

525 HIGH STREET
PARIS, KENTUCKY 40361

The City of Paris
"THOROUGHBRED CAPITAL OF THE WORLD"

PHONE (859) 987-2110
FAX (859) 987-4640
TDD (859) 987-2100

Retail Fireworks Permit

In accordance with City of Paris Ordinance No. 2012-5, any person proposing to sell for retail use any fireworks **shall obtain a permit** for such sale. Applications for said permit shall be submitted to the City of Paris not less than ten (10) days in advance of the desired date for the fireworks display.

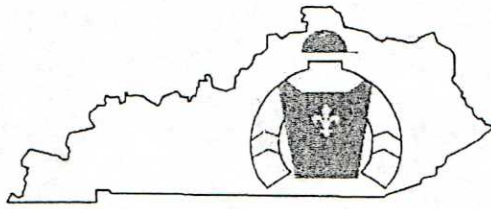
This permit is **valid only upon signature by the City of Paris Fire Chief** and must be **displayed** at all times at the retail location.

Required Information	Proof of Compliance	Initial by Fire Chief
Name of applicant		
Permanent address and phone number of applicant		
Detailed site plan for proposal location of sale of fireworks (including name and address of owner if different than applicant)	(attach additional pages if necessary)	
Proof of current registration with State Fire Marshal pursuant to KRS 227	(attach additional pages if necessary)	
Proof of Compliance with KRS 365.665 (if seasonal retailer)	(attach additional pages if necessary)	
Proof of certificate of occupancy	(attach additional pages if necessary)	
Proof of occupational business license	(attach additional pages if necessary)	
Proof of general liability insurance not less than \$1,000,000 per occurrence	(attach additional pages if necessary)	
Payment of permit fee	Seasonal retailer: \$500 per location Permanent retailer: \$2,500 per location (per calendar year)	Initial by City Clerk

This permit is not valid until all categories have been initialed above and signed below.

FIRE CHIEF, CITY OF PARIS

DATE



525 HIGH STREET
PARIS, KENTUCKY 40361

The City of Paris
"THOROUGHBRED CAPITAL OF THE WORLD"

PHONE (859) 987-2110
FAX (859) 987-4640
TDD (859) 987-2100

Display Fireworks Permit

In accordance with City of Paris Ordinance No. 2012-5, any person proposing to use, ignite, fire or explode any display fireworks shall meet all conditions as set forth in KRS 227.710, and in addition, **shall obtain a permit** for such display. Applications for said permit shall be submitted to the City of Paris not less than ten (10) days in advance of the desired date for the fireworks display.

This permit is valid only upon signature by the City of Paris Fire Chief.

Required Information	Proof of Compliance	Initial by Fire Chief
Name, permanent address, and phone number of the "competent display operator" as defined by KRS 227.710(1)(c)		
Proof of permit from the State Fire Marshall		
Proof of general liability insurance not less than \$1,000,000	(attach declarations page)	
Location of the display, including name and phone number of the owner of the property		
Date(s) of proposed display		
Beginning and ending times of proposed display		

FIRE CHIEF, CITY OF PARIS

DATE

APPLICATION

TO THE CITY OF PARIS, KENTUCKY FOR
AN OCCUPATIONAL LICENSE

RECEIPT NUMBER _____	DATE _____	ACCOUNT NUMBER _____
----------------------	------------	----------------------

Every business or individual subject to the Occupational License Fee is required to complete this application and return it with the total amount due to the City Clerk's Office. The minimum Occupational License Fee will be credited to the annual Occupational License Fee return. The following information will be held in strict confidence.

Make Check Payable to City of Paris
Mail to: City of Paris
Occupational License Dept.
525 High St.
Paris, KY 40361

1. NAME _____

<input type="checkbox"/> INDIVIDUAL	<input type="checkbox"/> PARTNERSHIP (List Name and Address of Each Partner on Line 11)
<input type="checkbox"/> CORPORATION (Date Organized) _____ State _____	<input type="checkbox"/> OTHER: _____

2. TRADE NAME _____
(IF DIFFERENT FROM THAT GIVEN ABOVE)

3. ADDRESSES (Please complete all addresses applicable - indicate zip code and telephone number)

Indicate which address is to be used for mailing purposes by check mark	<input type="checkbox"/> Principal Business Location _____ _____ Telephone No. _____
	<input type="checkbox"/> Paris Location _____
	<input type="checkbox"/> MAILING ADDRESS (if different from above) _____

4. ACCOUNTING PERIOD Calendar Year Fiscal Year MONTH _____ DAY _____

5. FEDERAL IDENTIFICATION # _____
STATE IDENTIFICATION # _____

6. NATURE OF BUSINESS (Please describe your business and its operation, including where and how sales, services or other activities take place. Include any other pertinent information)

7. DATE OPERATION TO START MONTH _____ DAY _____ YEAR _____

8. DO YOU HAVE OR WILL YOU HAVE EMPLOYEES WORKING IN PARIS YES NO
Date employment in these areas was first given or will be given _____
MONTH _____ DAY _____ YEAR _____

9. DO YOU HAVE OR WILL YOU HAVE SALES OR PERFORM SERVICES IN PARIS YES NO

10. MINIMUM LICENSE FEE \$ 75.00

11. _____

I hereby certify that all information and statements herein are true and correct.

Signature _____ Date: _____

The City Manager hereby conditionally approves an Occupational License for the above applicant. The license may be revoked at any time if applicant fails to maintain premises in accordance with Ordinance 2010-4 adopted 9th day of March 2010.

CITY MANAGER _____ DATE _____

ORDINANCE NO. 2012-5

AN ORDINANCE ESTABLISHING REGULATION OF FIREWORKS SALE AND USE IN PARIS, KENTUCKY

WHEREAS, KRS Chapter 227 defines the types of fireworks that can be sold and used on the Commonwealth; and

WHEREAS, KRS 227.750(4) specifically authorizes local government entities to enact ordinances that affect the sale or use of fireworks within their jurisdiction; and

WHEREAS, the Board of Commissioners of the City of Paris believes it to be in the best interest of the community to establish permitting procedures to document both the location where fireworks will be sold and the entity or person engaging in the sale of fireworks and

WHEREAS, the Board of Commissioners of the City of Paris further believes it to be in the best interest of the community to establish guidelines for the use and display of fireworks in the community,

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PARIS CITY BOARD OF COMMISSIONERS THAT THE FOLLOWING SECTIONS OF THE CODE OF ORDINANCES BE ADDED:

Section 1. *Title.* This ordinance shall be known as the "Fireworks Enforcement Ordinance."

Section 2. *Definitions.*

- (A) "Fireworks" means any composition or device for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation, and shall have the same meaning as in KRS 227.700, and shall include those devices which meet the definition of "consumer fireworks" or "display fireworks."
- (B) "Consumer fireworks" are those typically found in retail establishments suitable for use by the public, including but not limited to ground and hand-held sparkling devices, aerial devices, and audible ground devices, and shall have the same meaning as in KRS 227.702.
- (C) "Display fireworks" are those typically seen in large public events, including but not limited to pyrotechnic devices, and shall have the same meaning as in KRS 227.706.
- (D) "Novelty and trick noisemakers" are those which generally produce only smoke or sparkle, including but not limited to snake or glow worms, wire sparklers, and trick noisemakers, and shall have the same meaning as in KRS 227.704.
- (E) "Permanent fireworks retailer" shall mean any person or business entity which is open to the public year round and which offers for sale, exposes for sale, sells at retail or wholesale or keeps with the intent to sell any consumer

fireworks as its primary course of business.

- (F) "Seasonal fireworks retailer" shall mean any person or business entity which is not considered a permanent fireworks retailer and which offers for sale, exposes for sale, sells at retail or wholesale or keeps with the intent to sell any consumer fireworks between June 1 and July 15 only.

Section 3. *Compliance with applicable law.* Fireworks must be handled, stored, used, possessed, and sold in accordance with all applicable federal, state and local law.

Section 4. *Sale of fireworks.* The retail sale of display fireworks is prohibited in the City of Paris in accordance with KRS 227.708(2). The sale of consumer fireworks in the City of Paris is prohibited except as follows:

- (A) All permanent fireworks retailers and seasonal fireworks retailers within the City of Paris shall first obtain a retail fireworks permit from the City of Paris. The application for a permit on a form approved by the City of Paris Fire Chief shall be submitted at least ten (10) business days prior to the desired date to begin retail sale, and shall, at a minimum, include the following:
1. Applicant's name, permanent address, and phone number;
 2. Detailed site plan for the proposed location(s), and address(es) of the proposed location(s) and contact information for the owner(s) of the proposed location(s) if other than the applicant;
 3. Proof of current registration with the state fire marshal in accordance with the applicable provisions of KRS Chapter 227;
 4. Proof that the applicant, if a seasonal fireworks retailer, has complied with all necessary requirements of KRS 365.665 as a transient merchant;
 5. Proof that the applicant has obtained any necessary certificate(s) of occupancy from the Office of Building Inspection, and if deemed necessary the applicant must also obtain verification that the proposed location(s) is zoned appropriately for the conduct of the business;
 6. Proof that the applicant has obtained the appropriate business occupational license(s) in accordance with the City of Paris Code of Ordinances;
 7. Proof of general liability insurance in an amount not less than one million dollars (\$1,000,000.00) per occurrence which shall remain in effect at all times while engaged in the permitted activity; and
 8. Payment of a permit fee as follows:
 - a. Seasonal fireworks retailer \$500 per location
 - b. Permanent fireworks retailer \$2,500 per location (per calendar year)
- (B) All permanent and seasonal fireworks retailers shall prominently display a valid retail fireworks permit at each location and at all times during hours of operation.
- (C) No permanent or seasonal fireworks retailer shall allow any person under the age of eighteen (18) years of age to sell fireworks or consumer fireworks.

- (D) No permanent or seasonal fireworks retailer shall offer for sale, sell, or give any fireworks or consumer fireworks to any person under the age of eighteen (18) years.
- (E) No permanent or seasonal fireworks retailer shall sell, offer for sale, or expose for sale any fireworks or consumer fireworks except between the hours of 8:00 a.m. and 10:00 p.m.
- (F) The City of Paris may revoke or suspend the retail fireworks permit for any retail site which is in violation of any applicable state law or local ordinance.
- (G) The transportation, storage, retail sale, possession and use of novelty and trick noisemakers is not prohibited in accordance with KRS 227.704.

Section 5. *Use of fireworks.* Fireworks and consumer fireworks shall not be used, ignited, fired, or exploded on any property of the City of Paris, and fireworks and consumer fireworks shall not be used, ignited, fired, or exploded on any other property located in the City of Paris except as follows:

- (A) Consumer fireworks may be used, ignited, fired, or exploded between the hours of 10:00 a.m. and 10:00 p.m. from July 1 to July 7, except on July 4 and December 31, when the applicable ending hour shall be 12:00 a.m. (midnight).
- (B) No person under the age of eighteen (18) years of age may possess, use, ignite, fire or explode any fireworks or consumer fireworks.
- (C) No person may use, ignite, fire or explode any fireworks or consumer fireworks within two hundred (200) feet of any structure, motor vehicle (whether operational or non-operational), or any other person or animal, or in any place where a person is in violation of any other law, regulation or ordinance.
- (D) No person may use, ignite, fire or explode any fireworks or consumer fireworks if otherwise prohibited as part of any ban on burning.
- (E) Any person using igniting, firing or exploding any fireworks or consumer fireworks shall be responsible for disposing of any resultant trash or debris.
- (F) No person or entity shall use, ignite, fire or explode any display fireworks unless all conditions set out in KRS 227.710 are met and only upon obtaining a permit from the City of Paris which shall, at a minimum, include verification that the permit holder has presented the following:
 1. Name, permanent address, and phone number of the competent display operator as defined by KRS 227.710(1)(c);
 2. Proof of a permit from the state fire marshal;
 3. Proof of general liability insurance in an amount not less than one millions dollars (\$1,000,000.00) per occurrence which shall remain in effect at all times while engaged in the permitted activity;
 4. Location for the proposed display of fireworks, including the name and phone number of the owner of the property; and
 5. Date(s) and beginning and ending time(s) for the proposed display of fireworks.

Section 6. *Exceptions.* The City of Paris itself is exempt from the provisions herein, except for any applicable provisions of the federal or state law cited or referenced herein. In addition, the City may exempt a person or organization from use of fireworks provisions contained in Section 5 herein, however, all federal and state law cited or referenced herein are applicable and shall not be a part of any such exemption. Any exemption granted shall be approved in advance at a public meeting of the City of Paris Board of Commissioners and shall be confirmed in writing, which the person or organization obtaining the exemption shall keep for production upon request at the location of the event at all times.

Section 7. *Penalties.* Any person or business entity in acting in violation of this ordinance shall be guilty of a violation and shall be subject to a fine of up to two hundred fifty (\$250) dollars per occurrence.

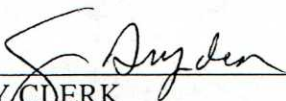
Section 8. *Effective date.* The foregoing ordinance shall take effect immediately upon execution and publication.

The foregoing ordinance was introduced and read for the first time as the City Commission's regular meeting of March 13, 2012. Read for the second time on March 27, 2012 with no vote taken and read again on April 10, 2012, adopted and approved at its regular meeting of April 10, 2012.



MAYOR MICHAEL THORNTON

ATTEST:


CITY CLERK