

**CITY OF PAPIILLION
MAYOR AND CITY COUNCIL REPORT
MAY 18, 2021 AGNEDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Approval of an Amendment to the Application for License to Sell Permissible Fireworks at Retail submitted by Fraternal Order of Eagles for fireworks sales – 8:00 AM June 25 th through 11:59 PM July 4 th , 2021	RES. R21-0090	Nicole Brown City Clerk

SYNOPSIS:

On March 16, 2021, pursuant to Resolution No. R21-0049, City Council approved an Application for License to Sell Permissible Fireworks at Retail (“fireworks application”) submitted by Fraternal Order of Eagles for summer 2021 fireworks sales from June 25 through July 4, 2021. After the City Council’s approval of such application, Fraternal Order of Eagles requested to relocate their fireworks tent from the original address at 1325 Jersey St to a new location at Lot 2 Eagle Ridge Village Replat 1 (SE corner of Cornhusker Rd and Eagle Ridge Dr). An amended application and plot plan are attached for reference.

The following documents need to be provided prior to issuance of a fireworks license: \$100 location amendment processing fee, fireworks bond in the amount of \$1,000, sales tax certificate, Internal Revenue Service 501(c)(3) form, and inspection of the fireworks stand.

FISCAL IMPACT:

\$100 location amendment processing fee

RECOMMENDATION:

Approval.

BACKGROUND:

Papillion Municipal Code § 117-12(B) states that applications for retail fireworks sales for the summer selling season shall be considered at the first regular City Council Meeting in February. At the February 2, 2021, City Council Meeting, the Council approved RES. R21-0010 approving issuance of 10 fireworks permits for the summer 2021 selling season, and approved an amendment to consider approval of additional permits at the March 16, 2021, City Council Meeting. At the March 16th meeting, City Council approved RES. R21-0049 approving issuance of fireworks permits for the remaining six (6) applicants, including Fraternal Order of Eagles.

On February 2, 2021, City Council approved passage of ORD. 1921 which allows for the submission of an amended application for retail summer fireworks sales specific to the location of the fireworks stand. Amended applications can be submitted between February 1 and April 30 of each year and must be reviewed by City Council no later than the second regular meeting in May. This application amendment was submitted on April 30, 2021.

ATTACHMENTS:

- (1) RES. R21-0090
- (2) Amended Application for License to Sell Permissible Fireworks at Retail
- (3) Recommendation from the Building and Fire Departments

RESOLUTION NO. R21-0090

WHEREAS, Fraternal Order of Eagles submitted an Application for License to Sell Permissible Fireworks at Retail to the City of Papillion for the summer 2021 selling season, valid between 8:00 AM June 25th and 11:59 PM July 4th, and was approved by the Papillion City Council for such license on March 16, 2021, pursuant to Resolution No. R21-0049; and

WHEREAS, ORD. 1921, approved by the Papillion City Council on February 2, 2021, allows for the submission of amended applications for retail summer fireworks sales, specific to the location of the fireworks stand, between February 1 and April 30 each year, which applications must be considered by the Council no later than the second regular meeting in May; and

WHEREAS, Fraternal Order of Eagles submitted an application on April 30, 2021, to amend the location of their fireworks permit for the summer 2021 selling season from 1325 Jersey St to Lot 2 Eagle Ridge Village Replat 1 (SE corner of Cornhusker Rd and Eagle Ridge Dr); and

WHEREAS, the amendment to the applicant's Application for License to Sell Permissible Fireworks at Retail was considered by the Papillion City Council at its regularly scheduled meeting on May 18, 2021, at 7:00 PM.

BE IT RESOLVED by the Mayor and City Council of the City of Papillion that the location amendment for the Application for License to Sell Permissible Fireworks at Retail for the summer 2021 selling season submitted by Fraternal Order of Eagles is hereby approved, and such license will be issued contingent upon compliance with all requirements of Papillion Municipal Code Chapter 117.

PASSED AND APPROVED THIS 18th DAY OF MAY 2021.

CITY OF PAPIILLION

David P. Black, Mayor

Attest:

Nicole Brown, City Clerk

(SEAL)



CITY OF PAPIILLION

APPLICATION FOR LICENSE TO SELL PERMISSIBLE FIREWORKS AT RETAIL

Application is hereby made to the Mayor and City Council of the City of Papillion, NE, for a fireworks license to sell permissible fireworks at retail within the city limits from 8:00 a.m. on June 25th through 11:59 p.m. on July 4th of each year by:

Fraternal Order of Eagles (402) 593-7684
Applicants Full Name Telephone No.

102 N Washington Street Papillion NE 68046
Applicants Address City State Zip

Lot 2 Eagle Ridge Village Replat 1
Legal Description of Site and **Attach** a Plot Plan drawn to scale

60th & Cornhusker Road Papillion, NE 68046
Street Address of Site

Erik Westman (904) 775-8765
Manager's Name Telephone No.

2010 Glenwood Ave Papillion, NE 68046
Manager's Address

Manager's Email Address ewestman66@yahoo.com

Name and email address of others to receive communication from the City:

vince@bellinoenterprises.com & kaela@bellinoenterprises.com

Total gross weight of fireworks proposed for site including on site storage 1500 lbs..

The undersigned hereby represents that in accordance with Neb. Rev. Stat. §28-1246 it has made application to the Nebraska State Fire Marshal for a current License for Sale of Fireworks and will provide the City with a copy of said License prior to issuance of a city license.

The undersigned hereby pledges itself to sell permissible fireworks at the above described location strictly in accordance with all State statutes and City ordinances upon issuance of a License to Sell Fireworks.

DATED this _____ day of _____, 20__.

Signature of Applicant

CHECK LIST

- | | |
|---|--------------------|
| <input type="checkbox"/> FIREWORKS BOND.....\$1,000.00 | RECEIVED BY: _____ |
| <input type="checkbox"/> LICENSE FEE.....\$1,000.00 | RECEIVED BY: _____ |
| <input type="checkbox"/> SALES TAX CERTIFICATE..... | RECEIVED BY: _____ |
| <input type="checkbox"/> COPY OF STATE LICENSE..... | RECEIVED BY: _____ |
| <input type="checkbox"/> CERTIFICATE OF INSURANCE.....
(\$1,000,000 PER OCCURRENCE,
\$2,000,000 GENERAL AGGREGATE
NAMING THE CITY AS ADDITIONAL INSURED) | RECEIVED BY: _____ |
| <input type="checkbox"/> PLOT PLAN..... | RECEIVED BY: _____ |
| <input type="checkbox"/> NON-PROFIT AFFIDAVIT..... | RECEIVED BY: _____ |
| <input type="checkbox"/> INTERNAL REVENUE SERVICE 501(c) (3)
If applicable | RECEIVED BY: _____ |
| <input type="checkbox"/> FIREWORKS INSPECTION..... | RECEIVED BY: _____ |

Cornhusker Rd

60th & Cornhusker Rd Lot 2
Papillion, NE

Cornhusker Rd

Eagle Ridge Dr

504.4'

33'

118.0'

35'

215.0'

155.6'

1

168'

Tent
60x60



25'

Porta Potty

Storage 53'

3



Parking₂



Dumpster

131.0'

68.3'

182.4'

64.2'

49.9'

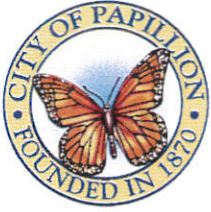
116.1'

66.5'

62.9'

61.5'

219.5'



CITY OF PAPIILLION

David P. Black, Mayor
Shawn Hovseth, Chief Building Official
122 East Third Street
Papillion, Nebraska 68046
Phone 402-829-4804
Fax 402-597-2074
E-mail: shovseth@papillion.org

May 13, 2021

Nicole Brown, City Clerk
122 East Third Street
Papillion, NE 68046

RE: 2021 Summer Fireworks


Dear Ms. Brown:

The Building and Fire Department Staff have reviewed the application for the following:

1. Fraternal Order of Eagles – Lot 2 Eagle Ridge Village Replat 1 – 60th and Cornhusker Road

All the requirements of the City Code have been met according to the information supplied with the application; however, the site needs to separate the dumpster from the storage trailer by a minimum of 20 feet. Prior to conducting sales, our office will verify the site elements were constructed and located in compliance with applicable codes.

Sincerely,


Brad Sojka
Plans Examiner


Steve Thornburg
Fire Marshal