



Application for a Fireworks Permit

1. Owner Name _____
2. Business Name _____
3. Owner Email Address _____
4. Owner Phone Number _____
5. Manager's Name _____
6. Manager's Phone Number _____
7. Stand location(s) _____
8. Owner of Property _____
9. Proof of Insurance
10. Proof of Fire Marshal Inspection

The undersigned hereby makes application for a renewal of their permit to operate a Fireworks Stand within the zoning jurisdiction of the City of Lexington, Nebraska and agrees to conform to the requirements contained in the Lexington City Code if this permit is granted.

Signature of Applicant

Signature of Property Owner

Sec. 18-45. Schedule.

There is hereby levied an occupation tax upon each and every occupation and business within the city, upon the several respective occupations, professions and lines of business, and in the several different amounts, as follows:

- (1) *Fireworks.* Owners or operators of a stand or booth for sale of fireworks as follows:
 - a. By a resident of the city, including the owner or operator of an existing business establishment within the city, per season: \$75.00.
 - b. By a nonresident of the city, per season: \$300.00.
 - c. Certificate. Each person or business paying an occupation tax as aforesaid shall display for public inspection a certificate or receipt from the city clerk, showing payment of such occupation tax.

Sec. 22-23. Fireworks.

- (a) *Possession and sale.* It shall be unlawful for any person to have possession of, for sale or for any other purpose, to offer for sale, or to use, within the city, any fireworks of any kind, except as defined as consumer fireworks by R.R.S. 1943, § 28-1241(6), and except as defined as display fireworks by R.R.S. 1943, § 28-1241(7). Such fireworks may be sold at retail, in the City of Lexington only on June 28 through and including July 4 of each year, and on December 29 through and including December 31 of each year, and by regulation of the state fire marshal.
- (b) *Permit for display fireworks; other use prohibited.*
 - (1) Any person desiring to have or to hold a fireworks display within the city shall file with the city clerk an application in writing for a permit therefor, which application shall set forth and specifically designate the place where such fireworks display is to be held, the kind and quantity of fireworks to be used, the time thereof and the person to have supervision thereof, and the city manager and city clerk may thereupon issue, or refuse to issue, a permit in writing for the holding of such fireworks display, excluding all firecrackers, at the time and place and under the supervision of the person as set forth in the application, and upon the issuance of any permit may require such additional supervision as shall be deemed necessary or proper, which requirement shall be stated in the permit.
 - (2) For any fireworks display permit issued pursuant to this section, the city manager shall have authority to designate an area for public observation of such fireworks display, and shall post reasonable notice of such observation area. During the time of such fireworks display, it shall be unlawful for any other person to have in his possession, to set off or otherwise cause to discharge or burn any fireworks within such area, or to discharge or throw fireworks into such area from any adjacent land or highway.
- (c) *Discharge of fireworks.* Consumer and display fireworks shall only be discharged, exploded, or used in the City of Lexington on June 28 through and including July 4 of each year and December 31 to January 1; provided that on such days the discharge and explosion of fireworks shall be permitted during the following times:

June 28 through July 3—9:00 a.m. to 10:30 p.m.

July 4—9:00 a.m. to midnight

December 31—5:00 p.m. to 1:00 a.m. on January 1

The discharge of fireworks within the City of Lexington on any dates or times other than as set out in this section shall require approval from the city manager.

(Code 1970, §§ 7-505, 7-505.01; Code 1990, §§ 19-3, 19-4; Ord. No. 1638, § 1; Ord. No. 1986; Ord. No. 2231, 5-22-2007; Ord. No. 2286, § 1, 10-12-2010; Ord. No. 2456, § 1, 8-22-2023)

State law reference(s)—Fireworks, R.R.S. 1943, § 28-1241 et seq.