APPLICATION FOR LOTTERY TO SELL SAFE AND SANE FIREWORKS

APPLICANT: ____________________________  VENDOR: ________________

HOW TO APPLY:

Nonprofit organizations must complete and submit applications with all required documentation by the filing period deadline to be eligible for the lottery to sell safe and sane fireworks.

What is a “Nonprofit organization”?
Under Section 3.04.010 of the Tracy Municipal Code, a “Nonprofit Organization” means:

- The applicant is a local nonprofit organization which shall mean any nonprofit association, club, or corporation organized for veteran, patriotic, welfare, religious, civic betterment, youth or charitable purposes as defined by Section 501 (c) of the Internal Revenue Code of the United States.
- A local nonprofit organization must have its principal and permanent meeting place within the City of Tracy, or be within the Tracy Unified School District or the Jefferson School District.
  - “Principal and permanent meeting place” means a location that serves as the nonprofit organization’s primary fixed site for meetings.
- Non-school organizations that have their principal and permanent meeting place within a one-
mile radius of the city limits of the City of Tracy must show documented proof that a majority of its members are City of Tracy residents.

- The organization must have nonprofit status and have been organized and established for a minimum of two continuous years preceding the filing of the application for the permit.
- The organization must have a bona fide membership of at least twenty (20) members who reside in the City, which will be verified each year.
- The organization must also provide direct and regular community services and benefits to the residents of the City.

**What information and which documents does a nonprofit organization need to provide?**

**1.** Each organization shall provide the City with documentation showing that it has established 501(c) tax-exempt status.
   a. If the organization will be claiming 501(c) tax exempt status through its parent or central organization (generally, a state, regional, or national organization), the organization must provide documentation showing it is an affiliate (i.e., a post, unit, chapter, or local) that is exempt from federal income tax as a subordinate organization of its parent or central organization.

**2.** Each organization shall provide the City with a certificate of good status from the California Secretary of State and an entity status letter showing good status with the California Franchise Tax Board at the time of application.
   a. Good status letters shall be dated within sixty (60) days of application.
      i. Example: An application was submitted on November 1st. The good status letters must be dated between September 2nd and November 1st of that year.
   b. Good status letters must be submitted with the organization’s application. If not submitted with the application, the application will be rejected.
   c. Contact the California Secretary of State to obtain a certificate of good status. Go to the California Franchise Tax Board website to obtain a copy of an entity status letter.

**3.** Establish that the principal and permanent meeting place is located within the City of Tracy limits as provided above, or if a non-school organization with its principal and permanent meeting place within a one-mile radius of the city limits of City of Tracy, provide documented proof that a majority of its members are City of Tracy residents.

**4.** Each nonprofit must have been organized and established for a minimum of two (2) continuous years preceding the filing of the application.

**5.** Each nonprofit must establish that at least twenty (20) members reside in the City of Tracy.
(6) Each nonprofit must possess a nonprofit identification number. Public school organizations shall provide current written verification from an affiliation from the school each year. Public school organizations shall also establish status as a 501(c) tax-exempt organization as a separate entity from the school and must possess a nonprofit identification number.

(7) Complete the “Required Information” sections included in the application.

Reference: Tracy Municipal Code section 3.04.060

LOTTERY PROCESS:

The City of Tracy issues permits to sell safe and sane fireworks in the City in accordance with Tracy Municipal Code Chapter 3.04. On the second Thursday in January of each year at 5:00 p.m., the City Manager or designee, shall conduct a lottery to fill all available fireworks stand openings for the coming year, from the eligible nonprofit organizations, in the order drawn. The lottery will apply only to the upcoming year.

The maximum number of permits which the City may issue pursuant to Chapter 3.04 for any calendar year shall not exceed one (1) sales permit for each ten thousand (10,000) population or portion thereof.
REQUIRED INFORMATION:

A given nonprofit identification number can only be used by one (1) organization. Should more than one organization submit the same nonprofit identification number, all of the affected nonprofit organizations may be ineligible to participate in the lottery.

Name of Organization:______________________________________________________________

Website: _______________________________________________________________________

Mailing Address: __________________________________________________________________

Principal and Permanent Meeting Address: ____________________________________________

Contact Person: ___________________________________________________________________

Email: ___________________________________________ 24-Hour Contact #: ________________

Date Organization came into existence: ________ Non-Profit Tax I.D. EIN Number: __________

California Secretary of State Entity Number: __________

Status of Organization: (Religious, veteran, patriotic, welfare, civic betterment, youth, etc.)
Provide a brief statement of the organizations charitable purpose, demonstrating that the organization primarily serves City of Tracy residents. Be specific and attach an additional sheet if necessary.

________________________________________________________________________________

________________________________________________________________________________

I declare under the penalty of perjury that the above information contained herein is, to the best of my knowledge and belief, true and correct. I further declare that our organization has a principal and permanent meeting place within the City of Tracy, or is within a one-mile radius of the city limits of the City of Tracy, or is a school with a student body that includes City of Tracy residents within the Tracy Unified School District or the Jefferson School District and has been established for at least two (2) continuous years prior to the filing of this application, and that we have a bona fide membership of at least 20 members who reside in the City of Tracy.

Board Member
Name (please print) __________________________________________________________________

Signature: ___________________________________________ Date: _______________________

Board Member
Name (please print) __________________________________________________________________

Signature: ___________________________________________ Date: _______________________

Form FW-1A Revised 09-23-2020
CHECKLIST – ARE ALL OF THE FOLLOWING ITEMS COMPLETE?

☐ Completed Application for Lottery to Sell Safe and Sane Fireworks.

☐ Proof of 501(c) tax exemption status attached.

☐ Certificate of good status from the California Secretary of State.

☐ Entity status letter showing good status with the California Franchise Tax Board attached.

☐ For public school organizations – Attach written verification confirming affiliation from a Tracy Unified School District or the Jefferson School District.

☐ A typed list of the nonprofit organization’s membership with names (minimum of 20 members residing in the City of Tracy), physical addresses and telephone numbers attached (TMC 3.04.060). Please do not submit handwritten lists.

DISCLAIMER: Applications must be completed entirely and include all required documentation with signatures. Incomplete applications are subject to disqualification.

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_____ All of the items listed above have been received

_____ Verified status with California Secretary of State

_____ Verified status with California Franchise Tax Board

_____ Verified list of organization’s membership

_____ Application approved

_____ Application denied

Reason for denial:

☐ Application incomplete

☐ Did not provide proof of 501(c) tax exemption status

☐ Verified not in good standing with the California Secretary of State

☐ Verified not in good standing with the California Franchise Tax Board

☐ Did not provide written verification confirming affiliation with school

☐ Could not verify organization’s membership names/addresses

_____ Organization notified via email of approval

Date: __________  Contact information: _____________________

_____ Organization notified via email of denial

Date: __________  Contact information: _____________________