



Lower Elwha Klallam Tribe

2024 Tribal Member Retail Firework Stand

Elwha Enterprises Inc. Site

Policy and Procedures

2024 Tribal Member Retail Firework Stand Policy and Procedures

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PURPOSE AND PRIORITY

The purpose of this policy is to provide enrolled members of the Lower Elwha Klallam Tribe (LEKT) an opportunity to sell fireworks at Elwha Enterprises Inc. (EEI) in a designated space. The Business Committee has decided to offer this self-employment opportunity to LEKT enrolled members who are 21+ years of age.

In an effort to balance community access and demand, the LEKT Business Committee has designated a safe, dedicated site at the EEI for individual tribal members to establish temporary firework stands. This policy ensures that these stands do not restrict access to Elwha Enterprises by the general public or interfere with LEKT business operations. This policy is administered by the Tribe's Executive Team.

APPLICATIONS

LEKT members who wish to establish a firework stand at EEI must complete an application. Paper applications can be picked up at the Tribal Center front desk and returned to Executive Administrator Assistant, Keri Ellis or Tribal Community Liaison, Nancy Hamilton.

Applicants may also submit an electronic application using the link provided below:

<https://app.smartsheet.com/b/form/38fb703bb8294259b13c5e55a1debe8d>

If a tribal member needs assistance completing the application, LEKT staff are available to assist upon request.

Submitting an application does not guarantee approval or availability of a particular space. LEKT's Executive Team will notify each applicant whether their application is approved or denied.

Applications must be submitted by Thursday, June 27th, 2024. Firework stand spaces will be allocated on a first-come, first-serve basis once applications are submitted and payment received.

The application link will be deactivated once the designated site has reached capacity or the application deadline has passed, whichever comes first.

ELIGIBILITY

LEKT's Executive Team will review all submitted applications and make recommendations to the Business Committee. The Business Committee has the final authority to approve or deny the establishment of firework stands.

Applicants/vendors must meet all of the following requirements to be considered for establishing a firework stand at EEI:

- a) The applicant/vendor must be an enrolled member of the LEKT Tribe who is twenty-one (21) years or older as of their application date;
- b) Space is limited to one firework vending stand per tribal member;
- c) The applicant/vendor must have the ability to pay in full the required fee and deposit; and
- d) The applicant/vendor must have use of one of the following:

- 1) A shipping container or utility trailer to be used as a firework retail space. The applicant/vendor is responsible for transporting their container to and from the EEI site. The shipping container or utility trailer must meet the following size specifications, with no exceptions:

30ft x 8.5ft;

- 2) A pop-up canopy tent to be used as a firework retail space that meets the following specifications:

- i. Have 3 sidewalls
- ii. Size 10 ft. x 15 ft., no exceptions
- iii. White in color
- iv. Is clean, intact (no large, obvious rips, holes, or broken poles), and remains in working condition for the firework season.
- v. Is secured by adequate weight to prevent flyaway hazard

REQUIRED PAYMENTS

Approved applicant required fees and deposits are due one day prior to the date that you wish to set up your firework stand.

- a) A refundable damage deposit of \$200.00 must be paid in cash; and
- b) A non-refundable \$300.00 fee must be paid in cash to cover on-site expenses, which include:
 - 1) Portable restrooms;
 - 2) Garbage disposal;
 - 3) Light tower rental;
 - 4) Spider box rental; and
 - 5) Electricity

This fee is subject to increase from time to time by the LEKT to offset the above-listed costs.

Prior to space designation, payments must be paid to Marie Goldsbury, LEFF Bookkeeper, at 4779 S. Dry Creek Rd. Port Angeles, WA 98363. Marie is located in the Admin building on the northeast corner of the Enterprise property.

SET UP

Vendors must ensure that any property or equipment they set up at the EEI site does not interfere with entries, exits, neighboring vendors, LEKT or EEI business operations. Tables, chairs, signs, banners, etc. must be contained within each vendor's designated space.

Vendors may begin setting up their spaces starting on **June 21st, 2024 at 8:00 AM.**

SUMMER FIREWORK SEASON DATES

Firework Stands Open:

June 21st, 2024 to June 27th 2024: Every day from 8:00 AM to 11:00 PM.

June 28th thru the night of July 4th, 2024: Fireworks may be sold between the hours of 6:00 AM to 12:00 AM (midnight).

NOTE: Approved vendors who are unable to be fully set up before June 21st, 2024, may still reserve their space until the end of the summer firework season, so long as the cash fee and deposits paid continue to be held for that purpose.

REQUESTS FOR FORFEITURE OF SPACE

Requests for forfeiture of space **prior to the end of the season** must be made in writing to Josh Lampman, LEFF Assistant Manager. Once a request for forfeiture is received and approved, refunds will generally be issued within five (5) business days.

BREAKDOWN & CLEAN UP

Retail spaces must be cleaned up and vacated by **Sunday, July 7th, 2024 at 2:00 PM**. A Vendor's failure to vacate their space by the designated time may result in forfeiture of their damage deposit.

REFUND OF DAMAGE DEPOSIT

Vendors will receive a refund of their \$300 damage deposit upon the return of their designated space to a neat, clean, and undamaged condition, subject to satisfactory inspection. The individual who signed and completed the application form is the responsible party for usage of the space and is responsible for the actions of their guests and/or customers. If the space is not returned to its pre-season condition, LEKT will clean or repair any damage and deduct the associated labor and materials from the refundable damage deposit.

If, for any reason, the damage deposit cannot be retrieved immediately upon inspection, vendors can request a refund by contacting Josh Lampman at LEFF from **July 8th thru July 12th, 2024, between 9:00 AM to 3:00PM**.

NOTE: The amount of the damage deposit does not limit the vendor's liability for damage to the space. If the damage exceeds the amount of the refundable damage deposit, the user will be required to pay the excess within fifteen days of receiving an invoice.

E EI SITE USE STANDARDS

These stands neighbor businesses that require respect and consideration of customer experience. LEKT values community and customer relationships. If firework sales negatively impact customer experience, this opportunity may be withdrawn.

The following standards apply to everyone utilizing and/or visiting the EEI site during firework season:

Conduct

All persons must conduct themselves in a civil manner. Individuals or groups being disruptive or causing damage may be asked to leave and denied further participation.

Use of Fireworks

ABSOLUTELY NO FIREWORKS MAY BE IGNITED OR EXPLODED ON EEI PROPERTY. Violation of this standard WILL result in the immediate suspension or revocation of the privilege to sell fireworks for the remainder of the 2024 season or longer.

After purchase:

- a) Sealed multi/family packs must remain in their original packaging until they have left EEI

property.

- b) Loose or unsealed individual fireworks must be put into a paper or plastic bag that will remain fully tied, stapled, or taped until they have left EEI property.

Smoking/Open Flame

Smoking and open flames are strictly prohibited at or near any fireworks stand area. Smoking is only permitted in designated smoking areas.

Alcohol

Vendors and workers are prohibited from selling, opening, or consuming alcoholic beverages while operating their stands or in and around the stands/retail area.

Decorations/Signage

Decorations and signage are permitted but limited to each vendor's retail space.

Food and Drink Sales

Vendors are not permitted to sell food or drinks unless they have an agreement with EEI that is independent of the 2024 LEKT Fireworks Policy.

Music

Music is permitted as long as it does not interfere with EEI business operations. Unreasonably loud or inappropriate music that interferes with EEI business operations is prohibited.

Trash/Litter

Vendors are expected to deposit all trash into the appropriate receptacles in a manner that ensures that it remains contained. It is EEI's expectation that customers will be asked to do the same.

Safety and Security

Vendors selling fireworks at the EEI site do so at their own risk and agree to defend, indemnify, and hold harmless LEKT and EEI from any claims or suits arising out of their firework stand activities.

Vendors are responsible for the security of their personal items and retail spaces. LEKT and EEI are not responsible for any damage, loss, or theft of personal items and do not provide security for users of community spaces.

No one under the age of seventeen (17) years is allowed to work for a vendor selling fireworks or food without adult supervision. Vendors are responsible for the safety of their workers and must not allow anyone who is excluded from the reservation to operate their fireworks stand.

Vendors may not sell fireworks to children under twelve (12) years of age who are not accompanied by an adult.

Each stand must have a certified, operable, and fully filled Type "A" fire extinguisher, with a minimum size of ten (10) pounds. The extinguisher must be placed on the side of each stand, affixed to or within reach of the fireworks container, and visible to both vendors/workers and patrons at all times.

Restricted Areas

Vendors, workers, and guests may not enter any area designated and posted as "no admittance", "closed to use", "no trespassing", or "closed to the community".

Parking

Parking spaces at EEI facilities are designated for use by the general community and/or facility patrons during open facility hours. Overnight parking, parking while the facility is closed, and residential parking at EEI facilities are prohibited. Firework vendors and their customers must park in designated spaces for firework business.

Pets and Animals

All pets and animals must be under control using a leash, restraints, or placed in a suitable carrier.

Owners or handlers must clean up their animal's waste on EEI property, adjacent community easements, and rights-of-way.

Overnight Camping

Overnight camping is prohibited.

Destruction, Removal or Encroachments of LEKT Property

It is against LEKT law to remove, injure, deface, damage, or destroy LEKT/EEI property, including aspects of the natural or landscaped environment, structures, objects, equipment, improvements, or any other LEKT/EEI property.

It is against LEKT law to collect, gather, or harvest natural resources or other materials on LEKT/EEI property except by written permission of the LEKT Business Committee.


It is against LEKT law for any person other than a duly authorized employee or agent of LEKT/EEI to mow, prune, cut, clear, plant on, or otherwise alter or disturb any natural or landscaped property.

EXAMPLE OF UNSEALED LOOSE FIREWORKS



EXAMPLE OF HOW THEY WILL LEAVE EEI CAMPUS





Ignition/Explosion
of Fireworks
PROHIBITED



**LIGHTNING OF
FIREWORKS
STRICTLY
PROHIBITED**

