

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
APRIL 20, 2010 AGENDA**

| <b>Subject:</b>  | <b>Type:</b>                              | <b>Submitted By:</b>     |
|------------------|---|--------------------------|
| FIREWORKS PERMIT | ◆ RESOLUTION<br>ORDINANCE<br>RECEIVE/FILE | PAM BUETHE<br>CITY CLERK |

**SYNOPSIS**

A resolution has been prepared to conditionally grant a 2010 fireworks permit to Cornerstone Church.

**FISCAL IMPACT**

A \$2,500 permit fee is required of each applicant. Additionally, a tent permit fee of \$150, temporary sign permit fee, and an explosive materials storage permit fee of \$100 are required. The City has received a \$500 application deposit and the additional required permit fees from the applicant. For each permit issued, the remaining \$2,000 fireworks sales permit fee balance is due no later than noon on June 25, 2010.

**RECOMMENDATION**

The applicant has met the criteria as set forth in Municipal Code Section 111.17 and in the City Zoning regulations.

**BACKGROUND**

On April 6, 2010 the City Council voted to allow the Cornerstone Church two additional weeks to find a new site for their fireworks stand as their proposed sight was not zoned to allow fireworks stands as a temporary use.

On April 19, 2010 staff received a new site plan and application for a site that is within a zoning district which allows fireworks stands as a temporary use.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA  
APPROVING THE FIREWORKS STAND PERMIT APPLICATION OF CORNERSTONE CHURCH.

WHEREAS, the City of La Vista requires City approval of the sale of fireworks within the City limits,  
and

WHEREAS, the guidelines for application and sale of fireworks in La Vista are specified in the La  
Vista Municipal Code, Section 111.17 and Section 111.18; and

WHEREAS, Cornerstone Church has applied for permission to sell fireworks in the City of La Vista  
in conformance with the Municipal Code, the Zoning Ordinance and any other  
applicable regulations; and

WHEREAS, City staff has reviewed the application received for the purpose of determining that the  
application was compliant with the Municipal Code, the Zoning Ordinance or any other  
applicable regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska,  
hereby conditionally grants a permit to Cornerstone Church to sell fireworks within the  
City of La Vista for the 2010 calendar year subject to receipt of all appropriate  
application materials and compliance with recommendations made by the Chief  
Building Official regarding their site plan; compliance with the Municipal Code, the  
Zoning Ordinance and any other applicable regulations; and attendance by an official  
of the nonprofit organization which applied for the permit at a meeting with City staff  
(date and time to be established).

PASSED AND APPROVED THIS 20TH DAY OF APRIL 2010.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

CITY OF LA VISTA  
5116 PARK VIEW BOULEVARD  
/4001331-4343  
LA VISTA NE 48125

| Code         | Description               | Amount |
|--------------|---------------------------|--------|
| 030FWK       | FIREWKS PERMIT            | 750.00 |
|              | CORNERSTONE CHURCH/A.WOTR |        |
|              | 2010 FWKS DEPOSIT/APF     |        |
| Total        |                           | 750.00 |
| CHK Received |                           | 750.00 |
| Change       |                           | .00    |

TK 1/19/10 09:11 Acct# 44202

**CITY OF LA VISTA, NEBRASKA  
PERMIT APPLICATION  
SALE OF PERMISSIBLE FIREWORKS**

Pursuant to §111.17 of the La Vista Municipal Code it shall be unlawful for any person to sell, hold for sale or offer for sale any permissible fireworks within the corporate limits of the City of La Vista unless such person has first obtained a permit. Only nonprofit organizations and associations using volunteer salespersons and which will use the net proceeds from the sale of fireworks for community betterment purposes within the City of La Vista shall be eligible for a permit.

**PLEASE TYPE OR PRINT CLEARLY**

Name of Nonprofit Organization: Cornerstone Church, SBC, a Nebraska non-profit corporation Today's Date: 1/12/10

Street Address: 9505 Harrison Street

City La Vista

State NE

Zip 68128

Contact Person Jim Hayes, Senior Pastor and Registered Agent Phone (daytime) 592-1226(evening) 490-2246

**APPLICANT READ**

This permit application is used by the City Council to evaluate your organization's qualifications for a Fireworks Permit. Please answer all questions completely and accurately. Failure to submit the application pursuant to the deadlines contained herein or submission of an incomplete application may result in denial of a permit. The City is not responsible for determining whether your application is complete at the time of submission nor will you be allowed to submit additional information after the deadlines noted herein.

**To be eligible for City Council review, each application submittal must include the following in one packet:**

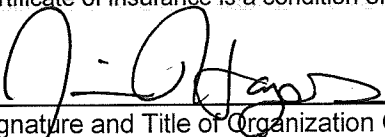
- ✓ Completed Permit Application Form and a \$500 permit application deposit fee received at City Hall, 8116 Park View Boulevard, La Vista, NE, 68128, no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$400 of this fee will be refunded to your organization. If you are issued a permit, the remaining amount of the permit application fee as established in the Master Fee Ordinance will be due and payable to the City of La Vista no later than noon on June 25 of the permit year to receive permit.
- ✓ A site plan on 8 ½ " x 11" paper which details the dimensions, location and distance between all proposed components of your group's fireworks stand (including but not limited to: tent, storage, garbage, portable restrooms, signs, parking, etc.) The site plan must be neat and legible, with an attempt made to show components as close to scale as possible.
- ✓ A signed statement from the land-owner where your proposed fireworks sales will occur granting permission to your organization to utilize the property (written permission from retail store managers is not acceptable).
- ✓ The City of La Vista's *Accessory and Light Remodeling Permit* and the permit application fee as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for your tent (please note, no more than one tent is allowed). Your permit must note the proposed date and time of your site set up. Please contact the Chief Building Official for assistance in completing this permit. If your permit application is denied, this fee will be refunded.
- ✓ The City of La Vista's *Sign Permit* and the permit application fee per sign (maximum of four), as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for any and all temporary signage. (The size and location of signs must be in compliance with the City's zoning regulations regarding temporary signs.) Please contact the Chief Building Official for assistance in completing this permit. If your permit is denied, this fee will be refunded.
- ✓ The City of La Vista's *Explosive Materials Storage Permit* and the permit application fee as established in the

Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$100 of this fee is refunded to your organization.

- ✓ A signed City of La Vista *Statement of Proposed Community Betterment Expenditures* from your organization describing in detail how net proceeds from the sale of fireworks will be used for Community Betterment in the City of La Vista must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If your organization has held a permit in any of the three (3) years preceding this application, a City of La Vista *Statement of Annual Income for Fireworks Sales* must be completed for each of the three years and received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 25th of the permit year an insurance certificate meeting the requirements outlined in City Code.
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 25th of the permit year, the balance of the permit fee in the amount of \$2,000 and a State Fire Marshal Certificate meeting the requirements outlined in City Code.

#### CERTIFICATION AND RELEASE

I certify that I have read and understand the "Applicant Read" paragraph on page one of this permit application and that all information, statements, materials and permits submitted as a part of this Permit Application are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information. I also understand that the use or sales of illegal fireworks is prohibited. I hereby further provide written assurance that this organization will file a certificate of insurance issued by an insurance company in good standing, authorized to do business in Nebraska, providing liability insurance in the amounts and for the coverages required by the City Council. I understand this certificate of insurance is a condition of issuance of the permit.

  
Signature and Title of Organization Official

JIM HAYES  
Printed Name of Organization Official

#### FOR CITY HALL USE ONLY

Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_

- ☐ \$500 permit application deposit fee.
- ☐ Site Plan.
- ☐ A written statement of permission from the land-owner.
- ☐ The City of La Vista's *Accessory and Light Remodeling Permit* and \$150 permit application fee for Tent.
- ☐ The City of La Vista's *Sign Permit* and \$30 permit application fee per sign, (maximum of four) for temporary signage.
- ☐ The City of La Vista's *Explosive Materials Storage Permit* and \$100 permit application fee.
- ☐ Statement of Proposed Community Betterment Expenditures.
- ☐ Three *Statements of Annual Income for Fireworks Sales*.
- ☐ Insurance certificate (due June 25<sup>th</sup>).
- ☐ State Fire Marshal Certificate (due June 25<sup>th</sup>).
- ☐ \$2,000 Permit Fee Balance (due June 25<sup>th</sup>).

**PINK GRADING, INC.**  
**4920 South 66<sup>th</sup> Plaza**  
**Omaha, NE 68117**  
**(402)592-1034 \* (402)592-1035 FAX**

April 12, 2010

City of La Vista  
8116 Park View Boulevard  
La Vista, NE 68128

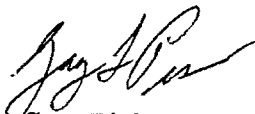
RE: Firework Sales  
Pink Investments, LLC Property  
South corner of Giles Road and West Giles Road  
La Vista, NE

To Whom It May Concern:

Pink Investments, LLC, the property owner of the above referenced parcel, hereby gives permission to utilize the Property for the sales of fireworks for the 2010 fireworks season to Cornerstone Church, the non-profit applicant and Big Red Fireworks, LLC the retailer. The fireworks tent will be erected on approximately June 21, 2010 and removed by July 6, 2010.

Hopefully this information will be helpful in the permitting process and we are looking forward to working together for a successful event.

Sincerely,  
PINK INVESTMENTS, LLC

  
Gary Pink  
Manager





# City of La Vista

## Light Remodeling and Accessory Permit Application

8116 Park View Blvd, La Vista, NE 68128 Phone: 402-331-4343 Fax: 402-331-4375

**The city is not responsible for permits taken out that were not allowable within your particular subdivision.**  
**We suggest that you consult your subdivision covenants before applying for permits.**

**\*\* 2003 IRC (Int'l Residential Code) - Adopted Feb. 13, 2006 \*\***

Date of Application 1/12/10 Mail Permit to: (circle) Contractor Owner: Permit # \_\_\_\_\_

Project Address: 12529 Giles Road, La Vista, NE  
 Lot Number: \_\_\_\_\_ Subdivision \_\_\_\_\_ Is this a rental property: Yes No

Print Applicant Name/Address: Cornerstone Church, a NE non-profit corporation  
9505 Harrison Street, La Vista, NE 68128 Phone #: 592-1226

Print Owner Name/Address: Big Red Fireworks, LLC c/o Dennis Hoth  
11213 Davenport Street, Suite 300, Omaha, NE 68154 Phone #: 697-5845

Print Contractor Name/Address: Fund Ways, Inc.  
4990 G Street, Omaha, NE 68102 Phone #: 734-8880

### CALL BEFORE YOU DIG! UNDERGROUND HOT LINE 344-3565

**FENCE:** Height: \_\_\_\_\_ Type: \_\_\_\_\_ Location: \_\_\_\_\_ Est. Materials: \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_

- Site plan required showing fence location, type and height
- Fence posts must be set in concrete 24" minimum depth for wood and chain link
- Fence location on or into fence owners property (may require survey).
- All wood pickets or boards to face to the outside
- Front yard fences need to be 12-1/2' from curb & no more than 4' high—open picket, split rail & chain link(2003 IRC)
- Sideyard fences, on a corner lot, need to be 12-1/2' from the curb or off the right of way

**SHED:** Height: \_\_\_\_\_ Type: \_\_\_\_\_ Location: \_\_\_\_\_ Est. Materials: \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_

- Site plan of property required showing shed location and spacing
- Shed **MUST BE** located a minimum of 5 feet from the rear and side property line/s.
- Concrete slab shed floor to have 1/2" dia. anchor bolts at max. 6'0" o.c. spacing for shed tie-down
- Wood floors of sheds must be provided with 4 shed tie-downs anchors to meet city code
- Maximum shed height 17', or less if restricted by local governing covenants (15').
- Shed **MUST BE** located a minimum of 6'0" from any structure, or fire proofed to meet city code.

**DECK:** Type: \_\_\_\_\_ Location: \_\_\_\_\_ Est. Materials: \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_

- Site plan of property showing house and deck location and size
- Deck drawing required showing the following:
  - Over-all deck size and stair location
  - Uncovered decks must be a distance of 15 feet from rear property lines; and, 5 feet from side property lines.
  - Decks must be 6 feet from any other detached structure
  - Post hole locations require 42" deep frost footings when attached to the house
  - Indicate size of wood beam on your drawing; and, know that column post sizes must be 6" x 6"
  - Indicate wood joist sizes and spacing measurement
  - Ledger beam attached to house with 1/2" dia. lag bolts that are 5" long (or equiv.) at 24" on center (staggered)
  - Galvanized joist hangers at ledger beam
  - Handrails to be 3'0" high with vertical spindle spacing not more than 4" apart
  - Stair detail as provided by City
  - Call for footing inspection once holes are dug, prior to filling. When project completed, call for final.

### CURB-CUT / DRIVEWAYS / SIDEWALK

Curb Cut Length: \_\_\_\_\_ Driveway Width: \_\_\_\_\_ Driveway Length: \_\_\_\_\_  
 Sidewalk Length: \_\_\_\_\_ Concrete Depth: \_\_\_\_\_ Fee: \$ \_\_\_\_\_

*Driveways must meet specifications of City Code & **MUST be inspected before pouring***

### OTHER ACCESSORY PROJECTS

Describe Project: Temporary Tent for Firework Sales  
 Length: 80' Width 40' # Door/s: One # Window/s: 0  
 Etc: Erected approximately on June 21, 2010 and removed by July 6, 2010 Fee: \$ 150.00

**Total of all FEES DUE: \$ 150.00**

Applicant certifies that this information has been read, understood and that projects will be constructed in compliance with all city ordinances; that all information is correct; and, that inspections will be requested.

**Please phone 24 hours in advance for a final on all projects and any other inspections as noted above.**

Signature of Applicant: [Signature] Date: 1/12/10

Approved By City Official: \_\_\_\_\_ Permit Clerk \_\_\_\_\_

Date of Approval: \_\_\_\_\_



# CITY OF LA VISTA

8116 Park View Boulevard  
La Vista, NE 68128  
(402) 331-4343

## SIGN PERMIT APPLICATION

### Attached to this application must be:

- A detailed drawing showing the layout, dimensions (including square feet), colors, and materials of the proposed sign(s).
- A building elevation showing the location of the sign and the dimensions of the business facade/wall on which the sign is located (Wall Signs ONLY)
- A plot plan of the site showing the location of the sign(s) relative to the property lines (ground monument, center ID, master signage plan, common signage plan). A Master Signage Plan or Common Signage Plan is required for any zoned lot on which an owner proposes to erect more than one sign requiring a permit.

Incomplete applications or applications without adequate drawings will cause a delay in the processing of your application.

Street Address of Sign Location: 12529 Giles Road, La Vista, NE

Name of Development Pink Subdivision

### Applicant Information

Company Name: Big Red Fireworks, LLC Contact: Dennis Hoth

Address: 11213 Davenport Street, Suite 300 City: Omaha State NE Zip 68154

Phone: 697-5845 Fax: E-mail: dennis.hoth@cbre.com

### Business/Organization (that is the subject of the sign)

Company Name: SAME Contact:

Address: City: State Zip

Phone: Fax: E-mail:

### Sign Type

Wall Monument Center Identification Construction Subdivision Sign ☒ Temporary sign

Master Signage Plan Common Signage Plan Other, please indicate

Message on Sign(s): BIG RED FIREWORKS, HUGE DISCOUNTS

Dates of sign/s display: JUNE 14, 2010 TO JULY 5, 2010

Illumination: ☒ None Internal External If yes, describe

Estimated cost of sign(s): \$300 Are any existing signs at this location to remain? Yes ☒ No

Total number and types of signs at this business location THREE BANNERS

Is the location for this sign part of a shopping center, office park, or industrial park? Yes No

If yes, describe and name:

### Sign Size

Sign width 3.2' Sign length 10' Total square feet 32 Height from grade to top of sign 6' ft.

Setback from nearest property line 25 ft.

(Wall Signs)

Business facade width ft. Height ft. Total business facade area sq. ft.

Side of Building North South East West Number of sides lot/bay abutting street

### Applicant's Signature

I believe that all of the information on this application and on drawings submitted in support of this application is accurate. I understand that any sign which is installed that is inconsistent or in conflict with this application, the supporting drawings, or the sign regulations contained in the City's Unified Development Ordinance is a violation of the City of La Vista municipal code. I further understand that the inadvertent approval of a sign application by the City that is not in compliance with the sign regulations does not create any legal nonconforming status nor does it remove any obligation to bring the sign into compliance. I understand that no sign shall be installed until a sign permit has been approved by the City of La Vista and the associated sign fee has been paid. Once a sign permit has been approved, all sign installation work must be completed in six months or the permit will expire.

(Signature of Applicant)

1/12/10  
(Date)

### Office Use Only

| Rec'd By | Date Rec'd | # of Temp Signs this Year | Zoning at Sign Site at site |
|----------|------------|---------------------------|-----------------------------|
| CAS      | 4/19/10    | 1-3                       | C-3                         |

| Sign Permit Fee | Plan Fee | Total Fee |
|-----------------|----------|-----------|
| N/A             | -        | N/A       |

X Approved Disapproved

By: [Signature]

Date 4/19/10

Reason(s) for disapproval





# CITY OF LA VISTA

8116 Park View Boulevard  
La Vista, NE 68128  
(402) 331-4343

## SIGN PERMIT APPLICATION

### Attached to this application must be:

- A detailed drawing showing the layout, dimensions (including square feet), colors, and materials of the proposed sign(s).
- A building elevation showing the location of the sign and the dimensions of the business facade/wall on which the sign is located (Wall Signs ONLY)
- A plot plan of the site showing the location of the sign(s) relative to the property lines (ground monument, center ID, master signage plan, common signage plan). A Master Signage Plan or Common Signage Plan is required for any zoned lot on which an owner proposes to erect more than one sign requiring a permit.

Incomplete applications or applications without adequate drawings will cause a delay in the processing of your application.

Street Address of Sign Location: 12529 Giles Road, La Vista, NE

Name of Development Pink Subdivision

### Applicant Information

Company Name: Big Red Fireworks, LLC Contact: Dennis Hoth

Address: 11213 Davenport Street, Suite 300 City: Omaha State NE Zip 68154

Phone: 697-5845 Fax: E-mail: dennis.hoth@cbre.com

### Business/Organization (that is the subject of the sign)

Company Name: SAME Contact:

Address: City: State Zip

Phone: Fax: E-mail:

### Sign Type

Wall Monument Center Identification Construction Subdivision Sign ☒ Temporary sign

Master Signage Plan Common Signage Plan Other, please indicate

Message on Sign(s): BIG RED FIREWORKS, HUGE DISCOUNTS

Dates of sign/s display: JUNE 14, 2010 TO JULY 5, 2010

Illumination: ☒ None Internal External If yes, describe

Estimated cost of sign(s): \$300 Are any existing signs at this location to remain? Yes ☒ No

Total number and types of signs at this business location ONE BANNER

Is the location for this sign part of a shopping center, office park, or industrial park? Yes No

If yes, describe and name:

### Sign Size

Sign width 10' Sign length 3.2' Total square feet 32 Height from grade to top of sign 14 ft.

Setback from nearest property line 25 ft. BANNER ON STORAGE TRAILER

(Wall Signs)

Business facade width ft. Height ft. Total business facade area sq. ft.

Side of Building North South East West Number of sides lot/bay abutting street

### Applicant's Signature

I believe that all of the information on this application and on drawings submitted in support of this application is accurate. I understand that any sign which is installed that is inconsistent or in conflict with this application, the supporting drawings, or the sign regulations contained in the City's Unified Development Ordinance is a violation of the City of La Vista municipal code. I further understand that the inadvertent approval of a sign application by the City that is not in compliance with the sign regulations does not create any legal nonconforming status nor does it remove any obligation to bring the sign into compliance. I understand that no sign shall be installed until a sign permit has been approved by the City of La Vista and the associated sign fee has been paid. Once a sign permit has been approved, all sign installation work must be completed in six months or the permit will expire.

(Signature of Applicant)

(Date)

### Office Use Only

| Rec'd By | Date Rec'd | # of Temp Signs this Year | Zoning at Sign Site at site |
|----------|------------|---------------------------|-----------------------------|
| CAS      | 4/19/10    | 4th                       | C-3                         |

| Sign Permit Fee | Plan Fee | Total Fee |
|-----------------|----------|-----------|
| N/A             | —        | N/A       |

Approved Disapproved

By: [Signature]

Date 4/19/10

Reason(s) for disapproval

**BIG RED  
FIREWORKS**

**96th & Harrison**

**HUGE DISCOUNTS**

120"

# **BIG RED FIREWORKS**

## **96th & Harrison**

# **HUGE DISCOUNTS**



36"

# **BIG RED FIREWORKS**

**96th & Harrison**

# **HUGE DISCOUNTS**

24"





West Glas Rd

1. ALL SIGNS TO BE 25' OFF PROPERTY LINE
2. ALL STORAGE (FIREWORKS) GARAGE AND PARKING RESTROOMS TO BE 25' NORTHWEST OF TENT
3. TENT 40'x80'
4. ~~STORAGE~~ ~~TO BE 3'x10' BANANES~~

~~STORAGE~~ ~~TO BE 3'x10' BANANES~~

TENT DRIVE

3.2'x10' BANANES

RESTROOM

CRANE

TENT, PARKING LOT

TENT 40'x80'

STORAGE (10'x3' BANANES)

STORAGE (10'x3' BANANES)

Glas Rd



**CITY OF LA VISTA, NEBRASKA**  
**PERMIT APPLICATION EXPLOSIVE MATERIALS STORAGE**

Pursuant to §91.46 of the La Vista Municipal Code any person desiring to store or keep for any period of time explosive materials defined in Neb. RS 28-1213, shall file with the City Clerk an application for an explosive material storage permit.

PLEASE TYPE OR PRINT CLEARLY

Name of Applicant CONERSTONE CHURCH, SBC, Today's Date 1/6/10  
a NE. NON-PROFIT CORP.

Age of Applicant 50

Street Address 9505 HARRISON ST., ~~LA VISTA~~

City LA VISTA State NE Zip 68128

Phone (daytime) 592-1226 (evening) 490-2246

WHOLESALE DISTRIBUTOR  
Name of Employer DAN WILLIAMS - WILD WILLY'S FIREWORKS

Street Address of Employer 7913 HIDDEN VALLEY DRIVE

City PAPILLION State NE Zip 68046

Have you been instructed in the use of Explosives ☐ yes ☒ no HOWEVER, DISTRIBUTOR HAS EXTENSIVE FIREWORKS EXPERIENCE

If yes, by whom? \_\_\_\_\_

What type of instruction \_\_\_\_\_

Date of instruction \_\_\_\_\_ Length of time of instruction \_\_\_\_\_

DISTRIBUTOR:  
List your experience in the use of explosives, giving three distinct examples of the type and usage you have personally done

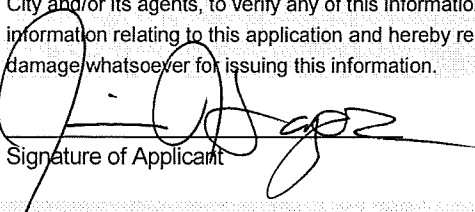
DAN WILLIAMS IS A MEMBER OF PGI- PYROTECHNICS GUILD  
INTERNATIONAL; MEMBER OF NFA - NATIONAL FIREWORKS ASSOCIATION;  
SALES AND DISTRIBUTION OF FIREWORKS- 4 YEARS; ATTENDEE OF THE  
CPSC SEMINAR 2009; ATTENDEE/SHOOTER - NE. STATE FIRE MARSHALL DEMO SEMINAR  
List the type of explosives you have been trained on and used ALL CLASS C AND SOME 2009.

CLASS B - DAN WILLIAMS

Enclose copies of any training certificate, explosive permits from other states or other pertinent documentation.

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Signature of Applicant 

JIM HAYES  
Printed Name of Applicant

FOR CITY HALL USE ONLY

Date Received: \_\_\_\_\_

Received by: \_\_\_\_\_

☐ \$100 permit application fee.

**CITY OF LA VISTA, NEBRASKA**  
**STATEMENT OF PROPOSED COMMUNITY BETTERMENT EXPENDITURES**

Pursuant to §111.17 of the La Vista Municipal Code, only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

**PLEASE TYPE AND LIMIT STATEMENT TO THIS PAGE ONLY**

Name of Nonprofit Organization: Cornerstone Church, SBC, a Nebraska non-profit corporation

Cornerstone Church has been an active and outstanding member and contributor to the City of La Vista for over 25 years. Located on the southeast corner of 96<sup>th</sup> & Harrison it has provided an excellent location for local baseball teams to play baseball. Cornerstone has a baseball field located on it's Property and has donated this field to many La Vista little league teams to use at their convenience. Cornerstone would like to utilize some of the proceeds that it will receive to maintain the integrity of this baseball field so that it can continue to be enjoyed by the La Vista baseball community for many years to come.

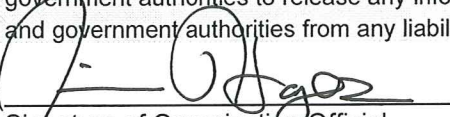
Cornerstone has also participated in 9<sup>th</sup> Inning Ministries which promotes Christian Values and encourages personal responsibility. This ministry has helped a countless number of La Vista and other regional youth in setting a course of positive behavior and dedication in their lives.

Cornerstone has participated in numerous prayer gatherings and organized community events every year in the City of La Vista.

Cornerstone, as well as many local businesses, have felt the impact of this current recession. Having the opportunity of being able to raise additional funds through firework sales could make the difference in keeping the programs that Cornerstone has and will participate in a viable option for the future.

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

  
 Signature of Organization Official

JIM HAYES  
 Printed Name of Organization Official

SENIOR PASTOR / REGISTERED AGENT  
 Title of Organization Official

**CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2010**

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

**PLEASE TYPE OR PRINT CLEARLY**

Name of Nonprofit Organization Cornerstone Church, a Nebraska non-profit corporation

**Annual Income**

**Not Applicable-we have not sold fireworks in the past**

Gross Fireworks Sales \_\_\_\_\_

**Expenses**

Wholesale Cost of Fireworks \_\_\_\_\_

(please provide copy of invoice)

State Sales Tax \_\_\_\_\_

Permit Fees:

Local \_\_\_\_\_

State \_\_\_\_\_

Insurance \_\_\_\_\_

Rent or Lease Expenses \_\_\_\_\_

Advertising \_\_\_\_\_

Miscellaneous (please describe) \_\_\_\_\_

• \_\_\_\_\_

• \_\_\_\_\_

• \_\_\_\_\_

• \_\_\_\_\_

Total Expenses \_\_\_\_\_

Net Proceeds (profits) \_\_\_\_\_

◆◆◆◆◆

**NOT APPLICABLE**

### Project Description or Event & Who Participated

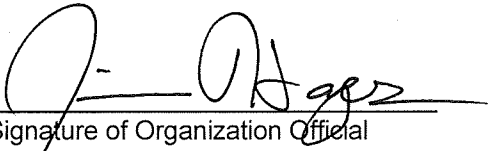
**Cost**

[illegible]

Please detail costs associated with projects and/or events.

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.



Signature of Organization Official

JIM HAYES

Printed Name of Organization Official

SENIOR PASTOR/REGISTERED AGENT

Title of Organization Official

\_\_\_\_\_  
Signature of Organization Official

\_\_\_\_\_  
Printed Name of Organization Official

\_\_\_\_\_  
Title of Organization Official



## City of La Vista, Nebraska

### Agreement to Conditions of Permit to Sell Permissible Fireworks



Name of Nonprofit Organization (Permit Holder): Cornerstone Church, a Nebraska non-profit corporation.

Following are terms and conditions of the permit issued by the City of La Vista, Nebraska, to Permit Holder to sell permissible fireworks.

Permit Holder agrees to all of the terms and conditions, as well as all terms, conditions, requirements and provisions of any application made by Permit Holder, State Statute, the La Vista Municipal Code and any other applicable laws, rules or regulations, or requirements of the City as established and amended from time to time with respect to applications, permits or operation of fireworks stands, ("Requirements"), all of which are incorporated herein by this reference. If any ambiguity or conflict in, between, or among any Requirements ever arises, the terms conditions, documents, instruments, laws, rules, regulations, requirements or interpretations most beneficial to the City and its interests shall prevail and control.

Pursuant to §111.17 of the La Vista Municipal Code it shall be unlawful for any person to sell, hold for sale or offer for sale any permissible fireworks within the corporate limits of the City of La Vista unless such person has first obtained a permit from the City. Only nonprofit organizations and associations using volunteer salespersons and which will use the net proceeds from the sale of fireworks for community betterment purposes within the City of La Vista shall be eligible for a permit. Permit holders shall be subject to State Statute, the Municipal Code, as well as all conditions contained herein and other applicable requirements.

The City Clerk will review applications and recommend to the City Council those organizations to be issued permits. When reviewing applications, the City Clerk shall use a point system as established in §111.17 of the La Vista Municipal Code that allocates points based on specific application criteria, as well as deducts points for application deficiencies or violations of Requirements by an applicant in any prior years. The City Council shall make the final determination of the organizations to be issued permits.

A permit shall be valid only for the manner, scope and period specified in the permit. The permit will automatically terminate on the specified ending date without any action required of either party, unless earlier surrendered or revoked. Permit holders shall not have any right to or expectation of receiving a permit or operating a fireworks stand in the City in any future year or period. Violation of any of the Requirements will, at the election of the City, result in the surrender of the permit to sell fireworks and/or will make the Permit Holder ineligible for a future permit. Notwithstanding anything herein to the contrary, permits are revocable at the will of the City, at any time, with or without cause.

**Conditions of the Permit:** Not in limitation of any other Requirements, the following conditions apply to permits for the sale of permissible fireworks:

- ☒ Permit application was submitted by the annual deadline and was complete at the time of submission.
- ☒ Parking for the site complies with City requirements.
- ☒ Site is in compliance with site plan approved by the City of La Vista in regard to the dimensions and location of all proposed components for the Permit Holder's fireworks sales operation (including, but not limited to, tent, storage, garbage, portable restrooms, parking, etc.)
- ☒ A signed statement from the land-owner where the proposed fireworks sales will occur, granting permission for use of the property has been submitted. (Written permission from retail store managers is not acceptable.)

- ☒ The purchase, transportation, stocking, sale and storage of all explosive materials is in compliance with the orders and directions of the State Fire Marshal. No illegal materials, as determined by the State Fire Marshal or the La Vista Fire Chief shall be sold or displayed.
- ☒ All permit fees have been paid in full within established deadlines (see application).
- ☒ Insurance certificates and State Fire Marshal Certificates meeting the requirements outlined in City Code, will be provided within established deadlines (see application).
- ☒ The Permit Holder will utilize net proceeds for Community Betterment purposes as outlined in the City Code.
- ☒ Operation of the stand shall in all respects be in accordance with all Requirements.

### CERTIFICATION AND RELEASE

By signing below, we acknowledge and certify for ourselves and on behalf of the nonprofit organization Permit Holder that we have read and fully understand and agree to all terms and conditions of this Agreement. Not in limitation of the foregoing, we further acknowledge, understand, certify and agree that:

1. The nonprofit organization Permit Holder will comply with all Requirements including, but not limited to, the conditions of this Agreement, prior to, during and after issuance of a permit and operation of the fireworks stand;
2. The nonprofit organization Permit Holder will be fully and solely responsible and liable for and releases the City and holds it harmless from, and indemnifies the City against, any and all liabilities, losses, costs and expenses whatsoever arising out of or resulting from the permit or operation of the fireworks stand;
3. The nonprofit corporation Permit Holder will, upon the election of the City, surrender its permit to sell fireworks for any violation of this Agreement or other applicable Requirements, and/or be ineligible for future permits;
4. The sale of fireworks to the public and the distribution of community betterment proceeds from the sale of fireworks is a significant responsibility, carrying with it significant risks;
5. Providing any false information or making any omissions or misrepresentations of facts in any application, request, inquiry or investigation for, of, or related to any permit or activities or operations of the Permit Holder, will, at the election of the City Council, result in surrender of the permit and/or denial of a future permit.

We authorize the City and/or its agents to contact such persons and obtain such information as the City determines in its sole discretion necessary or appropriate to review or consider the Permit Holder's application, operations, activities or compliance with this Agreement or any other Requirements. We authorize all persons, entities and government authorities to release any information to the City and/or its agents and hereby release all said persons, entities and government authorities from any and all liability for any damage whatsoever for releasing or providing any such information.

  
 \_\_\_\_\_  
 Signature of Organization Official

SENIOR PASTOR / REGISTERED AGENT  
 \_\_\_\_\_  
 Title of Organization Official

JIM HAYES  
 \_\_\_\_\_  
 Printed Name of Organization Official

592-1226  
 \_\_\_\_\_  
 Daytime Telephone #

490-2246  
 \_\_\_\_\_  
 Evening Telephone #

  
 \_\_\_\_\_  
 Signature of Organization Official

\_\_\_\_\_  
 Title of Organization Official

\_\_\_\_\_  
 Printed Name of Organization Official

\_\_\_\_\_  
 Daytime Telephone #

\_\_\_\_\_  
 Evening Telephone #