

2019 FIREWORKS STAND REGULATIONS

St. Charles County, Missouri

In order to operate a temporary fireworks stand in unincorporated St. Charles County (June 25 to July 6), the business must first obtain:

- Approval from the County's Planning and Zoning Commission for a fireworks stand conditional use permit; and
- Approval from the County's Building and Code Enforcement Division; and
- Any necessary approvals from the fire protection district where the stand is to operate.

Applications should be submitted online through the "CitizenServe Citizen Access Portal" which can be accessed at <https://www.citizenserve.com/Portal/PortalController>.

CONDITIONAL USE PERMIT SUBMITTAL REQUIREMENTS

1. Applications for conditional use permits for fireworks stands must be accompanied by the following:
 - a. A digital copy of a concept plan, drawn to scale, showing the location of all structures and trailers on the property, both permanent and temporary, parking areas, storage facilities, etc. The concept plan must indicate the dimensions of the property and the exact location of all structures, including distances from property lines and between structures. Indicate where the power pole is located. Indicate what type of temporary structure (wood frame or fabric tent). Fabric tents must be fire retardant treated or classified as noncombustible.
 - b. A digital copy of a letter from the owner of the property on which the stand is located authorizing the operation of a fireworks stand on the property, dated and notarized not earlier than 60 days prior to the date of the application.
 - c. Information on the size and location of on-premise signs and/or banners.
2. The following land use permit fees shall apply: Stands up to 1,000 sq. ft.: \$2,000.00, and stands 1,000 sq. ft. and above: \$4,000. (Section 405.515 OSCCMo) All fees, including those for building and electrical permits, may be paid together once permits are ready to issue.
3. Fees must be paid in full by cash, check, or credit card.

STANDARD CONDITIONS FOR APPROVAL

1. *Site Design.* All setbacks of the zoning district in which a stand is located must be observed. All tractor-trailers, trucks, vans, or other temporary vehicles used for storage purposes shall be located a minimum of 50 feet from the tent or stand unless, due to the size of the parcel or lot, this is not possible. In that event the storage facilities must be located as far as possible from the tent or stand. Stands must be located a minimum of 100 feet from underground gasoline storage tank intake valves and vents, gasoline pumps, or any structures or areas that contain flammable materials.
2. *Access and Parking.* The following rules about site access and parking shall apply:
 - a. A minimum of five (5) off street parking spaces, one of which designated as accessible, must be provided. These parking areas shall be on a gravel surface at a minimum. There shall be no parking on vegetated areas that could present a fire hazard; i.e. dried grasses, weeds, etc.
 - b. All new or temporary access drives shall be at least 100 feet from an intersection and have approval from the appropriate authority. Such approval shall be submitted in conjunction with the application for the Conditional Use Permit.
 - c. No person will be allowed within any street right-of-way flagging or directing traffic. No

interference with the flow of traffic near the site of the fireworks stand will be permitted. Fireworks stand employees may direct customers to parking spaces only within the boundaries of the stand's parking lot and driveways on private property.

3. *Fire Extinguishers.* Fire extinguishers shall be provided so that one is located within 35 feet of any location within the stand, with a minimum of (2) provided. The minimum weight for each fire extinguisher must be 10 pounds – ABC type extinguisher, and each fire extinguisher must have certification that it has been recharged within the preceding 12 months. All fire extinguishers must be mounted four (4) feet off the ground and clearly visible. Two (2) fifty-five (55) gallon containers of water with covered lids, and one (5) gallon bucket; each marked “FIRE WATER” must also be supplied. Stands must be located a minimum of 100 feet from underground gasoline storage tank intake valves and vents, gasoline pumps, or any structures or areas that contain flammable materials.
4. *Refuse.* Each fireworks stand must be kept in a clean and orderly manner and have trash removal service with a hauler licensed by the St. Charles County Public Health Department. Also, each stand must have on site a metal refuse bin of not less than one and one-half cubic yards capacity that conforms to Federal Consumer Product Safety Commission, Part 1301 - Ban of unstable refuse bins. All solid waste generated by the fireworks stand must be placed in the metal refuse bin with the frequency of pickups being dictated by the size of said bin and the time it takes to reach capacity.
5. *Restroom.* Each fireworks stand must provide a portable restroom if there are not restrooms available on the site.
6. Wholesalers may only sell to someone with a sales tax identification number. Buyers with a sales tax identification number must purchase a minimum of \$100.00 of fireworks in bulk quantity.
7. *Signs, banners, and Posted Notices.* The following regulations for signage required posted notices shall apply:
 - a. There shall be not more than one (1) sign or banner located on or attached to the fireworks stand or tent. In addition, one (1) ground sign shall be permitted for each stand, located on the same property as the stand. In addition, one (1) sign or advertisement shall be permitted attached to or painted on a tractor-trailer or similar large vehicle parked at the stand location. The total area of these signs shall not exceed 400 square feet each. On-premise signs that contain traffic and parking directions and do not exceed 32 square feet in size each are also permitted. All off-premise signs advertising fireworks stands shall comply with all rules and regulations governing signs of the jurisdiction in which the signs are located.
 - b. Required posting of notices per Section 210.105 OSCCMo shall apply.
 - c. One or more signs reading "Fireworks-No Smoking" shall be displayed at all places where fireworks are stored or sold in letters not less than four inches in height. Smoking is prohibited within 50 feet of storage and sales areas. Buckets of sand shall be provided at least 10 feet outside the entrance of the stand for the extinguishing of all smoking materials to include but not limited to cigarettes, cigars, pipes, etc. Additionally, a minimum of three (3) exits shall be provided and so indicated with "EXIT" signs.
 - d. Signs shall be posted at all points of ingress and egress to and from the fireworks stand stating no sales will be made to anyone under the age of 16.
 - e. All fireworks stands that are within 1½ miles of municipalities which prohibit the discharge of fireworks shall have signs posted at all points of ingress and egress to and from the fireworks stand stating, “It is illegal to discharge fireworks within the limits of the city(ies) of _____.” This same statement shall also be stamped on or printed on a flyer placed in all shopping bags.
8. Flashing lights of any type are prohibited. All lighting shall be non-intermittent.

BUILDING PERMIT APPLICATION SUBMITTAL REQUIREMENTS

1. Applications for building permits for fireworks stands must be accompanied by the following:
 - a. A plot plan, drawn to scale, showing all structures and trailers on the property, both permanent and temporary, vehicle access and parking areas, storage facilities, dumpster locations, etc. The plot plan must indicate the dimensions of the property and the exact location of all structures, including distances from property lines and between structures. Indicate where the power pole is located. Indicate what type of temporary structure (wood frame or fabric tent. Fabric tents must be fire retardant treated or classified noncombustible.)
 - b. A floor plan, drawn to scale, of the tent or temporary structure showing the location of fire extinguishers and the location and dimensions of all shelving or fixture.
 - c. If applicable, a licensed electrical contractor.
2. The following fees have been established:
 - a. Temporary Structure building permit \$60.00
 - b. Commercial electrical permit \$80.00
3. The following are some of the more common building and electrical code regulations regarding fireworks stands that must be complied with:
 - a. All overhead electrical wires less than 12 gauge must be supported by a steel cable and fastened to the cable every 54". Wires spanning over 40 feet must have support cables.
 - b. The overhead wire shall be a minimum of 15 feet from ground level.
 - c. All electrical panels, receptacle boxes or any other type of exterior devices must be weatherproof and in acceptable condition to meet Electrical Codes.
 - d. The only approved extension cords must have "built-in" fuse breakers.
 - e. All electrical work must comply with the 2014 National Electrical Code and it is the applicant's responsibility to obtain all appropriate electric permits.
 - f. Fabric tents must be fire retardant treated or classified noncombustible.
4. As in previous years, St. Charles County Building and Code Enforcement Division personnel will inspect permitted firework stands and tents for compliance to the above regulations. **This inspection must be made prior to opening the stand. It is the responsibility of the stand owner to call the County Building and Code Enforcement Division at (636) 949-7345 and notify us that the stand is up and ready for inspection.** It is also the responsibility of the stand owner to contact the fire district for any permits and/or inspections required from the fire district.

SECTION 210.105 OSCCMo: SALE OF FIREWORKS - RESTRICTIONS ON COMMERCIAL OPERATIONS

1. *Days of Operation.* No sales of fireworks shall be permitted except from June twenty-fifth (25th) through July sixth (6th) of each year.
2. *Hours of Operation.* No sales of fireworks shall be permitted prior to 8:00 A.M. or after 10:00 P.M. on any day on which such sales are authorized, except that on July first (1st), second (2nd) and fourth (4th), sales may continue until 11:00 P.M. and on July third (3rd), sales may continue until Midnight.
3. *Employment of Persons Under The Age Of Sixteen (16).* Persons under the age of sixteen (16) shall not be employed at any location selling fireworks unless supervised at all times by at least one (1) person over the age of twenty-one (21).

4. *Required Sign.* A sign bearing the message "Discharge of Consumer Fireworks is Prohibited at All Times within Unincorporated St. Charles County Except Between the Hours of 10:00 A.M. and 11:00 P.M. July 2nd through July 5th and to Between the Hours of 11:30 P.M. on December 31st and 12:30 A.M. on the immediately following January 1st" in letters at least three (3) inches tall shall be conspicuously displayed at each sales location. Such sign shall not count towards the limits of allowable signage provided for by this Section or by the Unified Development Ordinance of St. Charles County, Chapters 405—412, OSCCMo. Additionally, a seller of fireworks shall distribute to each purchaser of fireworks a flyer of at least twenty-four (24) square inches containing the statement: "Discharge of Consumer Fireworks within St. Charles County is Prohibited by Ordinance Except Between the Hours of 10:00 A.M. and 11:00 P.M. July 2nd through July 5th and to Between the Hours of 11:30 P.M. on December 31st and 12:30 A.M. on the immediately following January 1st. Violators may be punished by a fine up to five hundred dollars (\$500.00)."
5. *Prohibition of Sales.* It shall be unlawful for any person to willfully sell any firecrackers, fireworks, torpedoes, bombs, pin wheels, fire balloons, Roman candles, toy cannons, toy pistols, missile or aerial fireworks containing a stick or fin, or other fireworks containing a stick or fin, or other fireworks of a like kind within unincorporated St. Charles County.