

INTERNAL USE ONLY	
DATE STAMP/TIME	LOTTERY BALL NUMBER



City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

CITY MANAGER'S OFFICE
209.831.6101
fireworkslottery@cityoftracy.org

APPLICANT: _____

VENDOR: _____

CITY OF TRACY APPLICATION FOR SAFE AND SANE FIREWORKS SALES LOTTERY

- **Completed lottery applications can be submitted via the following methods:**
 - By mail: **Must be postmarked no later than December 7, 2023**
City of Tracy
Attn: City Clerk's Office
333 Civic Center Plaza
Tracy CA 95376
 - **By email:** fireworkslottery@cityoftracy.org
 - **In person:** 333 Civic Center Plaza 2nd Floor City Clerk's Office
Monday – Thursday 8 a.m. -6 p.m.
Alternating Fridays 8 a.m. – 5 p.m.
 - **Applications shall be submitted during normal business hours from November 1st of each year up to and including the first Thursday of December of the same year (November 1, 2023 through December 7, 2023, 6:00 p.m.), at which time the filing period for that year will close. All required documentation and signatures must be included with this application.**

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 **Thursday, January 11, 2024 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: _____

Mailing Address: _____

Principal and Permanent Meeting Address: _____

Contact Person: _____

24-Hour Contact #: _____

Email: _____

Website: _____

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 a 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: _____

CHECKLIST – ARE ALL OF THE FOLLOWING ITEMS COMPLETE?

- Completed Application For Safe And Sane Fireworks Sales Lottery.
- Proof of 501(c) tax exemption status attached.
- Certificate of good status from the California Secretary of State.
- Entity Status Letter verifying good standing with the State of California Franchise Tax Board.
- 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 _____ denial
 Date: _____ Contact information: _____
 Verified By: _____