

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
MARCH 20, 2007 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
FIREWORKS PERMITS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAMELA A. BUETHE CITY CLERK

**SYNOPSIS**

A resolution has been prepared to conditionally issue permits to the following organizations:

- |   |  |
|---|--|
| 1. Tangier Shrine/Nomads                    | 2. La Vista Youth Athletic Association |
| 3. La Vista Youth Football and Cheerleading | 4. La Vista Area Chamber of Commerce   |
| 5. La Vista Lancers Soccer Club             | 6. La Vista Vipers Wrestling Club      |

**FISCAL IMPACT**

A \$2,500 permit fee is required of each applicant. Additionally, a tent permit fee of \$150, temporary sign permit fee of \$30/sign (maximum of four), 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 each of the applicants. For each permit issued, the remaining \$2,000 fireworks sales permit fee balance is due no later than noon on June 25, 2007.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The City received six applications for the sale of fireworks during the 2007 season. The applications were reviewed by various City staff members, and have met all City standards and regulations.

In September of 2006 a criteria/point system was created as part of the evaluation of the applications. There were no deductions to the six applications based on this point system.

Permits will be subject to receipt of all appropriate application materials and compliance with recommendations made by City Staff.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ESTABLISHING THE MAXIMUM NUMBER OF FIREWORKS STANDS TO BE PERMITTED IN THE CITY OF LA VISTA FOR CALENDAR YEAR 2007.

WHEREAS, Section 111.17 and Section 111.18 of the Municipal Code establish criteria that must be met for the issuance of fireworks stand permits, and

WHEREAS, Section 111.17 (A) of the Municipal Code states in part that, "Each year the City Council shall, by resolution, establish the maximum number of permits to be issued."

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the maximum number of fireworks stand permits to be issued in calendar year 2007 shall not exceed six (6).

BE IT FURTHER RESOLVED, that per Section 111.17 (C) (10) of the Municipal Code, permit holders shall provide the City of La Vista with a certificate of insurance for their fireworks stand in the type and amount outlined.

BE IT FURTHER RESOLVED, that the written statement of income and expenses, which is required by Section 111.17 (C) (3) of the Municipal Code, be detailed and provide the City with a breakdown of specific expenditures related to the fireworks operation, income from the sale of fireworks, net profit, and specific community betterment expenditures.

BE IT FURTHER RESOLVED, that the issuance of a fireworks permit is conditional upon compliance with the Municipal Code, the Zoning Ordinance, and any other applicable regulations.

PASSED AND APPROVED THIS 20TH DAY OF MARCH 2007.

CITY OF LA VISTA

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

ATTEST:

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

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIREWORKS STAND PERMIT APPLICATION OF THE TANGIER SHRINE/NOMADS, LA VISTA YOUTH ATHLETIC ASSOCIATION, LA VISTA YOUTH FOOTBALL AND CHEERLEADING, LA VISTA AREA CHAMBER OF COMMERCE, LA VISTA LANCERS SOCCER CLUB, LA VISTA VIPERS WRESTLING CLUB

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, six non-profit organizations have 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 all applications received in 2007 for the purpose of determining which applications were 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 grant a permit to:

Tangier Shrine/Nomads, La Vista Youth Athletic Association, La Vista Youth Football and Cheerleading, La Vista Area Chamber of Commerce, La Vista Lancers Soccer Club, La Vista Vipers Wrestling Club

to sell fireworks within the City of La Vista for the 2007 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 20<sup>TH</sup> DAY OF MARCH 2007.

CITY OF LA VISTA

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

ATTEST:

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

## **2007 Fireworks Application Review**

### Tangier Shrine/Nomads (20 points) (7002 So. 83<sup>rd</sup> Street)

- No major concerns with proposed site.
- Building Official stated that no search or spot lights are permitted under our codes - last year they had one.

### La Vista Youth Athletic Association (20 points) (7904 S 83<sup>rd</sup> Street)

- Police Chief stated access should be off the main drive rather than the access road to the west of the site.
- Building Official stated that they have 4 signs plus an inflatable – 1 too many
- Building Official stated that there must be a rock/gravel based drive from the parking surface to the hard-surface road for emergency vehicles.

### La Vista Youth Football and Cheerleading (20 points) (7302 Harrison Street)

- Police Chief stated that no traffic collisions were reported last year at the site but there has been some concern in the past with access to the site. Police Chief has a concern with the proximity of the tent to the La Vista Lancers Soccer Club.
- Police Chief is not aware that any parking stalls exist to the south of the tents. To his knowledge there is not a curb cut on 74<sup>th</sup> Street that allows access to the identified “parking lot”.
- Building Official said they have used wood chips in the parking lot in past years and they have had people in the lot directing parking and entry in and out.

### La Vista Area Chamber of Commerce (20 points) (7200 So. 84<sup>th</sup> Street – Mortgage Express)

- Police Chief has had concerns in the past of traffic exiting the access road in front of Popeye's and making illegal u-turns. No traffic collisions reported last year, however, the potential problem exists.

### La Vista Lancers Soccer Club (20 points) (7302 Harrison Street)

- Police Chief stated the site has been used in the past and concerns have been with access to the site. No traffic collisions reported last year at the site. He is concerned with proximity of the tent to the La Vista Youth Football tent.
- Police Chief is not aware that any parking stalls exist to the south of the tents. To his knowledge there is not a curb cut on 74<sup>th</sup> Street that allows access to the identified “parking lot”.
- Building Official said they have used wood chips in the parking lot in past years and they have had people in the lot directing parking and entry in and out.

### La Vista Vipers Wrestling Club (20 points) (8110 So. 84<sup>th</sup> Street – Brentwood Square)

- No major concerns with proposed site
- Building Official stated that they need 25' separation between storage trailer and tent – only 20' shown on site plan.
- Building Official also noted that if an additional lot is platted at this location for a new business this would max out parking requirements and not allow this use next year.