



## **City of Broken Bow, Nebraska**

### **Application Kit for the Sale of Fireworks**

All person applying for a permit to sell fireworks within the City of Broken Bow, Nebraska must submit an application form with the City Clerk. The application must be accompanied by a \$10.00 non-refundable application fee, and the permit fee. Each location requires a separate application and permit.

All applications must be submitted to the City Clerk for the approval process with the Fire Chief, Police Chief, and the City Council. Deadline for submission of application to sell Fireworks is June 1<sup>st</sup>. Partially completed applications will not be accepted.

Following approval by the Fire Chief and Police Chief, the application will go before the City Council. Once approved by the City Council and the permit fee is paid, the City Clerk will issue a fireworks permit to the applicant. This permit must be prominently displayed in the Fireworks Stand.

It shall be the responsibility of the applicant to follow all City and State Laws, Regulations, and Ordinances relating to the sale of fireworks.

This application kit contains:

- ✓ Application Form
- ✓ City of Broken Bow Ordinance #1224
- ✓ State of Nebraska Fireworks License Online Application Information
- ✓ State Rules for Retail Sales of Consumer Fireworks



## **City of Broken Bow, Nebraska Application to Sell Fireworks**

Name of Applicant/Organization \_\_\_\_\_

Permanent Address of Applicant or Organization \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Daytime/Evening Phone \_\_\_\_\_

Contact Person \_\_\_\_\_

Address of Contact Person \_\_\_\_\_  
\_\_\_\_\_

Phone Numbers for Contact Person \_\_\_\_\_

Street Address or Legal Description of Premises for Firework Stand:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Description of Proposed Firework Stand (ie: tent, building, trailer, etc.)  
\_\_\_\_\_  
\_\_\_\_\_

How will the fireworks be secured during hours stand is not open for business?  
\_\_\_\_\_  
\_\_\_\_\_

Where will the fireworks inventory be stored?  
\_\_\_\_\_

When will your inventory arrive? \_\_\_\_\_

Please attach the following to the application:

1. Map or sketch showing the location of the fireworks stand in relation to the boundaries of the premises and any other building on the premises.
2. Letter of permission from the owner of the property on which proposed fireworks stand will be located.
3. Copy of the Certificate of Insurance
4. Copy of State of Nebraska License for Sale of Fireworks
5. Copy of Certificate of Flame Resistance for tent stands

The undersigned hereby agrees to conduct the sale of fireworks within the City of Broken Bow strictly in accordance with all laws of the State of Nebraska and Ordinances of the City of Broken Bow.

Signature of Applicant \_\_\_\_\_

### Police Chief Comments:

## Police Chief

Date

### Fire Chief Comments:

## Fire Chief

Date

Returned to City Clerk on \_\_\_\_\_, 20\_\_\_\_

Brought before the Broken Bow City Council on \_\_\_\_\_, 20\_\_\_\_

Fee Paid: Date \$ Check # Cash

\$                    Check #                    Cash

City Council:  Approve  Deny Date

**CITY OF BROKEN BOW, NEBRASKA**  
**ORDINANCE NO. 1224**

**AN ORDINANCE PROVIDING FOR THE SALE OF FIREWORKS IN THE CITY OF BROKEN BOW, NEBRASKA.**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BROKEN BOW, NEBRASKA:

Section 1. Fireworks, definitions.

- (a) Fireworks. Any composition or device designed for the purpose of producing a visible or audible effect by combustion, deflagration or detonation and which meets the definition of common or special fireworks set forth by the United States Department of Transportation in Title 49, Code of Federal Regulations.
- (b) Permissible fireworks. Only those fireworks annually listed and promulgated by the State Fire Marshal for that year in Title 157, Chapter 8, entitled "Fireworks Acceptable in the State of Nebraska for the year 2010.

Section 2. Fireworks stand.

- (a) A trailer, tent or temporary structure which stands alone and is not connected to or which any other trailer, tent or structure, either temporary or permanent, from which any product other than permissible fireworks is sold or distributed.
- (b) All firework stands shall be dismantled and/or removed from its site no later than July 12<sup>th</sup> of the current year.
- (c) No regulated fireworks shall be sold from permanent buildings or structures in the City except as permitted by Nebraska State Statutes.
- (d) No electrical space heaters will be used at any time within the fireworks stand.
- (e) Each fireworks stand shall have at least one fire extinguisher within the stand or as directed by the Fire Chief.
- (f) There shall be no camping or sleeping overnight in the fireworks stand.
- (g) The following signs, with at least 2 V2 inch block lettering of permanent design of contrasting color shall be installed on all four (4) sides of the structure from which fireworks are to be sold. Said signs shall state:
  - i. No smoking within 25 feet;
  - ii. No discharging of fireworks within 100 feet;
  - iii. No parking within 12 feet.

Section 3. Fireworks; generally.

It shall be unlawful for any person to sell or offer for sale permissible fireworks in the City of Broken Bow without first having made application and paid the required fees to the Broken Bow City Clerk.

Section 4. Permit; application.

The application to sell or offer for sale permissible fireworks shall contain:

- (a) The name and residence address of the applicant.
- (b) The street address or legal description of the premises for which the permit is sought.
- (c) An accurate description of the structure to be used and location of the structure on the premises.
- (d) Where the inventory will be stored.
- (e) When the inventory will arrive.
- (f) Where the inventory will be stored during the off season.
- (g) Certificate of Insurance in the amount of \$2,000,000, naming the City of Broken Bow as an additional insured.

#### **Section 5. Permit fees.**

- 1) Persons selling fireworks within the City of Broken Bow who are doing so **for-profit will pay a fee of \$1,000**, payable to the City of Broken Bow.
- 2) Persons selling fireworks within the City of Broken Bow who are doing so not-for-profit will pay a fee of \$50, payable to the City of Broken Bow. This fee will be paid yearly at the time of the application process.
- 3) Permit fees collected by the City of Broken Bow will be transferred to the Organization or Party who handles the annual public firework display held on July 4<sup>th</sup> each year. If such a display ceases to exist, the fees collected stay with the City of Broken Bow.

#### **Section 6. Permit; when granted.**

The City Clerk shall submit copies of any application to sell permissible fireworks to the Fire Chief and the Police Chief, who shall thereafter review the application and the applicant to determine, that all of the provisions of the City Code and any other applicable federal or state law or regulations have been met. The results of such review and application shall be delivered to the City Clerk who will bring the results before the City Council for review who then can issue the permit. Any permit which is granted shall be prominently displayed at the fireworks stand to which it has been issued. No permit shall be transferable.

#### **Section 7. Age requirements.**

A person of at least 19 years of age shall supervise all sales of fireworks by a salesperson that is younger than 16 years of age.

## Section 8. Sale and use of permissible fireworks.

Permissible fireworks may be sold only during the following times:

June 25 to July 4: 9:00 AM until 11:00 PM

December 29th at 9:00 AM until December 31st 11:00pm

Permissible fireworks may be used, discharged, or exploded only during the following times:

June 25 to July 3: 9:00 AM until 11:00 PM July 4<sup>th</sup>:

9:00 AM until 12:00 Midnight

December 29th, & 30th 9:00 AM Until 11:00 P.M. and

Dec. 31st 9:00 AM until 2 AM on the morning of  
January 1st.

## Section 9. Prohibited acts.

It shall be unlawful for any person to:

(a) Use, discharge, explode or possess any fireworks within the City of Broken Bow  
other than what is prescribed in Section Eight of this ordinance.

(b) Use, discharge, or explode any fireworks within any building, or in the vicinity of any  
person or property in a manner that exposes such person or property to injury  
or damage.

(c) Throw any fireworks from or into a motor vehicle, onto any street, highway or  
sidewalk, at or near any person, into any building or into or at any group of  
persons.

(d) Use, discharge, or explode any fireworks on any public street, alley, sidewalk,  
park or other property owned by the City of Broken Bow without first obtaining  
permission from the City Council.

## Section 10. Weather Hazard.

The Broken Bow City Council reserves the right to ban or further limit the sale/discharge of  
fireworks in the event of dry weather or other weather hazards.

Passed and approved this 12<sup>th</sup> day of May, 2020.



---

Rod Sonnichsen, Mayor

ATTEST:



Stephanie M. Wright, City Clerk



The Nebraska State Fire Marshall's office is responsible for licensing and regulating the sale of fireworks. Each applicant will establish their own online account via the online system located on the general information tab at <https://sfm.nebraska.gov/fireworks>

or at <https://nebraska-sfm.caseapp.tylerapp.com/login.request.do?service=/home.do>

All State Ag

# NEBRASKA

Good Life. Great Safety.

## Nebraska State Fire Marshal

Doug Hohbein, State Fire Marshal

Home Agency Info ▾ Publications ▾ Divisions ▾ Fees Forms Fire Department Training

**Fireworks**

- Databases
- Display Permit & License Applications
- Fees
- Forms
- General Information
- Injuries
- Publications
- Regulations
- Related Links
- Transportation of Fireworks
- FAQ
  - License/Retail Stands
  - Public Display Operators
  - Public Fireworks Displays

Attention

**Plan Review Fees Updated**

Effective 9/1/2025

More information can be found [HERE](#)



# NEBRASKA

Good Life. Great Safety.

## Nebraska State Fire Marshal

Doug Hohbein, State Fire Marshal

Home Agency Info ▾ Publications ▾ Divisions ▾ Fees Forms Fire Department Training

**General Information**

All Firework Retail license applications **must** be submitted no later than **Thursday, December 11th at 11:59 PM CST** per the state statute's 10 business day requirement.

The State Fire Marshal's office is responsible for licensing and regulating the sale of Class C fireworks and public displays of Class B fireworks in the state. Fireworks may only be sold between June 24 and July 5 on a JULY License OR between December 28 and January 1 on a DECEMBER License each year unless a local government enacts different restrictions.

It is the applicant's responsibility to be aware of regulations, both at the state level and locally, and ensure the application is submitted in plenty of time for processing.

Effective January 1, 2013, firework applications must be submitted via the [online](#) system. Any application submitted on paper form will be returned. Payment must be made with a credit card, debit card, or electronic check.

The US Department of Transportation (DOT) has changed the classification of fireworks. When we refer to Class B fireworks, the new DOT classification is 1.1 if the shells have a diameter of 10 inches or more; or 1.3 if the diameter of the shell is less than 10 inches. Class C fireworks are now referred to as consumer fireworks or 1.4 by the DOT. Novelty fireworks are exempt from hazardous labeling requirements.

Attention

**Plan Review Fees Updated**

Effective 9/1/2025



<https://sfm.nebraska.gov/fireworks/retail-stands>

**NEBRASKA**  
Good Life. Great Safety.

# Nebraska State Fire Marshal

Doug Hohbein, State Fire Marshal

Home Agency Info Publications Divisions Fees Forms Fire Department Training

**Retail Stands**

Anyone wishing to sell fireworks to consumers during the July or December selling period must complete the retail stand application and pay a \$25.00 non-refundable fee. Beginning in 2013, applications may only be submitted [online](#).

For July sales, all applications must be received by the State Fire Marshal's Office on or before June 9. For December sales, all applications must be received by the State Fire Marshal's Office on or before December 12. **Applications will not be accepted after the deadline.**

It is not necessary to have your sales tax number at the time you apply for your retail license although you must obtain one eventually and pay sales tax on the items you sell. If you will have multiple stands, you only need one sales tax number for all the stands; not one per stand. To obtain a sales tax number or for answers to your questions regarding sales tax collection/payment, contact the Department of Revenue's Taxpayer Assistance toll free number (800) 742-7474. You may also download the Form 20 Application from Revenue's [website](#).

There have been significant changes to the statutes regulating the sale of fireworks in Nebraska. The list of statutes below will provide information on the new requirements. There are new [definitions](#) in Nebraska. These statutes will also provide the [timeframe](#) and [sales period](#) in which the fireworks may be sold. These statutes will be the governing rules for this selling season. Applicants should also read "[Rules for Retail Sales of Consumer Fireworks](#)".

**Attention**

**Plan Review Fees Updated**

**Effective 9/1/2025**

**More information can be found [HERE](#)**

**Do you need to submit plans?**

Click --> [Plan Submission Information](#) for more information.

**Do you need to schedule an inspection?**

Click --> [MAPS](#) to find your inspector by division (type of inspection) and county.

## Online Application

The screens are self-explanatory. Please read all instructions on each screen carefully. Please go slowly through the screens and make sure you enter the information correctly. If you will have multiple retail locations you may enter information for up to 10 locations on the same application.

You may select multiple distributors if necessary. Read the instructions provided in the online application to accurately make your selection of distributors. Only those distributors and jobbers who are licensed will appear in the list. Jobbers cannot select themselves as the distributor for their retail stands. They must select their distributor(s). Others applying for a retail stand license should select the distributor(s) and/or jobber(s) they will be obtaining fireworks from.

You will receive an email advising if your application was approved or denied. If your application is denied, the email will give the reason(s) why. You will need to reapply and correct the problems. No charges will be made against your account until your application is approved.

Again, please go slowly through the screens and read all instructions.

# RULES FOR RETAIL SALES OF CONSUMER FIREWORKS

The State Fire Marshal's Office enforces the 2006 edition of NFPA 1124, *Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles*. The code contains a chapter detailing the sale of consumer (1.4G) fireworks. The highlights of the requirements are listed in this document.

## **Fireworks Buildings**

- Applies to new and existing buildings, structures and facilities (7.1.1)
  - Permanent stores
  - Tents
  - Stands
  - Does not apply when the quantity of pyrotechnic composition does not exceed 125 pounds, or 25% of the gross weight of all fireworks, including packaging. (7.3.1)
- Any building or structure used for the sale of consumer fireworks must meet the requirements of a mercantile occupancy as defined in the Life Safety Code. (7.2.3)
- Tents shall be flame-retardant per NFPA 102. (7.3.5 (2))
- When fireworks sales are conducted in multitenant buildings, all other tenants shall be separated from the fireworks sales by 2-hour fire rated construction. (1-hour fire rating if 100% sprinkler protected) (7.4.4)
- Storage rooms for fireworks in new, permanent sales facilities shall be fire sprinkler protected, or one-hour fire rated. (7.3.7)
- New, permanent fireworks sales buildings over 6,000 square feet in area shall be protected throughout by a fire sprinkler system. (7.3.6 (1))
- Existing fireworks sales buildings over 7,500 square feet in area shall be protected throughout by a fire sprinkler system (7.3.6 (2))
- Portable fire extinguishers shall be provided. (7.3.6.3)
  - Two fire extinguishers are required for retail facilities greater than 200 sq. ft.
    - One extinguisher shall be a pressurized water type having a minimum rating of 2A. (7.3.6.3)
    - The other must be a dry chemical multi-purpose extinguisher having a minimum rating of 4A when electrical service is provided in the sales facility. (7.3.8.2)
    - Maximum distance to an extinguisher in a permanent building is 75 feet, 35 feet in a temporary stand. (7.3.8.3)
    - It is acceptable to provide a single fire extinguisher for temporary stands or tents less than 200 square feet in area. The extinguisher shall be a pressurized water type (2A). (7.6.2.1, 7.3.8.2)
- A smoke control system shall be provided in new permanent fireworks sales buildings when the ceiling is less than 10 feet in height and the travel distance to an exit exceeds 25 feet. (7.3.10)
- Fire Department apparatus access shall be provided to within 150 feet of any portion of the exterior of a fireworks sales facility. (7.3.4)

## Retail Fireworks Sales

June 6, 2022

Page Two

- The area around a fireworks sales facility shall be kept clear of dry grass, brush and combustible debris for a distance of at least 30 feet. (7.4.6.1)
- A vehicle or trailer used for fireworks storage shall be parked at least 10 feet from a fireworks sales facility. (7.4.6.2)
- Signage having 4-inch high letters stating  
NO FIREWORKS DISCHARGE WITHIN 300 FEET  
shall be posted conspicuously on each side of the fireworks sales facility. (7.4.6.3)
- Smoking is prohibited within 50 feet of a fireworks sales area. Signage stating  
FIREWORKS –NO SMOKING  
in 2-inch high letters shall be provided at each entrance or aisle of a fireworks sales facility. (7.3.11.2)
- Separation Distances (7.4.7)
- New permanent fireworks sales buildings shall be separated from adjacent permanent structures by at least 60 feet or:
  - At least 10 feet if the exterior wall of the facility has a one-hour fire rating
  - No minimum distance if the exterior wall of the facility has a two-hour fire rating
  - Existing permanent fireworks sales facilities must be separated from adjacent permanent buildings by at least 10 feet or an exterior wall having a one-hour fire rating
- A distance of at least 50 feet shall be maintained from:
  - Motor vehicle fuel dispensers (gas/diesel)
  - Retail propane dispensers
  - Aboveground tanks for flammable or combustible liquids, flammable gases, or flammable liquefied gases (propane)
- Temporary sales facilities (stands) shall meet the separation distances of Table 7.4.7.2

Table 7.4.7.2 Temporary CFRS Facilities — Minimum Separation Distances

	Buildings		Combustibles <sup>a</sup>		Tents <sup>b</sup>		Vehicle Parking		Stands <sup>c</sup>		Storage of Consumer Fireworks	
	ft	m	ft	m	ft	m	ft	m	ft	m	ft	m
Tents <sup>b</sup>	20	6.1	20	6.1	20	6.1	10	3.05	20	6.1	20	6.1
Stands <sup>c</sup>	20	6.1	10	3.05	20	6.1	10	3.05	5 <sup>d</sup>	1.5 <sup>d</sup>	20	6.1

<sup>a</sup> The required clearances to combustibles shall also comply with 7.4.6.1.

<sup>b</sup> Tents refers to temporary retail sales of consumer fireworks in tents, canopies, and membrane structures.

<sup>c</sup> Stands refers to temporary CFRS stands.

<sup>d</sup> Where stands are separated from each other by less than 20 ft (6.1 m), the aggregate area of such stands shall not exceed 800 ft<sup>2</sup> (74 m<sup>2</sup>).

- A distance of at least 300 feet shall be maintained from:
  - Bulk flammable or combustible liquid, flammable gas or flammable liquefied gas (propane) tanks or dispensers (7.3.12.6)
- All fireworks sales facilities (except temporary stands) shall have an approved fire safety and evacuation plan posted in a public location. (7.3.13)
- Fireworks sales tents or sales buildings shall have at least 3 approved exits. Temporary stands (<800 sq. ft. building or structure) shall have not less than 2 approved exits. (3.3.19, 3.3.29.1, 7.3.14.1.1, 7.6.2.3.1) NOTE: a fireworks tent is not considered a fireworks stand.

- Travel distance to an exit shall not exceed: (7.3.14.2, 7.6.2.3.2)
  - 75 feet in tents and permanent fireworks sales facilities.
  - 35 feet in stands.
- Aisles used by the public shall have an unobstructed width of at least 48 inches. (7.3.14.3.1.1)
- Aisles not used by the public shall have an unobstructed width of at least 28 inches. (7.6.4.1)
- Dead end aisles are prohibited (7.3.14.3.2.4)
- Where egress doors are provided for the public, they shall be side-hinged, swing in the direction of egress travel, shall be at least 36 inches in width and shall have panic hardware provided. (7.3.14.4)
- Egress openings in tents shall be at least 44 inches in width. (7.4.8.5)
- Doors in temporary stands not used by the public do not require panic hardware and shall be at least 28 inches in width (7.6.4.2.1)
- Illuminated exit signs and emergency lighting shall be provided unless the fireworks sales facility is not open after dusk or in temporary stands not occupied by the public. (7.3.14.6, 7.6.2.3.4, 7.6.2.3.5)

#### Retail Sales Displays (7.3.15)

- Shelving and merchandise along exterior walls shall be no higher than 12 feet above the floor; not more than 6 feet for interior placed items and 8 feet for stands not occupied by the public. (7.3.15.2, 7.3.15.2.1, 7.3.15.2.2, 7.6.4.3)
- Flame Breaks (7.3.15.3)
  - As shown in Figures A7.3.15.3 and A7.3.15.3.3, flame breaks shall be provided for shelving or displays of unpackaged fireworks exceeding 16 feet in length.
- See section 7.3.15.3 for more details and options.

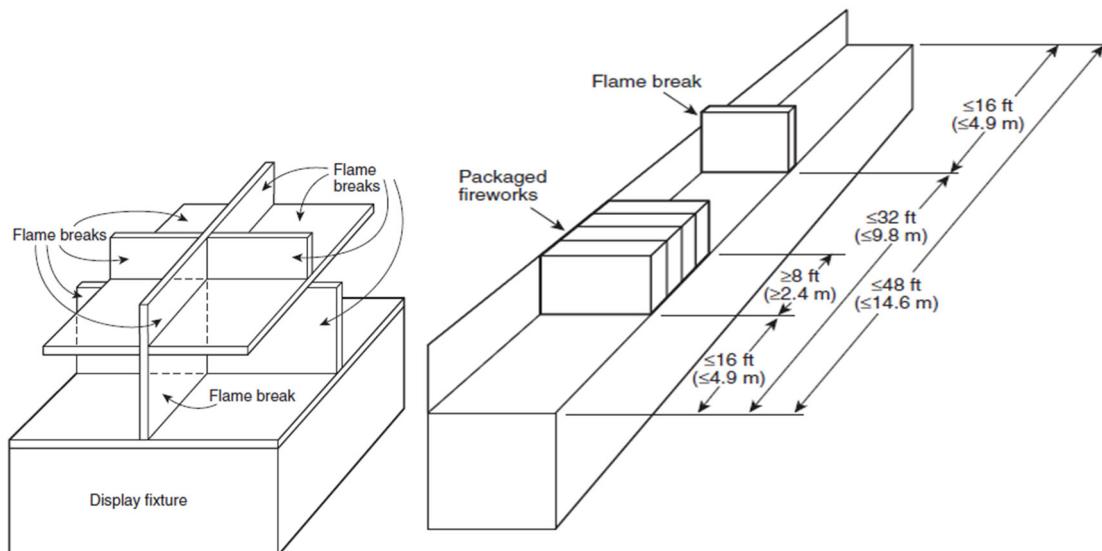


FIGURE A.7.3.15.3 Flame Break Design.

FIGURE A.7.3.15.3.3 Packaged Fireworks Merchandise and Flame Break Requirements.

- All fireworks shall have covered fuses so that the fuse cannot be touched by a person without unwrapping, tearing or puncturing the package. This does not apply to stands not occupied by the public. (7.3.15.5, 7.6.4.5)
- Fireworks sold in stores are considered mercantile occupancies and not retail fireworks sales facilities when:
  - The sales area does not exceed 25% of the floor area or 600 square feet, whichever is less and is approved by the authority having jurisdiction. (7.5.1.1)
- When approved, sales in a store shall meet the following:
  - The fireworks are under visual supervision by a store employee
  - The fireworks are packaged
  - When Aerial or Audible Ground devices are sold such devices shall be displayed in an area that is physically separated from the rest of the store, restricts entry by the public, has two means of egress and a maximum common path of travel of 35 feet (7.5.1.2)
- Electrical wiring and equipment shall meet NFPA 70. This includes physical protection of temporary wiring from pedestrian or vehicle traffic (7.3.16, 7.4.9.1.2)
- Portable generators shall be placed at least 20 feet from fireworks sales. (7.4.9.2)
- Fuel storage shall be at least 20 feet from fireworks sales. (7.4.9.2.3)
- Cooking equipment of any type not permitted within 20 feet of tents or canopies used for fireworks sales. (7.4.9.3.1)
- Open flame cooking equipment is not permitted within 50 feet of tents or canopies used for fireworks sales. (7.4.9.3.2)
- The means of egress (doors, aisles) shall be kept clear at all times. (7.3.19.1)
- Fireworks shall not be displayed within 5 feet of a public entrance or within 2 feet of a public exit or private entrance of an enclosed building. (7.3.19.2.1)
- At least 50% of available sales floor area of temporary fireworks sales facilities shall be open space used for aisles and cross aisles; 40% in permanent fireworks sales buildings. (7.3.20, 7.4.10)

#### Housekeeping

- Sales and storage areas shall be free of debris and rubbish. (7.3.21.1)
- All loose pyrotechnic composition shall be removed immediately. (7.3.21.2)
- Vacuums, shopvacs or other mechanical cleaning devices are not permitted. (7.3.21.3)
- Brooms, dustpans and brushes shall be of non-sparking materials. (7.3.21.4)
- Damaged fireworks devices shall be removed immediately and returned to the dealer or destroyed in a manner approved by the manufacturer. (7.3.21.5, 7.3.21.6)
- All employees handling fireworks shall be safety trained. (7.3.22)
- Any person selling fireworks shall not knowingly sell to a person under the influence of drugs or alcohol (7.3.23)
- Fireworks inventory records shall be kept at the premises and shall be available to the Authority Having Jurisdiction upon request. (7.3.24)