



CONSUMER FIREWORKS RETAIL FACILITY APPLICATION FOR ESTABLISHMENTS IN TEMPORARY STRUCTURES

The establishment of a temporary consumer fireworks retail sales facility in the City of West Des Moines is subject to issuance of Fireworks Sales License from the State Fire Marshal and the approval by the WDM City Clerk of a Consumer Fireworks Retail Facility Permit after review by the City's Fire, Police, Building, and Planning Departments.

**NO RETAIL SALES WILL BE ALLOWED UNTIL THE APPROVAL PROCESS HAS BEEN COMPLETED,
INCLUDING ONSITE INSPECTIONS BY THE CITY.**

No application can be accepted for review unless all required information identified in this application packet is submitted.

Failure to submit all required items will delay the review process.

The time for processing of the application begins when all required items have been submitted.

(Review will be completed within 10 business days from date of submittal)

Submit Application to:

Paper Form:

City Clerk's Office
City of West Des Moines
4200 Mills Civic Parkway, Suite 2B
P.O. Box 65320
West Des Moines, IA 50265-0320
515-222-3600 (phone)
www.wdm.iowa.gov

Online Forms:

[West Des Moines, IA \(iowa.gov\)](http://WestDesMoines.IA(iowa.gov))

*** Note a change to layout, product, or expansion in operations from that indicated in this application and associated site plan will require the submittal of a new application for review, payment of new application fees and City approval.*

GENERAL INFORMATION

Address of Sales Operation: _____

Name of Business _____

Primary Business Contact Information:

Name: _____

Mail Address: _____

Email Address: _____

Phone, including cell #: _____

Property Owner Information:

Name: _____

Mail Address: _____

Email Address: _____

Phone, including cell #: _____

Date Application Submitted to City Clerk's Office: _____

Application Fee: \$500.00 per retail sales location - Must be paid at time of application submittal

Random inspections throughout the allowed sales periods may be done.

Violations will fall under the authority provided in West Des Moines Fire Code and/or West Des Moines Municipal Code. Remediation of such violations could include the seizure of all fireworks and the revocation of any permits for operations within the city limits of West Des Moines, as well as revocation of State license.

All removal and remediation expenses are at the expense of the permit holder.

In addition to this application, the following must be provided:

- ✓ Permit fee (non-refundable)
- ✓ Copy of the Consumer Fireworks Annual Retail Seller License from the State of Iowa
- ✓ Vicinity Map which includes the entire parcel upon which fireworks related activities are to occur and the adjacent street network. This illustration shall be no larger than 11x17". Names of all other business operations occurring within the site should be indicated. (Aerial photos may be obtained from the respective County Assessors website, Google Earth, Bing, etc.)
- ✓ Detailed Exterior Site Plan of the fireworks sales area, including parking and storage areas with required information as listed later in this application and title 3, chapter 14 of city code (can be a mark-up on an aerial photo).
- ✓ Detailed Floor Plan of interior sales (tent) area with required information as listed later in this application and title 3, chapter 14 of city code.
- ✓ Written approval of the owner of the property upon which sales or storage is occurring
- ✓ Photocopy of "Certificates of Flame-Resistance" for each tent structure. (Certificates may be obtained from company that rented the commercial grade tent. Serial # on tent must match certificate.)
- ✓ Copy of Sales Tax Certificate
- ✓ Certificate of Insurance documenting coverage in accordance with State minimums and naming the City of West Des Moines as an additional insured.

In addition, provide the following information:

- City of West Des Moines zoning designation for the property (if applicable include the PUD and PUD parcel that the property is located in): _____
It is the responsibility of the applicant to verify that the proposed location is in an area zoned for consumer fireworks facilities. Rezoning of property occurs periodically, and your proposed location may not be zoned to allow a consumer fireworks facility. Contact Planning Department to verify the current zoning of your selected location (515-222-3620). Sales of Consumer Fireworks are not allowed in areas that have a Land Use Designation on the City's Adopted Comprehensive Plan but do not have a Zoning Designation.
- Desired set-up date: _____
- Desired starting sell date: _____
- Anticipated times and days of sales:
 - Sunday: Start Time: _____ End Time: _____
 - Monday: Start Time: _____ End Time: _____
 - Tuesday: Start Time: _____ End Time: _____
 - Wednesday: Start Time: _____ End Time: _____
 - Thursday: Start Time: _____ End Time: _____
 - Friday: Start Time: _____ End Time: _____
 - Saturday: Start Time: _____ End Time: _____
- Gross weight of fireworks in pounds to be merchandised in sales structures/tents: _____
- Gross weight of fireworks in pounds to be stocked in storage containers for restocking of sales structures/tents: _____

Regulations:

Site

- Fireworks facilities may only be located within an allowable zoning district as provided in title 9, chapter 6 of city code:
(https://codelibrary.amlegal.com/codes/westdesmoinesia/latest/westdesmoines_ia/0-0-0-10625).
- Maximum square footage of all temporary establishments within the property, including garden centers, food vendors, fireworks sales and storage areas, and other retail vendors shall not occupy more than 20% of parking stalls.
- Vendors are responsible for compliance with all applicable ADA requirements. City approval of permit should not be viewed as confirmation of compliance with requirements.
- All sales and storage areas shall be appropriately fenced on all sides to prohibit general public access other than where identified and signed.
- Posters stating “Fireworks are illegal to discharge in the City of West Des Moines” shall be displayed in a highly visible location within 15 feet of every entrance as approved by the city.
- Smoking shall not be allowed within 30 feet of any sales or storage structure. Approved ‘No Smoking’ signs shall be placed every 25 feet outside of the facility.
- All sales and storage areas are to be located on pavement or gravel.
- All customer parking areas are located on pavement - asphalt or concrete. Grass or gravel parking is not allowed.
- 10 parking stalls shall be provided for every 1000sf of retail sales area. The number of ADA stalls shall be provided in accordance with State Code.
- Access drives shall be paved or gravel surfaced able to hold 75,000lbs GVW.
- Fireworks related business signage collectively shall not exceed 32 square feet (excludes City required emergency signage/postings). No directional signs within the site or off-premise signs directing people to the fireworks sales operation are allowed. Any off-premise signs found will be confiscated and destroyed. Please contact the City, at 515-222-3620 or signpermits@wdm.iowa.gov to discuss signage and/or to obtain a sign permit prior to opening.
- Set-up of the site subject to this permit may occur beginning June 6th. No sales are allowed until June 13th and site is in compliance to all regulations as confirmed by an inspection by the Fire Department.
- Sales of fireworks are allowed through July 8th. All sales and storage structures and components must be removed from the site by midnight on July 15th and the site restore to its pre-retail facility condition and all garbage and debris removed from the site.

Facility

- All temporary structures for which fireworks are sold or stored must adhere to the Fire Code (2015 IFC with local amendments) as adopted by the City of West Des Moines, WDM Municipal Code, and any applicable state or federal law. The more restrictive code or law will apply when contradictions are indicated.
- Only tents provided and erected by a commercial rental company are allowed over and/or adjacent to where fireworks are located, unless otherwise approved by the city.
- All storage of fireworks for restocking of sales tents shall be in a container or building that is approved for fireworks storage.
- Vendors are responsible for compliance with all applicable ADA requirements. City approval of permit should not be viewed as confirmation of compliance with requirements.
- Posters stating “Fireworks are illegal to discharge in the City of West Des Moines” shall be displayed in a highly visible location at all check-out locations.
- Smoking shall not be allowed within 30 feet of any sales or storage structure. Approved ‘No Smoking’ signs shall be placed every 25 feet inside the facility.
- Aisle width in a sales facility shall be a minimum of 48 inches. No dead-end aisles are allowed.
- Continuous display of merchandise and/or fireworks shall not exceed 16 feet in length. A flame break

aisle at least 48 inches wide shall separate continuous displays.

- Fireworks shall not be displayed greater than six feet in height from the walking surface.
- Exits shall be kept clear of any merchandise and/or obstacles.
- Only electrical lighting per the National Electric Code shall be utilized.
- All tents shall provide illuminated exit signs and emergency lighting.
- No person is to inhabit, dwell, or live in a temporary structure that is used as a consumer fireworks retail facility. RVs may be located within the property for employees and/or security personnel during the duration of fireworks sales operations (June 6th to July 15th).
- 24-hour security must be provided if fireworks are left overnight on the premises.

Site Layout Plan:

A site plan or aerial photo of site must be included with the application. All improvements to the site shall be accurately drawn and appropriately dimensioned. The site plan or aerial photo shall include all areas in which the activities related to the sales and storage of fireworks and security elements is to occur and enough of the surrounding area to illustrate compliance with requirements outlined within this application. (See attached Fireworks Drawing Checklist & Supporting Information Form for drawing example.)

Site layout drawing shall include:

- Property address
- North arrow
- Scale of drawing indicated in text and bar scale
- Names of roadways adjacent to the property
- Location of all sales and storage structures. Structures shall be individually indicated, not just perimeter boundary of each area. All sides of each structure or area shall be dimensioned to the nearest foot.
- Indication of location of exits from sales tents/areas, including exit width dimensioned.
- Delineation of parking to be used by customers. All parking areas must be located on paved surfacing.
- Indication of any parking stalls to be used for access aisle turn-around to avoid dead end drive aisles.
- Indication of the distance between the closest point of any sales or storage area to the property line and/or street right-of-way line(s) – not street curb or sidewalk.
- Indication of the distance from all existing permanent structures to the closest point of any sales or storage area.
- Location of transient merchant quarters, if applicable, and security facilities, including indication of distance(s) to sales tents dimensioned.
- Location and type of all generators or other power sources.
- Location of trash receptacles, portable restrooms, pedestrian seating areas, etc.
- Note surfacing material of all sales and storage areas.
- Note surfacing material of all customer parking areas.

Site layout drawing shall **demonstrate** the following. **All required separations shall be dimensioned on the site plan.**

- Parking areas located a minimum of 20 feet from any sales or storage area.
- Minimum of 30 feet of separation between trash receptacle(s) and sales tent. Empty boxes and discarded packaging must be kept a minimum of 30 feet from a sales tent.
- Minimum of 50 feet of separation between storage facilities.
- Minimum of 50 feet of separation between sales facilities.
- Minimum of 50 feet of separation between storage areas and sales tents.
- Emergency vehicle accesses located within 150 feet of all sides of a sales or storage structure.
- Sales and storage areas shall be located a minimum of 20' from any public or private road right-of-way (note, right-of-way is not the curb line).
- Storage and sales areas must be located a minimum of 50 feet from any temporary living area/structure of the seller/employees.
- Minimum separation of sales and storage areas from inhabited buildings, within the site and on adjacent properties, as provided for in the following table for the gross weight of fireworks in pounds.

Gross Weight of Fireworks	Distance from Inhabited Buildings
<i>Pounds</i>	<i>Feet</i>
100	50
200	60
400	70
600	80
800	90
1000	100
2000	115
3000	124
4000	130
5000	135
6000	139
8000	140
10000	150

- Sales and storage areas are located a minimum of 20 feet from generators and other internal power sources and isolated with appropriate barrier to prevent contact with the public.
- Sales and storage areas are located a minimum of 50 feet from any combustible liquids, gas and fuels, including stored fuels for generators, equipment, and vehicles.
- Any combustible material, including vegetation (including grass) is located a minimum of 30 feet from sales and storage areas.

The Floor Plan shall include or demonstrate the following: (See Fireworks Drawing Checklist & Supporting Information Form for blank grid paper.)

- Information noted in the State of Iowa Fireworks Application Checklist for a Temporary Tent Floor Plan (Checklist and Examples: <https://dps.iowa.gov/sites/default/files/state-fire-marshal/consumer-fireworks/tempintsiteplansample.pdf>)
- Exits from each tent shall be provided in the minimum # and width as identified in the following table for the size of the tent, including sales and non-sales areas, unless otherwise allowed by the City:

https://wdmiowa.sharepoint.com/sites/ds/CommDev Documents/___Development Projects/Fireworks Applications/2024 Applications/Consumer Fireworks Retail Facility Application 2024.doc

Exit Requirements based on Occupant Load

Occupant Load	Minimum Number of Exits	Exit Requirement
Up to 199	2	6 Feet minimum exit width of each exit
200 to 499	3	6 Feet minimum exit width of each exit
500 to 999	4	8 Feet minimum exit width of each exit
1000 to 1999	5	10 Feet minimum exit width of each exit
2000 to 2999	6	10 Feet minimum exit width of each exit
Over 3000	7	10 Feet minimum exit width of each exit

- Indication of location of fire extinguishers: The minimum # of 2A-10BC fire extinguishers as identified in the following table shall be provided in each tent based on the size of the tent:

Square footage of Tent	Number of Fire Extinguishers Required
200-500	1
501-1,000	2
1001-3000	3
3001-5000	4
5001-7000	5
7001-9000	6
9001-11000	7
11001-13000	8
13001-15000	9
15001-17000	10

The applicant shall confirm the following in writing: (See Fireworks Drawing Checklist & Supporting Information Form for blank separation table.)

- Storage areas are located no closer than 50 feet to any of the following:
 - Fuel and propane dispensing stations, including convenience stores
- Storage areas are located no closer than 300 feet to any of the following:
 - Any bulk storage in which liquefied gas, cryogenic material or flammable liquid is sold, used or distributed.

CERTIFICATION:

NOTE: APPLICATION MUST HAVE ORIGINAL SIGNATURE OF THE INDIVIDUAL WITH THE PROPER AUTHORIZATION TO SUBMIT SAID APPLICATION.

Applicant's Signature and Consent

I, _____ personally swear and affirm that this application has been prepared in compliance with the requirements of the City of West Des Moines as printed herein and that the statements and information are in all respects true and correct to the best of my knowledge and belief. Further, I hereby submit this application for review and consideration by the City of West Des Moines, Iowa in compliance with the requirements of the City of West Des Moines Code.

I agree to ensure that the regulations specified in Title 3, Chapter 14, Fireworks Sales and Storage are met, the safety of pedestrians and customers is protected and the access for emergency vehicles in and around the site is maintained. I understand that failure to do so could result in any enforcement actions or penalties allowed by law, including the revocation of the permit and closure of the sales facility.

I understand that in addition to the City of West Des Moines' permit, I must also obtain a State of Iowa Consumer Fireworks Retail License.

I acknowledge that submittal of this application does not constitute approval to set-up and I agree to the following set-up, merchandise stocking, and inspection process:

- Upon City review of this application, I must receive conditional approval from the City to allow the initial set-up of the retail facility in accordance with the site plan and documentation provided within this application, or as otherwise amended by the City to bring the retail facility into compliance with requirements stated within and in title 3, chapter 14 of city code. **No merchandise shall be placed within any sales tents/structures at this time.**
- Upon initial set-up of the tents/structures, tables, and all other site components, including implementation of fencing, exits, emergency lighting and signage, etc., **I must call the Fire Department to schedule a pre-merchandise inspection.** A pre-merchandise inspection appointment is not to be requested until I confirm that the site is compliant with all regulations, rules and codes.
- Only upon approval of the pre-merchandise inspection may I stock the sales tents/structures.
- Upon placement of merchandise within the retail facility, **I must call the Fire Department for a second site inspection.** Only upon passing of this second inspection may retail sales commence.

I further acknowledge that a copy of the City issued permit and State issued license must be displayed at all times while the consumer fireworks retail facility is operating.

By submitting this application, I, in cooperation with and consent of the property owner, grant the City permission to access the property at any time for the purposes of on-site inspections and enforcement.

Signature of Authorized Individual

Date

Printed Name

To be completed by and signed by authorized City Personnel:

Consumer Fireworks Retail Facility Permit

Conditional Approval:

THE PROPERTY SUBJECT OF THIS APPLICATION HAS BEEN APPROVED TO SET UP A CONSUMER FIREWORKS RETAIL FACILITY AS ILLUSTRATED ON THE ATTACHED SITE PLAN AND AS DESCRIBED IN THE PERMIT APPLICATION. THIS CONDITIONAL APPROVAL **DOES NOT AUTHORIZE** THE APPLICANT TO BEGIN SELLING FIREWORKS. A SITE INSPECTION BY THE CITY TO INSURE COMPLIANCE WITH THE REGULATIONS STATED WITHIN THIS APPLICATION PACKET AND AS PROVIDED IN TITLE 3, CHAPTER 14 OF CITY CODE IS REQUIRED PRIOR TO COMMENCEMENT OF RETAIL SALES.

By (signature): _____

Name & Title (printed): _____

Date: _____ Permit Number: _____

Site Inspection:

THE PROPERTY SUBJECT OF THIS APPLICATION HAS BEEN SET UP IN ACCORDANCE WITH THE SITE PLAN ILLUSTRATION AND AS DESCRIBED WITHIN THIS APPLICATION.

THE SITE HAS BEEN INSPECTED BY THE UNDERSIGNED AND HAS BEEN DETERMINED TO BE IN COMPLIANCE WITH THE INFORMATION PROVIDED WITHIN THIS APPLICATION AND AS PROVIDED IN TITLE 3, CHAPTER 14 OF CITY CODE.

COMMENCEMENT OF RETAIL SALES MAY BEGIN ON _____.

By (signature): _____

Name & Title (printed): _____

Date: _____



CONSUMER FIREWORKS RETAIL FACILITY

DRAWING CHECKLIST &

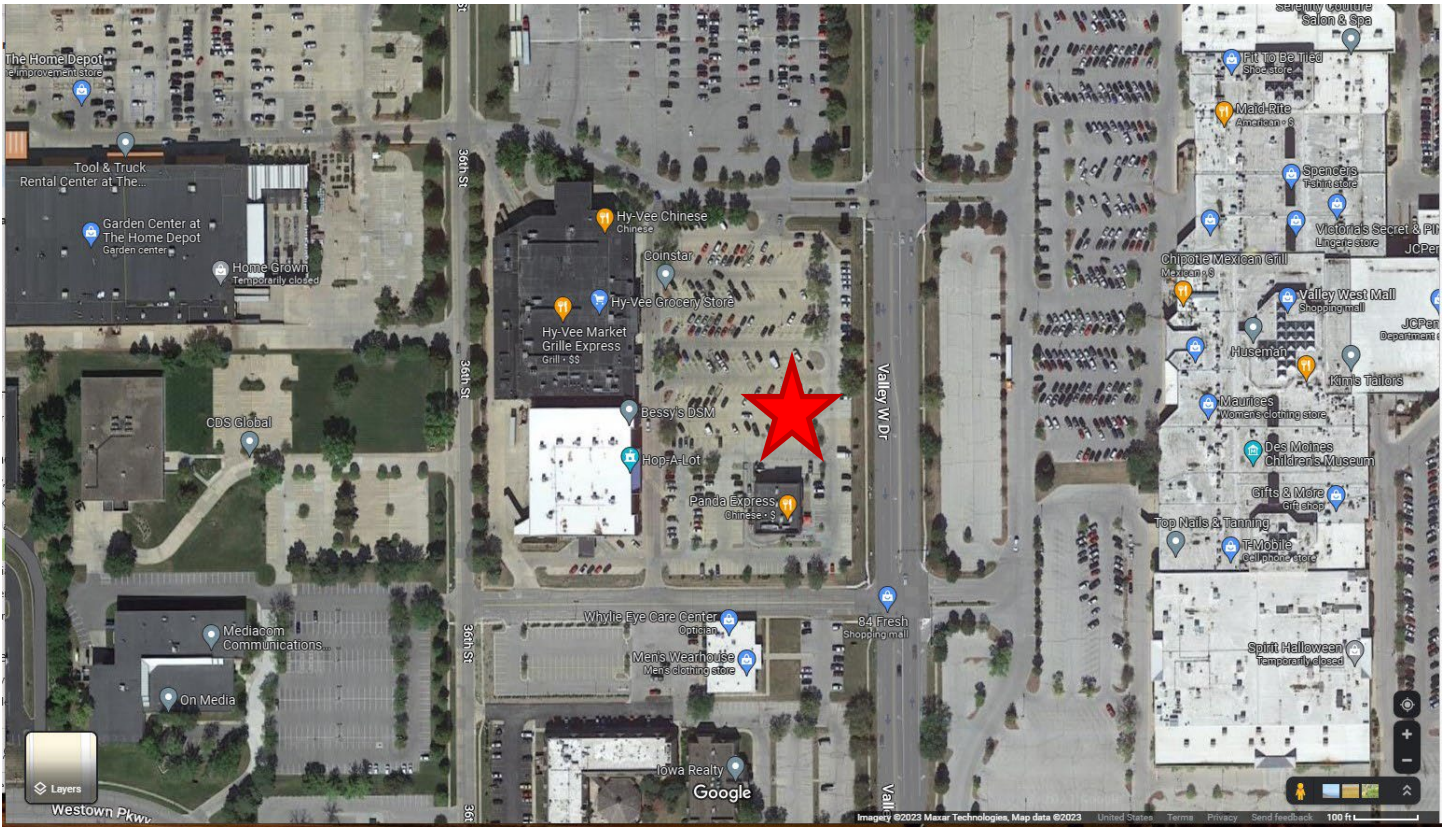
SUPPORTING INFORMATION

Drawing Details for Fireworks Applications

Site Plan Requirements: (Recommend using an aerial photo or a site plan from the owner as a base for the drawing)

- Vicinity Map
- Property Address
- Drawing date (and date of any revisions)
- North Arrow
- Drawing Scale and Bar Scale
- Show property lines.
- Show adjacent streets and sidewalks (label streets).
- Mark the location of all sales and storage structures. Note what the structure is and dimension all sides of the structure.
- Mark the location of all exits from sales tents/areas.
- If applicable, mark the location of transient merchant quarters and security facilities.
- Delineate the parking area to be used by customers. 10 parking stalls shall be provided for every 1000sf of retail sales area, please note number of stalls required. (All parking areas must be located on paved surfacing.)
- Indication of any parking stalls to be used for access aisle turn-around to avoid dead end drive aisles. Note the direction of travel for the turn around and how the area will be delineated (traffic cones, fencing, etc.)
- Mark the location and note the type of all generators or other power sources.
- Mark the location of trash receptacles, portable restrooms, pedestrian seating areas, etc.
- Note the surfacing material of all sales, storage areas and parking areas.
- Dimension the following separation distances and if necessary, how the area will be delineated (traffic cones, fencing, etc.):
 - Minimum of 20 feet of separation between parking areas and any sales or storage area.
 - Minimum of 30 feet of separation between trash receptacle(s) and sales tent. (Empty boxes and discarded packaging must be kept a minimum of 30 feet from a sales tent.)
 - Minimum of 50 feet of separation between storage facilities.
 - Minimum of 50 feet of separation between sales facilities.
 - Minimum of 50 feet of separation between storage areas and sales tents.
 - Minimum of 20 feet of separation between sales and storage areas and any public or private road right-of-way (note, right-of-way is not at the curb line).
 - Minimum of 50 feet of separation between storage and sales areas and any temporary living area/structure of the seller/employees.
 - Separation of sales and storage areas from inhabited buildings, within the site and on adjacent properties. (See table in application form for required minimum distances.)
 - Sales and storage areas are located a minimum of 20 feet from generators and other internal power sources and isolated with appropriate barrier to prevent contact with the public.
 - Sales and storage areas are located a minimum of 50 feet from any combustible liquids, gas, and fuels, including stored fuels for generators, equipment, and vehicles.
 - Any combustible material, including vegetation and grass, is located a minimum of 30 feet from sales and storage areas. Contact the Fire Marshal (515-222-3437) if you have any questions on what a combustible material is.
- Include a completed Storage Area Separation Table

Example Vicinity Map:



Address:
1700 Valley West Drive, West Des Moines, Iowa

Date: 01/01/2023

North

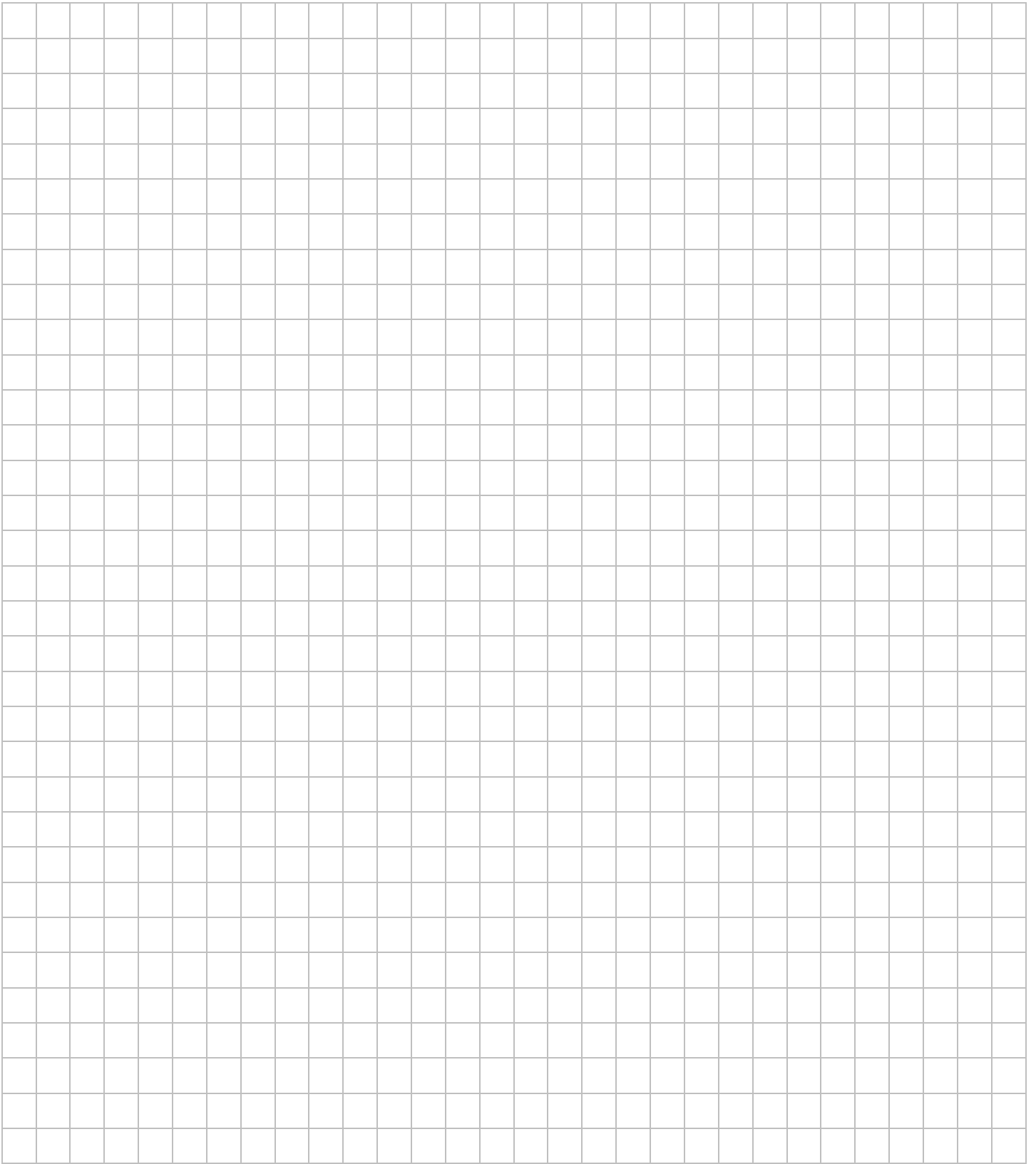


Storage Area Separation Table:

The applicant confirms that storage areas are located to provide separations as noted below for any of the following:

Site Address:	
Item	Yes/No
Fifty (50) feet from any fuel and propane dispensing stations, including convenience stores	
Three hundred (300) feet from any bulk storage in which liquefied gas, cryogenic material or flammable liquid is sold, used or distributed.	
If any items are answered as yes, please indicate the item location on the Site Plan with separation distance from the storage areas noted.	

Floor Plan:



Address:		North
Scale:	Date:	

Example Site Plan Drawing:

