

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 9.44.040 of the Lincoln Municipal Code
 2 relating to the sale of permissible fireworks by changing the date by which applications for
 3 license as a retailer of permissible fireworks must be filed with the Chief of the Bureau of Fire
 4 Prevention from June 23 to June 10, increasing the fee for late filing of said application from
 5 \$25.00 to \$50.00, and increasing the application fee from \$75.00 to \$100.00, to harmonize with
 6 the provisions of Section 19.03.100 of the Lincoln Fire Code; and repealing Section 9.44.040 of
 7 the Lincoln Municipal Code as hitherto existing.

8 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

9 Section 1. That Section 9.44.040 of the Lincoln Municipal Code be amended to
 10 read as follows:

11 **9.44.040 Permissible Fireworks; Retail Sale; License Required; Fee.**

12 (a) It shall be unlawful for any person to sell, hold for sale, or offer for sale at retail,
 13 any permissible fireworks in the city unless such person has first obtained a license from the city
 14 as a retailer.

15 (b) Any person desiring to sell or offer for sale any permissible fireworks as a retailer
 16 shall make application to the Chief of the Bureau of Fire Prevention for a license authorizing the
 17 same. Application for license as a retailer shall be filed with the Chief of the Bureau of Fire
 18 Prevention on or before ~~June 23~~ June 10. Applications postmarked or received after ~~June 23~~
 19 June 10 will be assessed a ~~\$25.00~~ \$50.00 late fee. Such application shall include the following
 20 information and such additional information as the Chief shall deem necessary.

- 21 (1) The name and residence address of the applicant;
- 22 (2) The location of the premises for which the license is sought;

1 (3) When the license is sought in a permanent building, the application shall
2 provide an accurate drawing or plat showing the location of the sales display within the building,
3 together with aisles, exits, etc.

4 (4) When the license is sought in a temporary structure or facility, the
5 applicant shall provide a legal description of the premises, a description of the structure or
6 facility to be used, and the location of such structure or facility upon the premises.

7 After consideration of the information contained in the application for a license, the Chief
8 of the Bureau of Fire Prevention may issue a certificate entitling the applicant to a license,
9 conditioned upon reasonable safety measures to be specified in the certificate and upon payment
10 by the applicant of a fee of ~~\$75.00~~ \$100.00. An inspection of the premises shall be conducted by
11 the Bureau of Fire Prevention to confirm that the permittee has complied with the conditions of
12 the certificate and, if the safety measures are in place, the license shall be issued. Any license
13 issued under the provisions of this section shall be valid only for the period of June 28 through
14 and including July 4 of the year in which issued.

15 Section 2. That Section 9.44.040 of the Lincoln Municipal Code as hitherto
16 existing be and the same is hereby repealed.

17 Section 3. That this ordinance shall take effect and be in force from and after
18 passage and publication in one issue of a daily or weekly newspaper of general circulation in the
19 City, according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2010:

Mayor