between the hours of 10:00 a.m. and 12:00 midnight and only on privately owned property with the consent of the owner and occupant of such property.

Application For Fireworks Sales Permit: Any such person, firm or corporation making application for a permit to sell fireworks shall file a written request with the City Clerk not less than thirty (30) days prior to the 4th day of July, accompanied by a fee of seven hundred and fifty dollars and no/100 (\$750.00) per location. If the application is not approved by the Board of Aldermen, the seven hundred and fifty dollars and no/100 (\$750.00) fee shall be returned to the applicant. All permits issued and approved are personal to the applicant and non-transferable. The sale of fireworks or operation of place of sale by anyone other than the permittee shall void and cause forfeiture of the permit fee.

The granting or denial of applications for permits shall be the sole discretion of the Board of Aldermen, and all applications shall contain the name of applicant, in addition to a detailed description of the location of sale site or sites, type of structure from which sales are to be made, provisions for fire protection and provided further that the location of each sale site shall be only on property which is zoned for commercial or industrial use and shall be open for business from June twentieth (20th) through July fifth (5th) **only**.

Use By Organizations: Notwithstanding the other provisions of Section 205.200, not for profit corporations and other organizations may possess and use fireworks within the boundaries of the City for public, supervised and bona fide fireworks displays; provided, however, that the conduct of such display shall comply with all applicable state laws and shall be required to register with the City Clerk stating the time, date, place and sponsoring organizations of such display.

Use of Fireworks Limited: It shall be unlawful for any person to throw or place any fireworks, including pyrotechnic devices, in such a manner that the explosion of same will be likely to endanger or cause injury to any person or property; provided further, that it shall be unlawful for any person to shoot or detonate fireworks of any nature within the City limits except on the 4th day of July of each year at the times set forth herein.

Provisions For Storage, Licensing And Selling: Permission for any person, firm or corporation to store, sell or offer for sale fireworks of any type within the City limits must first comply with the City of Herculaneum Codes for fireworks stands.

Penalty: Any person convicted of a violation of this Chapter shall be punished by a fine of not more than five hundred dollars (\$500.00) per day or by imprisonment in the City Jail for not longer than three (3) months or by both such fine and imprisonment.

AFFIDAVIT

Pursuant to the requirements of House Bill No. 1549 of the State of Missouri, and further pursuant to the requirements of Sections 67.0307, 285.530, 285.535 and 285.550 of the Revised Statutes of Missouri, the undersigned business hereby affirms that it **does not employ illegal immigrants.**

The undersigned further acknowledges that if the City receives notice from either a court or the Attorney General's Office or determines that a business has violated Section 285 of the Revised Statutes of Missouri, that the City is required to suspend the business license within fifteen (15) days of receiving such notification. **Self-employed individuals with no employees are excluded from this law.**

Name of Business

By: _____
Signature

The legislature enacted Senate Bill 30 providing for the following requirement for local licenses:

Section 114.083.2 RSMo, "The possession of a retail sales license and **a statement from the Department of Revenue that the licensee owes no tax due under sections 144.010 to 144.510 or sections 143.919 to 143.261, RSMo** shall be prerequisite to the issuance of renewal of any City or County occupation license, which is required for conducting any business where goods are sold or retail." This is effective January 01, 2009

The undersigned Herculaneum City licensed business hereby affirms that they **owe no sales tax** to the Missouri Department of Revenue due to retail sales. The undersigned further acknowledges that if the City receives notice from either a court or the Attorney General's Office or determines that a business has violated the above sections of the Revised Statutes of Missouri, that the City is required to suspend the business license upon receiving such notification.

Name of Business

By: _____
Signature

Subscribed and sworn to before me this _____ day of _____, 20 _____.

Notary Public

My Commission Expires:
