



# CITY OF TUTTLE FIREWORKS STAND APPLICATION

Permit #: _____
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## APPLICANT INFORMATION

Name of Non-Profit Organization	Date
Name of Person(s) applying for permit	FEIN or SSN
Mailing Address	OTC Tax Number
City, State, and Zip Code	Phone Number
Physical Address of Fireworks Stand	Cell Number
Name of Property Owner/Business Located at Site	Property Zoning
Signature	Email

## ADDITIONAL INFORMATION REQUIRED TO PROCESS APPLICATION

- A copy of approved Retail Fireworks Permit from the Oklahoma State Fire Marshal
- A copy of approved Retail Fireworks Permit from the Oklahoma Tax Commission
- Plot plan of proposed site
- Written permission of property owner (must be notarized)
- Written permission of adjacent property owners if located within 100 feet of the fireworks stand (must be notarized)
- Description of how power and lighting will be provided to the stand
- Description of the structure proposed to be used for the fireworks stand
- Proposed number of fire extinguishers on-site

## OFFICE USE ONLY

Received by City Clerk	Fire Chief Approval	Police Chief Approval	Community Development Approval
Date Permit Issued	Comments	Comments	Comments

**Plot Plan Information.** The plot plan should include the following information: north arrow, property lines, roads and highways, location of the stand and signage, other buildings and structures on the site, buildings on adjacent properties (if within 100 feet of the stand) parking areas and driveways, fuel and gas structures, location of proposed generators, and distances in feet.

**Burn Ban Signage.** If a burn ban is implemented that restricts the discharge of fireworks, you will be required to post a sign notifying the public of said restrictions at your stand.

## CITY OF TUTTLE ORDINANCE NO. 2010-5

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF TUTTLE, GRADY COUNTY, STATE OF OKLAHOMA AMENDING THE PROVISIONS OF CHAPTER 7, ARTICLE 3, SECTION 7-40 BY UPDATING SAID PROVISION FOR THE SAFETY AND PROTECTIONS OF THE PERSONS AND PROPERTY OF THE CITIZENS OF THE CITY OF TUTTLE, PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TUTTLE, GRADY COUNTY, STATE OF OKLAHOMA:

**Section 1.** That **CHAPTER 7, ARTICLE 3, SECTION 7-40** of the Code of Ordinances of the City of Tuttle, Oklahoma, is hereby amended, and shall henceforth read as follows:

### **Section 7-40. Fireworks Regulations.**

1. It shall be unlawful to manufacture, store, sell, furnish, possess, display, use or discharge any firework within the City of Tuttle, Oklahoma, except as provided hereinafter.
2. DEFINITION
  - a. "Fireworks" shall mean and include any combustible or explosive composition, or any substance or combination of substances or articles prepared for the producing a visible or audible effect by combustion, explosion, deflagration or detonation, and shall include fireworks, torpedoes, skyrockets, Roman candles, Dayglo bombs, sparklers or other devices of like construction and any devices containing any explosive substance. Pyrotechnics (special fireworks) shall comply with the applicable provision of the current Fire Prevention Code. (International Fire Code) (*Amended by Ordinance 2010-5, March 8, 2010*).
  - b. "Discharge" shall mean the ignition of any fireworks within the City of limits of the City of Tuttle except during a display of fireworks.
  - c. "Display" shall mean any public discharge of fireworks pursuant to a permit issued by the City of Tuttle.
3. No Fireworks may be sold within the City limits of the City of Tuttle except by organizations directly sponsored by educational institutions having their primary place of business within the City of Tuttle or the Bridge Creek School District or by nonprofit service organizations duly operating under the Laws of the State of Oklahoma which operate within and have their primary place of business within the City of Tuttle or the Bridge Creek School District and meet, weekly or monthly on a regular basis, within the City of Tuttle or the Bridge Creek School District. In the event a question exists as to the ability of any organization to qualify under this Paragraph, the decision of the City Council of the City of Tuttle on said issue shall be final, conclusive and non-appealable. (*Amended by Ordinance 2002-6, June 10, 2002 & Ordinance 2007-2 & March 23, 2007, Ordinance #2007-2*).
4. No person shall sell fireworks at retail within the City except at stands operated for such purpose and after being issued a permit therefore as provided herein.
5. APPLICATION
  - a. Application for permits for fireworks stands and fireworks displays shall be submitted to the City Clerk and shall contain the information required by the City Clerk on the application form. Such application shall be submitted by the City Clerk to the Fire Chief, Police Chief and City Manager for their written approval. No such stand or display shall commence operation until the complete

application has been on file for at least ten (10) days. A plot plan of the site location must be furnished and written permission of property owner to place stand on property must be furnished with the filing of application. *(Amended by Ordinance 2004-22, November 1, 2004 & Ordinance 2010-5, March 8, 2010).*

- b. If application is approved, the permit shall be issued by the City Clerk.
6. Permits, when issued, must be permanently displayed at all times on the stand for which they were issued and at the site of display. Such permit may not be transferred or assigned or used at any location other than that for which issued.
7. No permit may be issued for any stand that is located less than one hundred (100') from any structure or property under a different ownership (unless written permission has been given) and no permit shall be issued for any stand if the location of the stand does not conform with the zoning ordinances of the City of Tuttle. *(Amended by Ordinance 2002-6, June 10, 2002 & Ordinance 2010-5, March 8, 2010).*
8. The sale of fireworks shall not be permitted except in commercially zoned areas. In determining whether or not a proposed site or location should be approved for the operation of fireworks stand, the Fire Department, Police Department shall consider the density of population in the area, the condition of the premises, the surrounding structures and area, the existence of entrances and exits, the proposed parking area, the potentiality of hazardous traffic conditions, the plot plan submitted by the owner, the availability of fire-fighting facilities, and any other safety factors which deems important.
9. Retail fireworks stand hours shall be 8:00 a.m. to 10:00 p.m. (Monday thru Saturday). Sunday hours shall be 1:00 p.m. to 10:00 p.m. Date of sales shall be June 15<sup>th</sup> thru July 4<sup>th</sup>.*(Amended by Ordinance 2010-5, March 8, 2010).*
10. A responsible person at least 21 years of age must be in charge of the stand and present at all times it is open for business, Smoking shall be prohibited within fifty (50) feet of any stand and permit holder shall display "NO SMOKING" signs in prominent places on or about the stand. Refuse containers of adequate size and number must be provided on the premises. All trash, rubbish and debris shall be collected from time to time so as not to become unsightly or blow upon the premises of others.
11. No fireworks may be stored closer than 150 feet to an inhabited building, passenger railway, or public highway. *(Amended by Ordinance 2002-6, June 10, 2002)*
12. No fireworks may be sold at retail within the City Limits of the City of Tuttle, Oklahoma, unless purchased for resale from a wholesale fireworks dealer qualified to sell such fireworks in the State of Oklahoma. *(Amended by Ordinance 2002-6, June 10, 2002)*
13. Dates and times of discharging of fireworks by residents of Tuttle are as follows: Dates of discharging of fireworks shall be June 30<sup>th</sup> thru July 4<sup>th</sup>. Times of discharging of fireworks shall be from 2:00 p.m. to 10:00 p.m. A responsible adult must be present at all times to supervise any child who is handling, discharging, or otherwise is in possession of fireworks. *(Amended by Ordinance 2002-6, June 10, 2002 & Ordinance 2010-5, March 8, 2010).*
14. A permit is required before a public fireworks display is authorized or fireworks may be purchased or stored within the city limits of the City of Tuttle. *(Amended by Ordinance 2002-6, June 10, 2002)*
15. Before a Public Fireworks Display permit may be obtained from the City of Tuttle, the applicant must show compliance with the Code of Ordinances of the City of Tuttle, the International Fire Code, the provisions of 68 O.S. Section 1629 through 1633 and compliance with NFPA 1123. Proof of financial liability of \$5,000.00 per person, \$10,000.00 personal injury from a single accident and \$5,000.00 property damage, must be provided by the person or organization provided by the person or organization

sponsoring the Public Fireworks Display. (Amended by Ordinance 2002-6, June 10, 2002)

16. A holder of a Public Fireworks Display permit must purchase all fireworks to be discharged within the city limits from a current Oklahoma licensed manufacturer, distributor or wholesaler. (Amended by Ordinance 2002-6, June 10, 2002)
17. Any fireworks purchased from an unlicensed fireworks dealer is unlawful and may be seized as contraband by law enforcement authorities. (Amended by Ordinance 2002-6, June 10, 2002)
18. All Public Fireworks Displays shall be under the direction of a competent, responsible operator, at least 21 years of age who is licensed by the State of Oklahoma in pyrotechnics and public displays. (Amended by Ordinance 2002-6, June 10, 2002 & Ordinance 2010-5, March 8, 2010).
19. The minimum radius of display site for a Public Fireworks Display shall be:

SHELL SIZE	MINIMUM RADIUS DISTANCE
Less than 3"	140 feet
3"	210 feet
4"	280 feet
5"	350 feet
6"	420 feet

(Amended by Ordinance 2002-6, June 10, 2002 & Ordinance 2010-5, March 8, 2010).
20. The Public Fireworks Display discharge site shall be at least twice the distance shown in paragraph 18 of this Ordinance from any health care facility, correctional facility, facility storing flammable materials or explosive or toxic hazards. (Amended by Ordinance 2002-6, June 10, 2002)
21. The area selected for discharge of fireworks Display shall be located so that the trajectory of the shells shall not come within 25 feet of any overhead object. (Amended by Ordinance 2002-6, June 10, 2002)
22. Ground displays at a Public Fireworks Display shall have a minimum separation of 75 feet, provided that large ground display pieces such as large wheels with power drivers, roman candle batteries and items employing large salutes shall be separated by a minimum of 125 feet. (Amended by Ordinance 2002-6, June 10, 2002)
23. No fireworks at a Public Fireworks Display shall be discharged within 100 feet of any tent or canvas shelter. (Amended by Ordinance 2002-6, June 10, 2002)
24. The fallout area at a Public Fireworks Display shall be a large open area. (Amended by Ordinance 2002-6, June 10, 2002)
25. Spectators, private vehicles or readily combustible materials shall be prohibited within fallout areas. (Amended by Ordinance 2002-6, June 10, 2002)
26. Any fireworks that remain unfired after the display is concluded shall be immediately disposed of in a way safe for the particular type of fireworks remaining. The holder of the public fireworks display permit shall be responsible for the disposing and removal of said unfired fireworks. (Amended by Ordinance 2010-5, March 8, 2010).
27. Permits for fireworks displays shall be issued only for site locations approved by the fire department. (Amended by Ordinance 2002-6, June 10, 2002)
28. The City of Tuttle, by action of the City Manager upon recommendation of the Fire Chief or the Police Chief may revoke any permit issued for any alleged violation of this ordinance. (Amended by Ordinance 2002-6, June 10, 2002)

**Section 2.** IF ANY SECTION, SUBSECTION, SUBDIVISION, PARAGRAPH, SENTENCE, CLAUSE OR PHRASE IN THIS ORDINANCE, OR ANY PART THEREOF, IS FOR ANY REASON HELD TO BE UNCONSTITUTIONAL OR INVALID OR INEFFECTIVE BY ANY COURT OF COMPETENT JURISDICTION, SUCH DECISION SHALL NOT AFFECT THE VALIDITY OF EFFECTIVENESS OF THE REMAINING PORTIONS OF THIS ORDINANCE OR ANY PART THEREOF.

~~**Section 3.** IT BEING IMMEDIATELY NECESSARY FOR THE PRESERVATION OF THE PUBLIC HEALTH, PEACE AND SAFETY OF THE CITIZENS OF THE CITY OF TUTTLE, OKLAHOMA THAT AN EMERGENCY BE DECLARED.~~

~~**WHEREFORE,** AN EMERGENCY IS HEREBY DECLARED TO EXIST AND THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT IMMEDIATELY UPON ITS PASSAGE, APPROVAL AND PUBLICATION.~~

ADOPTED AND APPROVED THIS 8<sup>th</sup> DAY OF MARCH, 2010.

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MAYOR

ATTEST:

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CITY CLERK  
(SEAL)



**OKLAHOMA STATE FIRE MARSHAL**  
2401 NW 23<sup>rd</sup>, St., Suite 4, Oklahoma City, OK 73107,  
Phone (405) 522-5005 Fax (405) 522-5028

## REQUIREMENTS FOR CONSUMER FIREWORKS RETAIL SALES FACILITIES

The following are the minimum requirements mandated through Oklahoma Statute Title 68, Article 16 Section 1621-1634 and the Oklahoma State Fire Marshal Commission rules established in accordance with O.S. Title 68§1633, for any facility selling consumer fireworks commonly referred to as Class "C:" Counties, cities or towns may impose more stringent criteria to include prohibiting the sale and use of fireworks within its corporate limits.

The sale of fireworks is only authorized between June 15 and July 6 from December 15<sup>th</sup> through January 2 per O.S. 68§1623(a).

### General Operational Requirements:

1. Retail license must be posted and visible in sales area. Address must be the physical address of the facility. **[O.S. 68§1627(a)]**
2. A responsible person of sixteen (16) years of age or older must be in charge of the stand. **[O.S. 68§1623(d)]**
3. A sales clerk must be on duty to serve the customer at time of purchase. **[OS. 68§1623(b)]**
4. Signs stating "**FIREWORKS – NO SMOKING WITHIN 50 FEET**" must be posted on all sides of the entire facility. **[O.S. 68§1623(a) & NFPA 1124 Para, 7.3.11.1]**
5. All fireworks must be invoiced from a distributor, wholesaler or other retailer licensed by the State Tax Commission to do business in Oklahoma. **[O.S. 68§1627(a)]**
6. Records shall be maintained on available inventory and shall be made available to the authority having jurisdiction upon request. **[NFPA 1124 – 7.3.24.1 & 7.3.24.2]**
7. Prohibited fireworks: Bottle rockets, stick rockets, cherry bombs, M-80's or any combination thereof or any fireworks not properly labeled as: Division 1.4, UN0336 or Class "C." Any prohibited fireworks found can and will be confiscated and turned over to the county Sheriff. **[O.S. 68§1624(a) & (b)]**
8. It is illegal to offer, or to sell fireworks to children under the age of twelve (12) years, unless accompanied by an adult. **[O.S. 68§1627(b)]**

9. A retail sale location inside a structure (building) must comply with all the requirements of the *International Building Code (IBC)*, 2006 edition, *International Fire code (IFC)*, 2006 edition and the National Fire Protection Association Standard NFPA 1124 *Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles*, 2003 edition and be approved in writing by the State Fire Marshal. [O.S. 68§162399(c)]
10. Tents, canopies, or temporary membrane structures must have a flame resistance meeting the requirements of NFPA701, *Standard Methods of Fire Tests for Flame-Resistant Textiles and Films*. A certificate or other evidence of approval by a recognized laboratory must be available for inspection authorities to verify the materials meet the required flame resistance. **NFPA 1124-7, 3, 5 & NFPA 102 – 8.4.1 thru 8.4.3]**
11. Customers cannot be under any part of tents, canopies or other membrane structure. [O.S. 68§1623(c)]

### **Fire Extinguishers:**

12. Every retail sales facility must have a minimum of one (1) portable fire extinguisher with a minimum 2A/IBC rating. If the facility exceeds 200 square feet two (2) portable fire extinguishers are required with at least one being a multi-purpose dry chemical type. [NFPA 1124 – 7.3.8]
13. In temporary fireworks retail sales facilities, the travel distance to any fire extinguisher cannot exceed 35 feet travel distance. In permanent fireworks retail sales facilities the travel distance to any fire extinguisher cannot exceed 75 feet travel distance. [NFPA 1124 – 7.4.5.2]

### **Separation/Area Requirements:**

14. Consumer fireworks retail sales facilities shall not be located within 50 feet of the following: motor vehicle fuel-dispensing station dispensers; retail propane-dispensing station dispensers; aboveground storage tanks for flammable or combustible liquids, flammable gas, or flammable liquefied gas; and compressed natural gas dispensing facilities. [NFPA 1124 – 7.3.12.1]
15. Fireworks retail and storage areas shall be not located within 300 feet of any aboveground bulk storage or bulk dispensing areas for flammable or combustible liquids, flammable gas, and flammable liquid gas. [NFPA 1124 – 7.3.12.6]
16. Temporary fireworks retail sales facilities cannot be any closer than 30 feet from any other building, combustibles, tents or fireworks storage areas. **NFPA 1124 – Table 7.4 & IFC Table 3304.5.2 (3)**
17. Temporary fireworks retail sales facilities with an excess of 50 lbs of 1.4 explosives cannot be any closer than 100 feet from any public railroad or highway and upon highways, sidewalks, and public property or in assembly on educational occupancies. “50-pounds Net Explosive Weight” [IFC 3301.2.1 & Table 3304.5.2 (3)]
18. Vehicle parking cannot be within 10 feet of a temporary fireworks retail sales facility or fireworks storage facility. [NFPA 7.4.6.2]



### **Heating Devices:**

19. Temporary heating sources shall be listed and used in accordance with their listing. These heating sources must also have a tip-over and temperature-overheated protection. [NFPA 1124 – 7.3.17.1 & 7.3.17.2]
20. Open-flame and exposed-element heating devices shall be prohibited. [NFPA 1124 – 7.3.17.3]

### **Portable Generators:**

21. Portable generators and storage of excess fuel must be at least 20 feet from the fireworks retail sales facility and storage areas. [NFPA 7.3.18.1 & 2]

### **Cooking Equipment:**

22. Cooking equipment of any type shall not be permitted within 20 feet of tents, canopies, or membrane structures used for the storage or sale of consumer fireworks. [NFPA 1124 – 7.4.9.3.1]
23. Open flame cooking equipment of any type shall not be allowed within 50 feet of tents, canopies, or membrane structures used for the storage or sale of consumer fireworks. [NFPA – 7.4.9.3.1 & 2]

### **Housekeeping:**

24. The area located within 30 feet of a consumer fireworks retail sales facility shall be kept free of accumulated dry grass, dry brush, and combustible debris. [NFPA 1124 – 7.4.6.1]
25. Consumer fireworks retail sales and storage areas shall be kept free of accumulation of debris and rubbish at all times. [NFPA 1124 – 7.3.21.1]
26. Vacuum cleaners or other mechanical cleaning devices shall not be used. Brooms, brushes, dustpans used to sweep up loose powder or dust shall be made of non-sparking materials. [NFPA 1124 7.3.21.3 & 4]
27. Consumer fireworks devices that are damaged shall be removed and not offered for sale. Devices that are damaged shall be returned to the dealer or shall be disposed of properly. NFPA 1124 – 7.3.21.5 & 6]

### **Electrical:**

28. All electrical wiring shall be in accordance with NFPA 70, *National Electric Code* (NEC) [NFPA 1124 – 7.3.16]
29. Battery powered equipment, electrical equipment, and electrical cords that are used in conjunction with a consumer fireworks retail sales facility area shall be listed and shall be used in accordance with their listing. [NFPA 1124 – 7.4.9.1]
30. Temporary wiring installed in a temporary structure including tents and canopies shall comply with Article 305 of NFPA 70, *National Electric Code*. [NFPA 1124 – 7.4.9.1.1]

- 31.** Where temporary electrical conductors are placed on top of an outdoor surface to connect the permanent power source to the temporary consumer fireworks retail sales facility's temporary electrical system, the conductors shall be provided with physical protection against damage caused by pedestrian or vehicular traffic. **[NFPA 1124 – 7.11.1.3]**
- 32.** As feeder line to fireworks stand are required to be protected the use of **UF** cable or **SO** cord is permitted. The **SO** cable can be laid on the ground if no foot or vehicle traffic will come in contact. **[NEC]**
- 33.** The use of keyless or any other light fixture will not be permitted directly over or within two (2) feet of a line drawn vertically from the front edge of the fireworks stock without an approved protective cover over the light bulb. **[NEC]**
- 34.** All electrical power supply must be properly grounded. A grounding rod is mandatory if a construction type pole is used to supply power. **[NEC]**



AWFL-2012

## APPLICATION FOR RETAIL FIREWORKS LICENSE

Oklahoma State Fire Marshal  
2401 NW 23<sup>rd</sup> Street, Suite 4  
Oklahoma City, Ok. 73107

<b>License Fee</b> <b>\$10.00</b>
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Oklahoma Sales Tax Permit #: \_\_\_\_\_ FEIN: \_\_\_\_\_  
Required before license can be issued

Name of Applicant: \_\_\_\_\_

Location of Stand: \_\_\_\_\_  
Street Address City State Zip

Mailing Address: \_\_\_\_\_  
Street Address City State Zip

Telephone: \_\_\_\_\_ License Number: \_\_\_\_\_

I, \_\_\_\_\_, the undersigned do hereby certify that the information provided above is true and correct to the best of my knowledge.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of applicant/parent or guardian if applicant is under 18 years of age

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Address  
\_\_\_\_\_  
City State Zip

The sale of fireworks is subject to Oklahoma Sales Tax. Contact the Taxpayer Assistance Division at the Oklahoma Tax Commission, 405.521.4437

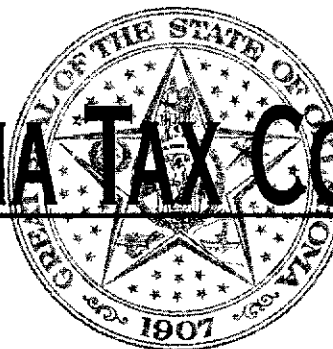
<b>This Application Must Be Retained By The Wholesaler, Manufacture or Distributor</b>
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# OKLAHOMA TAX COMMISSION

TAX POLICY DIVISION  
DAWN CASH, DIRECTOR

PHONE (405) 521-3133  
FACSIMILE (405) 522-0063



March 26, 2009

RE: LR-09-034  
Sales Tax Inquiry

Dear

I am writing this letter in response to your request regarding sales tax on fireworks. Listed below are your questions followed by our responses.

Question #1.

Do non profit groups operating a fireworks retail location not related to public schools need to charge sales tax and remit it to the state?

Our Response:

Yes, (pursuant to Title 68 § 1634) **"Any sale of fireworks to a consumer by a wholesaler or a retailer shall be subject to the levy and collection of sales tax pursuant to the provision of the Oklahoma State Tax Code"**.

Question #2.

Do non profit groups operating a fireworks retail location that are directly related to the school such as a cheerleading squad or a band and the money is going directly into the schools account need to charge sales tax and remit it to the state?

Our Response:

Yes, see response to question #1.

Question #3.

Do non profit groups operating a fireworks retail location that are a booster group for a public school such as the band booster club and the money is going into the boosters account not a school account, need to charge sales tax and remit it to the state?

Our Response:

Yes, see response to question #1.

This response applies only to the circumstances discussed in your written request of March 17, 2009. Pursuant to Commission Rule 710:1-3-73(e), this Letter ruling may be generally relied upon only by the entity to whom it is issued, assuming that all pertinent facts have been accurately and completely stated, and there has been no change in applicable law.

Sincerely,



Oklahoma Tax Commission  
Marc Morrison  
Tax Policy & Research Division





# OKLAHOMA RETAIL FIREWORKS REGISTRATION APPLICATION

<b>Business Name:</b> _____ (same as Part 5, Item 1) <b>FEIN/SSN:</b> _____	For multiple locations, indicate the number of copies attached:
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**PART 5 - PHYSICAL LOCATION AND CLASSIFICATION INFORMATION:**

1. Trade Name of Business (DBA): \_\_\_\_\_

2. (a) Physical Location of Fireworks Stand: \_\_\_\_\_  
**Street and Number or Directions** (Do not use post office box or rural route number)

\_\_\_\_\_  
 City State Zip County

(b) Is the physical location of the business inside the city limits? .....  Yes  No

3. Entity Phone ( \_\_\_\_\_ ) \_\_\_\_\_ Entity Fax ( \_\_\_\_\_ ) \_\_\_\_\_  
 Entity Email: \_\_\_\_\_

4. Are all the sales made inside the city limits of the city listed above? .....  Yes  No

5. Are all the sales made inside the county limits of the county listed above? .....  Yes  No

**PART 6 - SALES AND USE TAX:**

1. If you currently hold or have previously held an Oklahoma Sales Tax Permit please list number(s):

Sales Tax: _____	Sales Tax: _____
Sales Tax: _____	Sales Tax: _____
Sales Tax: _____	Sales Tax: _____

2. Date of first sales subject to sales in Oklahoma ..... (month/day/year) \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

**PART 7 - SIGNATURE: A sole owner, general partner, corporate officer or authorized representative must sign this application.**

I, the undersigned applicant or authorized representative, declare under the penalties of perjury that I have examined this application and attachments and, to the best of my knowledge, the facts set forth are true and correct, and that the requirements hereunder will be carried out in accordance with the laws of the State of Oklahoma and the rules and regulations of the Oklahoma Tax Commission. I further acknowledge and agree that withholding taxes are trust funds for the State of Oklahoma and that any use of these trust funds other than timely remittance to the State of Oklahoma is embezzlement and can result in criminal prosecution.

\_\_\_\_\_

Type or print name and title Signature Date

Mandatory inclusion of Social Security and/or Federal Employer's Identification Numbers are required on forms filed with the Oklahoma Tax Commission pursuant to Title 68 of the Oklahoma Statutes and regulations thereunder, for identification purposes, and are deemed part of the confidential files and records of the Oklahoma Tax Commission. The Oklahoma Tax Commission is not required to give actual notice of changes in any state tax laws.

**PART 8 - FEES:**

**Notice: All registrations and license fees must be paid with the Business Registration Application. Failure to include the fees will delay processing of your application. Refer to the "Instructions and Definitions" on Page D of this application for further information regarding fees.**

Please check ( ✓ ) the appropriate box(es) for each license and/or permit that you are applying for and enter the applicable fee amount in the "Total" column at the far right.

License or Permit Type	Basic Fee (each)	Tax Code	Total
<input type="checkbox"/> 1. Retail Fireworks Sales Tax Permit .....	\$ 20.00 .....	STP .....	\$ .....00
<input type="checkbox"/> 2. Retail Fireworks Sales Tax Permit for Additional Locations: (Number of Locations _____ ) @ \$ 10.00 .....	\$ 10.00 .....	STP .....	\$ .....00
Make Checks Payable to: Oklahoma Tax Commission. <b>TOTAL AMOUNT DUE</b> .....			\$ .....00





# AFFIDAVIT VERIFYING LAWFUL PRESENCE IN THE UNITED STATES

All sole proprietors applying for a business permit or license with the Oklahoma Tax Commission are required, by the provisions of 56 O.S. Supp 2007 Section 71, to provide the Commission with verification of lawful presence in the United States by executing the Affidavit below before a notary public or other officer authorized to notarize affidavits under State law.

**➔ This affidavit must be returned with your license/permit application.**

State of Oklahoma

County of: \_\_\_\_\_

I, \_\_\_\_\_ being of lawful age, state under penalty  
print name

of perjury, as follows:

Please check the appropriate box(es)

My Social Security Number is: \_\_\_\_\_

My Individual Tax Identification Number is: \_\_\_\_\_

I am a United States Citizen.

I am a qualified alien under the Federal Immigration and Nationality Act and am lawfully present in the United States.

My Alien Registration Number (A#) or I-94 Number is: \* \_\_\_\_\_

Date of Birth: \* \_\_\_\_\_

I state under penalty of perjury under the laws of Oklahoma the foregoing is true and correct and I have read and understand this form and executed it in my own hand.

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

Subscribed and sworn to or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ ,

by \_\_\_\_\_ (applicant name - please print).

Notary \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

My Commission Number: \_\_\_\_\_

\*Either the A# or the I-94 number, and date of birth must be provided. The Alien Registration Number (A#) and the I-94 (arrival/departure) numbers are issued by the U.S. Citizenship and Immigration Service.

**Official Use Only:** Verified: \_\_\_\_\_ Date: \_\_\_\_\_ Initials: \_\_\_\_\_

# OKLAHOMA RETAIL FIREWORKS REGISTRATION APPLICATION INSTRUCTIONS

## **Page A - Part 1: Reasons for Filing this Form**

Check the appropriate box:

- A. New Business. Check this box if you are opening a new business and do not have permits or licenses.
- B. Additional licenses/permits. Check this box if you have a license/permit and are applying for other licenses/permits (Example: You purchased an additional business for which you will need licenses/permits).
- C. Other. If you checked "other" explain your reason for filing this form.

**Note:** Some items above may require a permit fee. Please see Page B, Part 8.

## **Page A - Part 2: Contact Information**

Items 1 through 4. Please provide the business phone, fax number, name and email address where the applicant can be contacted.

## **Page A - Part 3: Ownership Type**

1. Check the box which indicates how your business is owned.

\* Individual (Sole Proprietor): The business is owned by one individual. If you are a Sole Proprietor you must complete the Affidavit Verifying Lawful Presence in the U.S. (Page C). The affidavit must be signed and notarized. The affidavit must have your Social Security Number, or Individual Tax Identification Number and Alien Registration Number (A# or I-94). If you are changing entities from a corporation, LLC, or partnership to a sole proprietor, you must complete the affidavit. If you are a sole proprietor, your registration application can not be processed without a properly executed affidavit.

**Note:** The affidavit is required by the Oklahoma Taxpayer and Citizen Protection Act, specifically Title 56 O.S. Supp. 2007, Section 71.

- 2. Federal Employer Identification Number (FEIN). You must have an FEIN if you:
  - Pay wages to one or more employees or;
  - Are a corporation, trust, estate, general or limited partnership, limited liability company, or non-profit organization (church, club, etc.).
- 3. Name of Owner. If you are a/an:
  - Individual ..... Print your last name, first name, middle initial and social security number.
  - Partnership.....Print the name of partnership.
  - Corporation.....Print the corporate name as it appears on the Articles of Incorporation or Domestication.
  - Limited Liability Company.....Print the entity name as it appears on the Articles of Organization.
  - Other..... Print the name of the business entity.Provide the Social Security Number, if individual.  
Provide the mailing address of your business.

4. Provide the physical location of the Entity. Use street and number or driving directions. Do not use a post office box or rural route.

5. Name of Partner, Responsible Corporate Officer or Managing Member:

**Please Note:** Social Security Numbers are required by OTC Rule 710:1-3-6. To list multiple names attach a separate sheet. If a Social Security Number is not provided, the application will not be processed and will be returned for Social Security Numbers.

Print the first name, middle initial and last name, social security number, title and residence and post office mailing address for one partner, responsible corporate officer, or managing member responsible for the reporting and remittance of taxes.

## **Page A - Part 4 Wage Withholding Tax**

Items 1 and 2. Complete if your business employs or will employ one or more individuals in the State of Oklahoma. If not, go to Part 5.

## **Page B:**

Enter business name (Part 5, Item 1) and FEIN or SSN at the top of the page.

## **Page B - Part 5: Physical Location and Classification Information**

If you operate more than one location in Oklahoma, separate pages B, Parts 5 and 6 must be completed for each location. In the upper right corner of page B, indicate the number of copies attached.

- 1. Enter the trade name or DBA of business (Example: Joe's Fireworks Stand).
  - 2a. Enter the physical location of the Fireworks Stand, including the county. Do not use post office boxes or rural route addresses.
  - 2b. If the business is inside the city limits, check yes.
  - 3. Enter the phone, fax number and email address of the business entity.
- 4 and 5 are the determination for reporting, collecting, and apportionment of city/county sales and use taxes.

## **Page B - Part 6: Sales Tax**

- 1. If you hold or have ever held an Oklahoma Sales Tax Permit, enter the number(s). If you need additional space, please attach a schedule of permits.
- 2. Provide the date you will begin or began sales in Oklahoma subject to sales tax.

## **Page B - Part 7: Signature**

Application must be signed by the business owner, or, in the case of a partnership, LLC or corporation, etc., the responsible person for reporting and remitting taxes.

## **Page B - Part 8: Fees**

Please check the appropriate box(es) for each license and/or permit you are applying for and enter the applicable fee amount in the "Total" column at the far right.

**Make Checks Payable to: Oklahoma Tax Commission.**