

Section 1150 – Sale of Fireworks

1150.01 Sale of Fireworks. It is unlawful to sell fireworks in the City of Hopkins in violation of Minnesota Statutes 624.20 through 624.25, inclusive, which are adopted by reference. "Legal fireworks" as defined in this Section may, however, be sold upon issuance of a license issued by the City.

1150.03 Definition. For the purposes of this Section "legal fireworks" is defined to mean:

Wire or wood sparklers of not more than 100 grams of mixture per item, other sparkling items which are non-explosive and non-aerial and contain 75 grams or less of chemical mixture per tube or a total of 200 grams or less for multiple tubes, snakes and glow worms, smoke devices, or trick noisemakers which include paper streamers, party poppers, string poppers, snappers, and drop pops, each consisting of not more than twenty-five hundredths grains of explosive mixture.

1150.05 Application. The application for a license shall contain the following information: name, address, and telephone number of applicant; the address of the location where fireworks will be sold; along with a list documenting the name, weight, and quantity of the fireworks within the building and the material safety data sheets.

1150.07 Processing Application. The application must be filed with the City Clerk together with the license fee a minimum of fifteen (15) days prior to operating. Following an inspection of the premises, proposed to be licensed, the City Manager or his/her designee shall issue the license if the conditions for license approval are satisfied and the location is properly zoned. If the City Manager or his/her designee denies the license application, the applicant may, within ten (10) days, appeal the decision to the City Council.

1150.09 Conditions of License. The license shall be issued subject to the following conditions:

- a) The license is non-transferable, either to a different person or location.
- b) The licensed premises must be located in an area that is zoned as a business district. If the licensed premise is a temporary structure, it must comply with all of the provisions of Section 1145 as they pertain to transient merchants except for Section 1145.11. (Amended Ord 2005-944)
- c) The license must be publicly displayed on the licensed premises.
- d) The premises are subject to inspection by City employees including police officers during normal business hours.
- e) The premises must be in compliance with the National Fire Protection Association Standard 1124 (2003 edition), The State Building Code and State Fire Code. (Amended Ord 2005-944)

- f) Consumer fireworks shall not be sold to persons under the age of 18.
- g) Smoking shall not be permitted in any building or tenant space where fireworks are stored for commercial purposes or sold. Areas where fireworks are stored for commercial purposes or sold shall be provided with approved “no smoking” signs in red letters not less than two (2) inches in height on white background. All signs shall be maintained in legible condition.
- h) Each permit holder shall have not less than two fire extinguishers of not less than a 2a,10b,c rating in approved locations.
- i) There shall be at least two (2) code compliant exits from all buildings from which fireworks are stored for commercial purposes or sold.
- j) A list of all consumer fireworks displayed and stored on the property shall be available at all times. The list shall document the name, weight, and quantity of the fireworks and be accompanied by the material safety data sheets.

1150.11 License Period and License Fee. Licenses shall be issued for one year. The License fee for a business that sells only fireworks shall be \$350.00. The fee for existing retailers who also sell fireworks shall be \$100.00. License fees shall not be prorated.

1150.13 Revocation of License. Following written notice and an opportunity for a hearing, the City Manager or his/her designee may revoke a license for violation of this Section or state law concerning the sale, use or possession of fireworks. If a license is revoked, neither the applicant nor the licensed premises may obtain a license for twelve (12) months. If the City Manager or his/her designee revokes a license, the license holder may within ten (10) days appeal the decision to the City Council.