

## SUMMARY OF TITLE 19 FIREWORKS CODE AMENDMENTS

### **19.04.020 Retail Fireworks Licenses--Application Fees**

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Each Retail Fireworks License application form shall be accompanied by an application fee to cover administrative handling, processing of application and issuance of a license, fire and police safety, and maintenance of tribal property. The retail fireworks license application fee is:

- 1) \$150 per site on privately owned property; and
- 2) \$250 per site on tribal property.

The increased fee for businesses on tribal property is intended to diminish the costs incurred by LIBC to create the business opportunity.

~~Each retail fireworks license application to locate a fireworks stand on tribal property shall be accompanied by an additional \$250 refundable deposit fee. The deposit fee shall be refunded only if the fireworks stand is removed by July 11<sup>th</sup> of the license year and the assigned site is restored to satisfactory condition. The clean up deposit provisions of LCL §24.02.020 of Title 24 of the Lummi Code of Laws do not apply to retail fireworks licenses.~~

The LIBC may increase or decrease the fees from time to time to offset the above listed costs.

### **19.04.040 Licenses--Dates Effective**

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A license issued under this Code shall be effective from June 1st, or the date of issuance if after June 1st, until May 31st of the following year, except licenses issued for tribal property which are valid only from June ~~1st~~ 18th until July 11th at 5:00 p.m.

### **19.04.050 Transferability of Licenses**

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Licenses are personal to the licensee and may not be transferred to another person. Licenses issued for sites on tribal property may be transferred to ~~another a private property~~ site, after July ~~11<sup>th</sup>~~ 5th, so long as the licensee notifies the proper LIBC Department and the new site passes inspection.

### **19.05.060 Fireworks Stands--Maximum Length--Distance to be Separated**

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No fireworks stand on tribal property shall exceed twenty four (24) feet in length. All stands on tribal property shall be separated by at least a ~~three twelve (123)~~ foot clear area.

### **19.05.010 Retail Licensees Responsible for Safe and Lawful Sales**

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Retail licensees are responsible for ~~insuring~~ ensuring that all of their fireworks sales are conducted in a safe and lawful manner.

~~(a) To protect against the spread of COVID-19, for the 2020 sales season, stands must have a clear barrier between the customers and the retail sales employees to protect the employees and the customers. Employees are also required to wear a mask or other face covering to protect against transmission of the virus to customers. No stand on tribal property may allow customers to be inside the stand.~~

### **19.05.110 Tribal Property Site Assignments**

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Each person who wants to engage in the retail sale of fireworks on tribal property must be assigned a site in a manner consistent with this Section.

No stands on tribal property shall be established at any place not assigned by the LIBC or its designee pursuant to LCL §19.05.100. To recognize long-standing custom and usage in the assignment of sites, the licensee who was assigned to a site in the previous year may specify that site on the retail fireworks license application on or before May 31<sup>st</sup> June 12<sup>th</sup> at 4:00PM. On or After May 31<sup>st</sup> June 15<sup>th</sup> at 9:00AM any remaining sites will be assigned on a first come, first served basis. In an effort to consolidate all retail sales on tribal property, starting in 2014, only members who were assigned a site at the Nooksack River location in 2013 may be assigned a site there.