



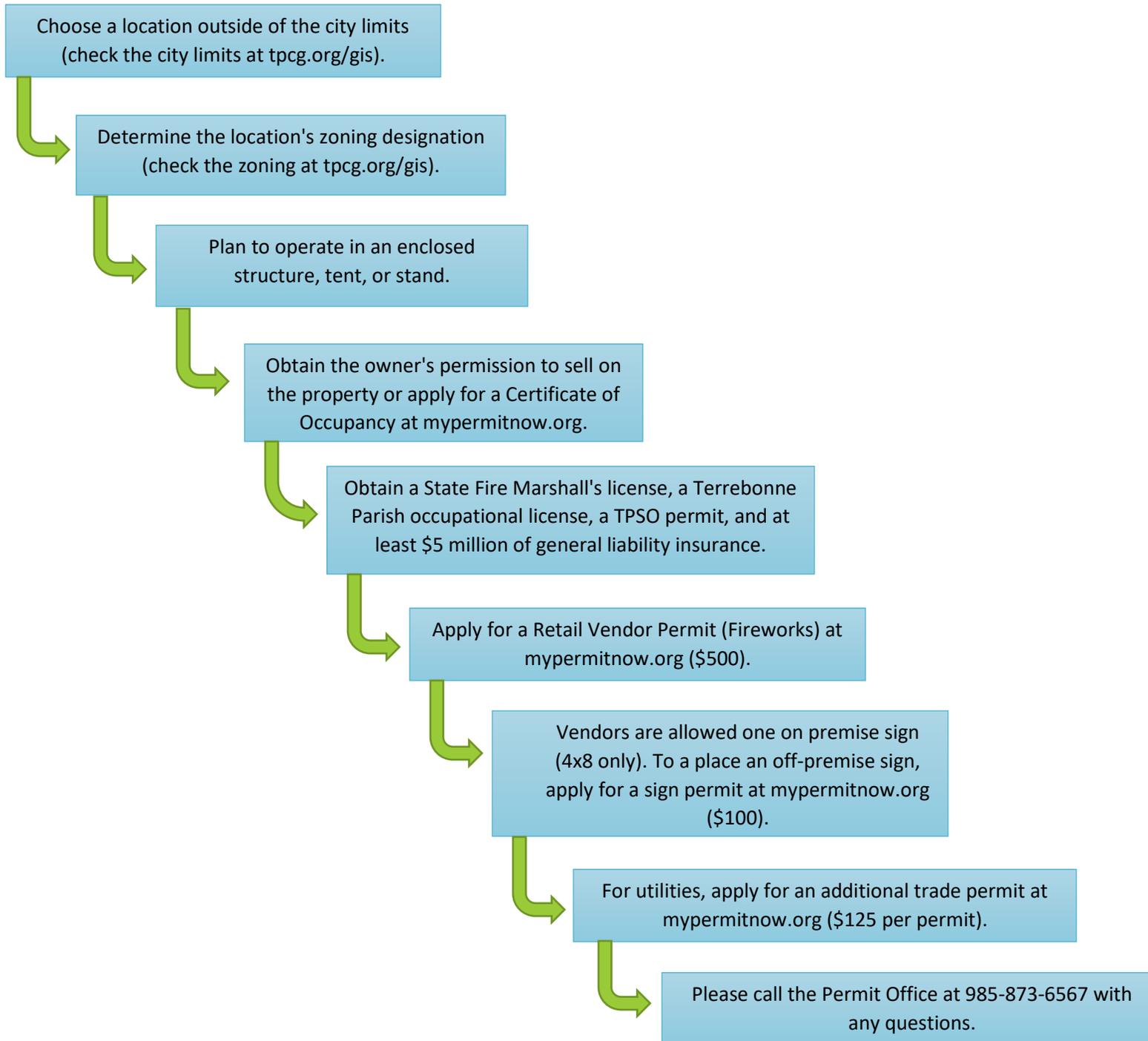
FIREWORKS RETAIL VENDOR PERMIT APPLICATION CHECKLIST

Note: Fireworks stands are not permitted within Houma city limits. In zoned areas outside of the city limits, firework stands may only be located in C-2, C-3, I-1, and I-2 districts. Fireworks may be on display in enclosed structures, outdoor stands, and tents. Discharging of fireworks is only permitted between dusk and 10:00 p.m. on January 1st, between dusk and 10:00 p.m. on July 4th, and between dusk on December 31st and 1:00am on January 1st. Retailers may only sell beginning at 12:00:00 p.m. June 16th until 11:59:59 p.m. July 5th and beginning at 12:00:00 p.m. December 15th until 11:59:59 p.m. on January 1st of each calendar year. All signage shall be promptly removed within ten (10) days of each sales period. No vendor shall sell fireworks prohibited by federal or state law, and compliance inspections will be conducted.

Fireworks retail vendor permit application procedure:

- Obtain a Louisiana State Marshall's license (call 1-800-256-5452 or 225-925-4920).
- Obtain a Terrebonne Parish occupational license from Parish Sales and Use Tax Department (985-876-3734 or online at www.tpcg.org/salestax).
- Obtain owner's permission to locate on the property or apply for a Certificate of Occupancy (mypermitnow.org).
- Obtain at least \$5 million dollars of general liability insurance naming Terrebonne Parish Consolidated Government and the Terrebonne Parish Sheriff's Office as additional insureds.
- Provide a Waiver of Subrogation in favor of Terrebonne Parish Consolidated Government and the Terrebonne Parish Sheriff's Office.
- Provide a site plan showing all buildings and distances in the immediate area.
- Apply for a Fireworks Retail Vendor Permit (mypermitnow.org - \$500).
- Only one on-premise sign, not to exceed 4' x 8', is permitted at each location.
- To get an off-premise sign, apply for an additional sign permit (mypermitnow.org - \$100). Note that all off-premise signs are subject to applicable state and local codes depending upon location.
- To get utilities for the property, apply for an additional trade permit (mypermitnow.org - \$125).

Please call the Permit Office at 985-873-6567 with any questions.



Sec. 8-2. Fireworks; use prohibited; exception; definitions; penalty.

- (a) It shall be unlawful for any individual, firm, partnership, corporation, or other entity to use, fire, ignite, shoot, discharge or otherwise set off any item of fireworks within Terrebonne Parish, except as specifically provided in subsection (c) below, except as specifically provided in this article, it being the intention of this section to prohibit the use of fireworks whatsoever within the City of Houma.
- (b) It shall be lawful to use, fire, ignite, shoot, discharge or otherwise set off fireworks for "consumer use" exclusively as follows:
 - (1) A person may ignite, discharge, or use permissible fireworks on the following days during the following hours:
 - a. Between dusk and 10:00 p.m. on January 1.
 - b. Between dusk and 10:00 p.m. on July 4.
 - c. Between dusk on December 31 and 1:00 a.m. on January 1.
 - (2) It shall be unlawful for anyone under the age of eighteen (18) to purchase fireworks in Terrebonne Parish from a lawfully approved fireworks vendor. Vendors shall require proper photo identification at each sale for this purpose.
 - (3) Discharging of fireworks by persons under fifteen (15) years of age as described in this section is prohibited in the absence of direct supervision by a parent, guardian, or other responsible party who is eighteen (18) years of age or over.
- (c) It shall be lawful to use, fire, ignite, shoot, discharge or otherwise set off fireworks for "public display" exclusively as follows:
 - (1) The "public display" of fireworks shall be handled by a competent and qualified operator, and otherwise in accordance with R.S. 51:650(24) and 51:655.
 - (2) The "public display" of fireworks shall only be between the hours of 9:00 a.m. to 9:00 p.m., except that the permissible hours for a New Year's Eve and a 4th of July "public display" shall be between the hours of 9:00 a.m. on July 4th and 2:00am on July 5th, and between the hours of 9:00am on December 31 and 2:00 a.m. on January 1st of the new year.
 - (3) The "public display" of fireworks shall be conducted in excess of one thousand (1,000) feet of any church, hospital, asylum, public school, or nursing home, unless prior written consent by the governing board or duly authorized representative of such consents to said display in writing two (2) weeks prior to the public display, and in excess of seventy-five (75) feet of where the fireworks being used for the "public display" event are being stored prior to use.
 - (4) In addition to compliance with R.S. 51:655, any person who is issued a permit from the State Fire Marshal for a "public display" event shall obtain a "Letter Acknowledging Notification" from the chief of the Houma Fire Department acknowledging notification of the specific date, time, duration and location of such planned "public display" event within the city limits of Houma, or, for a planned "public display" event within the jurisdiction of a fire protection district, the applicant shall obtain a "Letter Acknowledging Notification" from the chairman of the governing board of the fire protection district having jurisdiction over the location of the planned "public display" event and such "Letter Acknowledging Notification" shall acknowledge notification of the specific date, time, duration and location of such "public display" event;
 - (5) Any person or entity producing a "public display" of fireworks accompanying a political, educational, religious, sporting, charity or similar special event shall require a permit from the Terrebonne Parish Consolidated Government, the Terrebonne Parish Sheriff's Office, and the Louisiana State Fire Marshal. In order to receive a permit, the permit applicant shall submit an application, proof of statutory workers compensation insurance with one million dollars (\$1,000,000.00) in employers liability, along

with Auto and General Liability insurance with a limit of one million dollars (\$1,000,000) with an excess liability policy of four million dollars (\$4,000,000.00) each, naming Terrebonne Parish Consolidated Government and the Terrebonne Parish Sheriff's Office as additional insureds on the auto and general liability policies, and provide a waiver of subrogation in favor of Terrebonne Parish Consolidated Government and the Terrebonne Parish Sheriff's Office on the Workers Compensation policy and on the auto and general liability policies, and an agreement holding harmless and indemnifying Terrebonne Parish Consolidated Government, its departments, and offices from any legal liabilities not caused by Terrebonne Parish Consolidated Government or Terrebonne Parish Sheriff's Office. Applications shall be submitted to the Parish two (2) weeks before the event. No permit granted hereunder shall be transferable. Fees for permitting shall be two hundred fifty dollars (\$250.00) for Terrebonne Parish Consolidated Government, and two hundred fifty dollars (\$250.00) for Terrebonne Parish Sheriff's Office.

- (d) For purposes of this article, "fireworks" shall mean any device or composition used to obtain visible or audible pyrotechnic display enumerated in La. R.S. 51:651 as a "permissible firework", also known as a "class C" firework. This definition includes, but is not limited to, flitter sparklers, sky rockets, bottle rockets, firecrackers, roman candles, and shell explosives.

The term "fireworks," as used herein, shall not include toy pistols, toy canes, toy guns, or other devices in which paper caps containing twenty-five hundredths (25/100) grains or less of explosive compounds are used, provided they are so constructed that the hand cannot come in contact with the cap when in place for exploding, and toy paper pistol caps which contain less than twenty-five hundredths (25/100) grains of explosive compounds. The term "fireworks" shall not include any article or device that constitutes ammunition for a firearm.

- (e) No person, individual, or entity shall discharge fireworks:
- (1) Within the corporate city limits of Houma;
 - (2) Indoors;
 - (3) In a confined space;
 - (4) From a vehicle, moving or non-moving;
 - (5) Closer than one thousand (1,000) feet from any facility where flammable/combustible and/or hazardous materials are used, manufactured, or stored;
 - (6) Near products that will support combustibles such as paper, dry grass, wood or pulp;
 - (7) Intentionally targeting buildings, structures, or a motor vehicle.
- (f) All sales and use of fireworks permitted in this section shall be suspended in the event of a "burn ban" issued by the governor's office or the state fire marshal pursuant to R.S. 40:1602 or 40:1563.
- (g) Fireworks for consumer use or public display shall not be modified or altered from their intended design in any way and shall not be combined with any other device or devices to increase energy or loudness of its discharge.
- (h) Violation of this section is a misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00) and/or not more than six (6) months in jail.

(Ord. No. 5699, § I, 11-22-96; Ord. No. 6195, § I, 3-22-00; Ord. No. 6671, § I, 8-28-02; Ord. No. 9195, § I, 10-14-20)

Editor's note(s)—It should be noted that section II of Ord. No. 6195, adopted March 22, 2000, states that, "The moratorium enacted by Ord. No. 6164 of the Terrebonne Parish Council, which became effective on February 9, 2000, is hereby extended until the effective date of this ordinance as indicated in section III below, so as to prohibit the issuance of any new or additional retail permits pursuant to section 8-2Editor's note(s)— (c) of the Terrebonne Parish Code. Further, no additional permits shall be issued once this ordinance is signed by the Parish President or otherwise becomes law, and any current retail permittee who shall have the said permit suspended or revoked prior to the effective date of this ordinance, as indicated in section III below,

shall not be eligible for re-issuance of any permit which has been suspended or revoked." Also, It should be noted that section III of Ord. No. 6195, adopted March 22, 2000, states that "Following the signing by the Parish President, or if not signed by the Parish President, in accordance with Sections 2-12Editor's note(s)— and 2-13Editor's note(s)— of the Home Rule Charter, the effective date of the repeal of the current Section 8-2Editor's note(s)— of the Terrebonne Parish Code, and the enactment of Section 8-2Editor's note(s)— of the Terrebonne Parish Code, as specified in Section I herein above, shall be on January 3, 2002. Accordingly, all prohibitions set forth in Section 8-2Editor's note(s)—, as set forth in Section I above, shall be effective on January 3, 2002, and all permits previously issued pursuant to Section 8-2Editor's note(s)—(c), as that section exists prior to the effective date of this ordinance, shall be void on January 3, 2002, which is following the end of the final sale period allowed by Section 8-2Editor's note(s)—(c)(5), as that section currently exists prior to the effective date of this ordinance."

Sec. 8-3. Fireworks; sale prohibited; exception; definitions; penalty.

- (a) It shall be unlawful for any individual, firm, partnership, corporation, or other entity to possess, sell, trade, exchange, barter or in any other manner dispose of any item of fireworks within Terrebonne Parish, except as specifically provided in this article, it being the intention of this section to prohibit the sale of fireworks whatsoever within the City of Houma:
 - (1) Permissible items of fireworks may be sold by approved vendors at retail beginning at 12:00:00 pm June 16th until 11:59:59 pm July 5th and beginning at 12:00:00 pm December 15th until 11:59:59 pm January 1st of each calendar year.
- (b) Fees shall be set in accordance with R.S. 51:659. Parish vendor's permits shall expire on the day following the corresponding fireworks event at 11:59:59pm. Vendors operating without a Parish permit shall be ordered to immediately cease operations.
- (c) In addition to the retail vendor's permits required by the Parish and the State Fire Marshal, wholesale and retail sellers of permissible fireworks shall hold a Terrebonne Parish occupational license, provide proof of general liability insurance of at least one million dollars (\$1,000,000) with an excess liability policy of four million dollars (\$4,000,000.00) upon application of a permit to the Parish, naming Terrebonne Parish Consolidated Government and the Terrebonne Parish Sheriff's Office as additional insured and provide a waiver of subrogation in favor of Terrebonne Parish Consolidated Government and the Terrebonne Parish Sheriff's Office and meet all other requirements of a business entity involved in permanent or temporary commercial trade within Louisiana.
- (d) It shall be unlawful for a lawfully approved fireworks vendor to sell fireworks to:
 - (1) Persons under the age of eighteen (18). Failure of a vendor to require approved photo identification prior to completing a sale shall result in revocation of vendor's parish occupational license;
 - (2) Persons who are intoxicated;
 - (3) Persons who are known to be irresponsible.
- (e) No vendor shall sell, barter, convey, possess, dispose of, or use fireworks prohibited by federal or state law, including but not limited to:
 - (1) Friction fireworks with white or yellow phosphorous and explosives;
 - (2) Cherry bombs, tubular salutes, two-inch American-made salutes, firecrackers with casings the external dimensions of which exceed one and one-half ($\frac{1}{2}$) inches in length or one-quarter ($\frac{1}{4}$) of an inch in diameter, repeating bombs, aerial bombs, torpedoes which exceed three-eighths ($\frac{3}{8}$) of an inch in diameter, Roman candles larger than ten ball, and sky rockets larger than six (6) ounces;
 - (3) Only class "C" fireworks as defined in section 8-2(d) shall be sold, transferred, and distributed and/or marketed for consumer use.

- (f) Vendors shall comply with employment, health, sales, storage, display, and disposal laws and regulations in accordance with state law, federal law, requirements of the state fire marshal, and all pertinent parish ordinances. Periodic inspections of each retail stand shall be conducted throughout the permitted sales period. Vendors shall comply with TPCG building codes.
- (g) Vendors shall adhere to signage regulations set forth as follows:
 - (1) Upon issuance of a sign permit, parish vendor's permit holders shall be allowed one (1) seasonal on-premises sign, not to exceed four (4) feet by eight (8) feet, to be posted at the retail location. All signs shall require a sign permit from Terrebonne Parish and shall adhere to all applicable building codes and requirements associated with a sign permit.
 - (2) Sign permit holders may also post off-premises signage. Off-premises signs shall adhere to the signage requirements of the zoning district at the retail location, Terrebonne Parish, and the State of Louisiana Department of Transportation and Development, and other regulations.
 - (3) All signage shall be promptly removed within ten (10) days of each sales period.
- (h) Violation of this section is a misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00) and/or six (6) months in jail. A vendor who violates any provision of this section shall be subject to revocation or suspension of his permit.
- (i) Subject to compliance with federal and/or state laws, nothing contained herein shall in any way restrict, prohibit, or discourage manufacturing, wholesale trade, and distribution to the fireworks industry within Terrebonne Parish.

(Ord. No. 9195, § II, 10-14-20)