

Requirements for Fireworks Permit Application

- (1) Complete the **Application for Fireworks Display Permit** (FM-51) and return it to the Township Clerk's Office. Please review the application package provided, and be sure to adhere to the **National Fire Prevention Association, Ref. NFPA 1123 and 2003 International Fire Code**. The Police and Fire Department Chiefs will review the application for their approvals before your application is presented to the Township Board for final approval.

Note: Approvals will not be given unless ALL information is provided on the application form.

- (2) **Provide:** Certificate of insurance for general liability insurance in the following amounts, naming WEST BLOOMFIELD TOWNSHIP as an added insured with regard to your fireworks display:

Bodily Injury	\$2,000,000.00 per occurrence
Property Damage	\$1,000,000.00 per occurrence

- (3) **Fee:** **\$1,115.00** when filing your application with this office.
(Please make check payable to West Bloomfield Township.)
- (4) Please mail or personally submit the application, check and certificate of insurance to the following address:

Debbie Binder, Township Clerk 4550
Walnut Lake Road
P.O. Box 250130
West Bloomfield, MI 48325-0130

If you have any questions regarding the application or regulations, please contact the Clerk's Office at (248) 451-4848.

FM-51 (6-96)
MICHIGAN STATE POLICE
FIRE MARSHALL DIVISION

APPLICATION FOR FIREWORKS DISPLAY PERMIT

D PUBLIC DISPLAY		D AGRICULTURAL PEST CONTROL		Date of Application
Name of Applicant		Address		A90 (1B or over]
If a Corporation, Name of President		Address		
If a Non-resident Applicant: Name of Mich. Attorney or Res. Agent		Address		Phone No.
Name of Pyrotechnic Operator		Address		Age (1B or over)
No. Years Experience	No. Displays	Where		
Name of Assistant		Address		Age
Name of Other Assistant		Address		Age
Exact Location of Proposed Display				
Date of Proposed Display		(Rain Date)	Time of Proposed Display	
No. of Fireworks	Kind of Fireworks to be Displayed			
Manner and Place of Storage Prior to Display (Subject to Approval of Local A1'9 Authorities)				
Amount or Bond or Insurance (to be set by IO Cal govt.)			Name of Bonding Corporation or Insurance Company	
Address of Bonding Corporation or Insurance Company				
Signature of Applicant				

See Other Side For Instructions

AUTHORITY: 1968 PA358
COMPLIANCE: Voluntary, but a permit will not be issued without an application.

INSTRUCTIONS

Applications shall be made to the city or village council or commission or the township board. A permit shall be issued only as the result of legal action by the council, commission or board. A permit shall be valid only for use within the limits of the issuing political jurisdiction.

1. The applicant may be a person representing an organization, group, firm or corporation or self. If the applicant is also the operator, enter the same name in Operators Section.
2. A nonresident applicant shall appoint a Michigan attorney or resident agent in writing to be the applicant's legal representative upon whom all process in any action or proceeding may be served.
3. The pyrotechnic operator is the person in charge of the display. The council, commission or board shall rule on the competency and qualifications of the operator before granting a permit and may require an affidavit from the applicant as to the operator's experience, former pyrotechnic accidents, criminal record, sobriety, etc.
4. Indicate the total amount of fireworks proposed for the display, such as 10 aerial bombs, 30 aerial rocket bursts, etc.
5. Indicate the manner and place of storage within the political jurisdiction of fireworks that are ready for display, just prior to the display in the area of exhibition. The council, commission or board shall obtain approval from the local fire authorities of the manner and place of storage before any permit is issued.
6. The issuing political jurisdiction shall set the amount of and proof of bond or insurance for the protection of the public to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of the person, firm or corporation or any agent or employee of applicant. The applicant shall assure that the bond or insurance required is provided.

WEST BLOOMFIELD FIRE & EMS SERVICES

5425 W. Maple Rd. West Bloomfield • MI • 48325

WEST BLOOMFIELD TOWNSHIP FIRE DEPARTMENT PLAN REVIEW FOR FIREWORKS DISPLAYS

Date:

Name of Display Site:

Address of proposed display:

Name of Fireworks Contractor:

Name of contract person:

Telephone number:

Date of Show/Rain Date:

The following information is requested to determine that the fireworks display to be exhibited is in compliance with the Michigan Fireworks Law 1931 PA328 as Amended, 2006 Fireworks Display Code N.F.P.A. 1123, 2003 International Fire Code.

1. FM-49 Permit for Fireworks Display
2. FM-51 Application for Fireworks Display Permit
3. Shell
 - a. Size
 - b. Composition (MSDS)
 - c. Ignition type (Electric, Quick match, Fusee, etc.)
4. Mortars
 - a. composition
 - b. mounting and separation distances
5. Site Plan
 - a. Dimensions of discharge site
 - b. Spectator Viewing Area
 - c. Parking areas
 - d. Fallout area
 - e. Associated separation distances
 - f. Approval of dwelling/building owners within display site
6. Operator / Assistant Qualifications
 - a. Age
 - b. License & (Copy)
 - c. Experience
7. Financial Responsibility
 - a. Proof of Insurance
 - b. Bond
 - c. Federal/State Permit \$
8. Fire protection provisions / Crowd control monitoring

Plan Reviewed by Fire Marshal: _____

Plans Approved: _____ Plans Not Approved: _____

National Fire Prevention Association

Fireworks Diagram Requirements

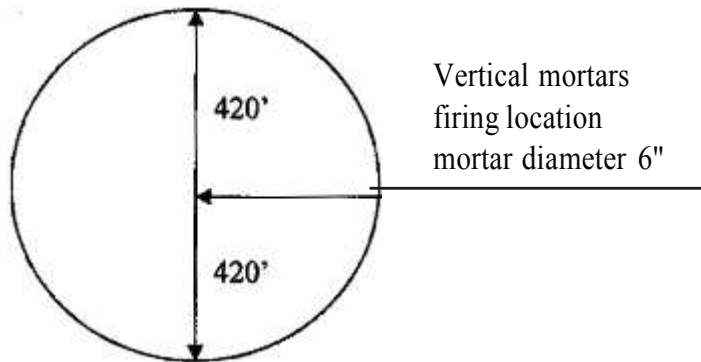
1. Scale drawing required of display site.
 - a. length and width of display site
 - b. location of display area in the display site
 - c. diameter of the display area

Ref. NFPA 1123

2. Minimum separation distance between mortars and spectators should be 70 feet for each inch of internal mortar diameter.

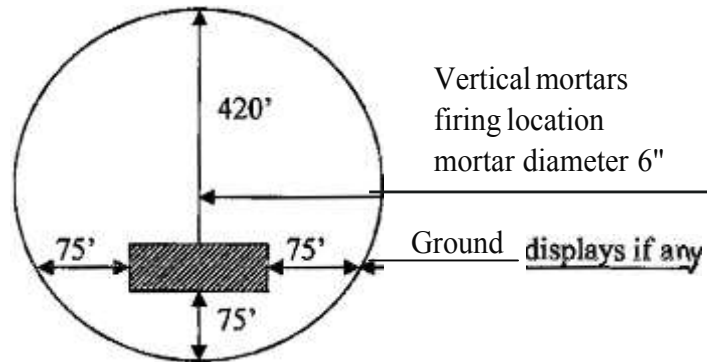
Example: 70 ft./inch multiplied by S"=350 ft., the secured diameter is to be 700 feet.

5"	70' x 5"	=350ft.,	diameter	700ft.
6"	70' x 6"	=420ft.,	diameter	840ft.
8"	70' x 8"	:::; 560ft.,	diameter	1,120ft.
12"	70' x 12"	=840ft.,	diameter	1,680ft.



3. The site for the display shall be figured by the largest aerial shell to be fired. If the largest shell is 12" the spectators should be 840ft. away, and the secured diameter of the firing site should be 1,680 ft.

4. Ground display pieces shall be located a minimum distance of 75 ft. from spectator viewing and parking areas.



5. *Exception:* Foreground pieces with greater hazard potential (such as large wheels with powerful drivers, Roman candle batteries and items employing large salutes). The minimum separation distance shall be increased to 125 ft.
6. Spectators, dwelling, building, vehicles, readily combustible materials and over head wires shall not be located within the fallout area during the display.
7. If display is approved, Fire Dept. apparatus and personnel may be required to be at display site perimeter when fireworks are discharged.



ATF News

Bureau of Alcohol, Tobacco, Firearms and Explosives
Office of Public Affairs, Washington, D.C.

FY- 03-07
Contact: Gary M. Comerford
202-927-8500

For Immediate Release
www.atf.gov
April.3,2003

PROFESSIONAL FIREWORK DISPLAYS AND SHOWS TO REQUIRE PERMITS FROM ATF

Requirements Are Part of the Safe Explosives Act

WASHINGTON -Civic groups, organizations and other private parties planning to acquire Class 1.3 display fireworks for their July 4 celebrations will require a permit under provisions of the new Safe Explosives Act, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) said today.

The requirement takes effect May 24, 2003, but since ATF has 90 days under the law to approve applications, people and organizations requiring a permit should apply as early as possible. Class 1.3 display fireworks are those used in professional fireworks shows and displays. Before the Safe Explosives Act, ATF did not require a permit to acquire and use Class 1.3 fireworks within the same state.

The U.S. Department of Transportation (DOT) established the classification of hazardous materials, which includes Class 1 explosives, for transportation purposes. The 1.3 display fireworks are part of the Class 1 category.

The public should know that consumer fireworks, such as firecrackers, sparklers, bottle rockets and similar small fireworks, are not subject to the provisions of the Safe Explosives Act and remain exempt from ATF requirements. Consumer fireworks, rated as Class 1.4 by DOT and previously known as Class C fireworks, still may be subject to Federal, state and local laws and regulations.

Cities, towns or other political subdivisions are exempt from the ATF permit requirements. However, all persons, including cities, towns and other political subdivisions, must store Class 1.3 display fireworks in accordance with the requirements contained in Subpart K-Storage, Part 555.201-217, in ATF Federal Explosives Regulations. The regulations are titled Commerce in Explosives, ATF Explosive Regulations, 27 CFR Part 555 (previously known as Part 55).

The ATF Federal Explosives Law and Regulations are contained in ATF P 5400.7, which is located on the ATF Web Site at www.atf.gov.

In order to obtain a Federal explosives license/permit (FEL), contact the National Explosives Licensing Center (NELC) at (404) 417-2750. You may also contact the NELC via e-mail at NLCiicenseapplication@atf.gov. The e-mail should contain "Request for Application Package" in the subject line.

The NELC will provide all applicable forms and instructions necessary to persons and organizations desiring a permit. The responsible persons on an application must furnish a photograph and a fingerprint card completed by a Federal, state or local Law enforcement agency as part of their application. ATF has 90 days under the Safe Explosives Act to process an application.

A one-time use interstate permit costs \$75. A limited permit, which allows ~~3~~ purchases a year within the same state, costs \$25, and a full, three-year interstate permit is \$100.

Any other questions regarding the acquisition of Class 1.3 display fireworks should be referred to ATF's Public Safety Branch at (202) 927-2310.

Section 3406.2.4.4. Locations where above-ground tanks are prohibited. Supplemented to provide:

The storage of Class I and Class II liquids in above-ground tanks is prohibited except: (1) as disclosed and permitted by an approved site plan in connection with a permitted use of property under the Township Zoning Ordinance, (2) if determined by the Fire Code Official to be allowed by the State of Michigan Fire Prevention Code, Public Act No 207 of 1941, as amended, or rules promulgated under that Act, and in compliance with all other applicable governmental regulations or (3) in connection with a temporary activity necessary to the use or development of property in conformity with all Township and other governmental ordinances, laws, permits and approvals.


Section 3804.2 Maximum capacity within established limit ?. Supplemented to provide:

For the protection of heavily populated or congested areas, the capacity limitations in this Section for storage of liquefied petroleum gas shall apply within any protection area established by current National Fire Protection Association (NFPA) code requirements and to all properties except as disclosed and permitted by an approved site plan for a permitted use under the Township Zoning Ordinance.

(Ord. No. 102, § 3, 5-21-79; Ord. No. 102-A, 4-21-80; Ord. No. 102-B, 12-20-82; Ord. No. 102-C, § 2, 1-6-86; Ord. No. C-250, § 1, 12-18-89; Ord. No. C-169-A, § 1, 12-12-94; Ord. No. C-565, § 1, 6-7-99; Ord. No. C-645, § 2, 4-14-03; Ord. No. C-645-A, § 1, 11-7-05; Ord. No. C-646-B, § 1, 10-5-09)

Sec. 11-38. Fireworks.

(a) Except as otherwise provided by law, no person shall offer for sale, expose for sale, sell at retail, keep with the intent to sell at retail, possess, give, furnish; transport, use, explode or cause to explode any of the following, without first having obtained a permit for such purposes as provided in 1968 PA 358 (MCL 750.243a et seq.):

- (1) Any blank cartridge, blank cartridge pistol, toy .38 S&W, toy  or toy gun in which explosives are used;
- (2) An unmanned balloon which requires fire underneath to propel it and is not moored to the ground while aloft;
- (3) Firecrackers, torpedoes, skyrockets; Roman candles, Daygo bombs, bottle rockets, whistling chasers, rockets on sticks, or other fireworks of like construction;
- (4) Any fireworks containing any explosive or inflammable compound or any tablets or other device commonly used and sold as fireworks containing nitrates, fulminates, chlorates, oxalates, sulphides of lead, barium, antimony, arsenic, mercury, nitroglycerine, phosphorous or any compound containing any of these or other modern explosives.

(b) A permit is not required for any of the following:

- (1) Flat paper caps containing not more than .25 grains of explosive content cap in packages labeled to indicate the maximum explosive content per cap;
- (2) Toy pistols, toy cannons, toy canes and toy guns of a type approved by the director of the department of state police in which paper caps as described in subsection (b)(1) are used and which are so constructed that the hand cannot come in contact with the cap when in place for the explosion and which are not designed to break apart or be separated so as to form a missile by the explosion;
- (3) Sparklers containing not more than .0125 pounds of burning portion per sparkler;
- (4) Filter sparklers in paper tubes not exceeding one-eighth inch in diameter, cone fountains and cylinder fountains;
- (5) Toy snakes not containing mercury, if packed in cardboard boxes with not more than twelve (12) pieces per box for retail sale and the manufacturer's name and quantity contained in each box are printed thereon, and toy smoke devices;
- (6) Possession, transportation, sale or use of signal flares of a type approved by the director of state police, blank cartridges or blank cartridge pistols specifically for a show or theater, for the training or exhibiting of dogs, for signal purposes in athletic sports, for the use by military organizations, or used by railroads, trucks or vehicles for emergency signal purposes.

(Ord. No. 63A, § 42, 6-3-74; Ord. No. 63A-H, 8-6-79)

Cross reference-Offenses against public safety, § 15-161 et seq.
State law reference-Similar provisions, MCL 750.243a.

Sees. 11-39-11-49. Reserved.

ARTICLE IV. RESERVED*

Sees. 11-50--11-75. Reserved.

ARTICLE V. OPEN BURNING

Sec. 11-76. Basis and intent; short title.

(a) *Basis and intent.* The Township Board of the Charter Township of West Bloomfield has found that open burning on residential property has and contributes to creating or furthering a detrimental environmental effect, a health hazard, and serious and significant effects on the

*Editor's note-Ord. No. C-645, § 3, adopted April 14, 2003, repealed Ch. 11, Art. IV, §§ 11-50-11-65, in its entirety. Former Art. IV, pertained to hazardous chemicals and derived from Ord. No. C-230, §§ 1-16, adopted Sept. 5, 1989.

tEditor's note-Being not specifically amendatory of the Code of Ordinances, the provisions of Ord. No. C-245, adopted by the township board Nov. 20, 1989, have been incorporated herein as a new Art. V to Ch. 11, §§ 11-76-11-80.

Cross references-Fire Prevention Code, § 11-36 et seq.; burning of garbage, § 13-24.