

510.2 SUBJECT: FIREWORKS PERMIT

:1 OBJECTIVE:

Establish a procedure for administering applications for fireworks display.

:2 AUTHORITY:

This procedure amended by City Council April 19, 1993.

:3 DIRECTION:

Police Chief, as an appointed official, serves at the pleasure of, and receives direction from the Mayor or the Mayor's designee.

:4 METHOD OF OPERATION:

A. Permit Required

Any person planning public display of fireworks (pyrotechnics) shall obtain a Fireworks Permit issued by the Police Chief or designee.

B. Definitions

Fireworks Display – for the purposes of this procedure, is a display or series of displays proposed for presentation at a particular event, to be conducted within a period not to exceed forty-eight (48) consecutive hours.

Operator – is the person in charge of setting up and discharging the display.

Person – is any individual person, or any firm, partnership, association, corporation, company or organization or any combination of such persons.

C. Application Form

Each applicant for a Fireworks Permit shall complete the Fireworks Application and Permit Form.

The application shall be delivered at least fifteen (15) days in advance of the proposed date of the display to the Police Chief or designee.

Each application shall be accompanied by:

1. Documentation attesting to the qualifications of the personnel who are to devise, supervise, and discharge the fireworks display. Each display shall be handled by a competent operator to be approved by the Police Chief, or designee.
2. A non-returnable fee of fifty dollars (\$50.00) shall be charged for each permit for the cost of processing the permit application, payable at the time application is made.

D. Statement by Applicant

The Police Chief or designee shall review the completed Application, determine that the documents required by paragraph :4C, above, are attached, and have the applicant certify to the validity of the statements contained therein.

E. Insurance Requirements

The Police Chief or designee shall require a certified copy, from the applicant, of an insurance policy evidencing that the applicant has, in full force and effect, \$1,000,000 combined single limits or its equivalent coverage for bodily injury and property damage, and Worker's Compensation on all employees participating in the display. The policy shall have been issued by companies authorized and/or qualified to do business in the State of Florida and shall include an endorsement to the City of Orlando as an "additional insured," and shall provide that cancellation of the policy shall not be effective until the City of Orlando is notified in writing of such cancellation. The certified copy shall be retained in the office of the Police Chief or designee with the approved application.

The applicant shall be responsible for all work, and every part thereof, related to or in connection with the display.

F. Collection of Fee, Validation of Payment

The Police Chief or designee, upon acceptance of the application form and the non-returnable fee of fifty dollars (\$50.00), shall validate the copy, showing receipt of payment, and issue a proper receipt as directed by the Finance Director.

G. Distribution of Application Form

A copy of the application for fireworks display shall be submitted to the Fire Chief who shall be responsible for the inspection of the site.

The Police Chief, the Fire Chief, and the Department Director concerned with the property shall have cause to have made such inspections and reviews necessary to determine that the composition, character, and location of the proposed discharging and firing of the display will not be hazardous to property, or endanger any person or persons.

The Police Chief, after coordinating the application with all City departments concerned with the display, shall make the appropriate determination, and may issue the requested permit.

Under no circumstances will a Fireworks Permit be issued for a display at Lake Fairview Park during the period Ben White Raceway is housing horses; normally October 1 through June 1. Additionally, Fireworks Permits requested between June 2 and September 30, must have the concurrence of the Orlando Centroplex Director prior to issue.

H. Pyrotechnics Used

The Police Chief or designee shall approve each application only in such instance where the manufacture of the pyrotechnics to be used in the display is from an approved State and Federally licensed source.

I. Display

A member of the Orlando Fire Department shall be in attendance during the preparation and discharging of any fireworks display authorized by the Police Chief.

If, in the judgment of the Police Chief, the size, scope, and potential hazards of the display will warrant the use of standby equipment and/or members of the Orlando Fire and Police Departments, the applicant may be charged for the direct cost for providing such services, provided that the total amount charged should not exceed the actual costs incurred, in accordance with established City policy. The invoice shall be prepared by the Police Chief or designee.

J. Postponement of Display

Should the proposed date or dates of the display be delayed for more than twenty-four (24) hours by reason of weather or unforeseen circumstances beyond the control of the applicant, the Police Chief or designee shall be notified of the alternate date within twenty-four (24) hours after the postponement has been determined.

K. Right of Appeal

Whenever the Police Chief shall reject or refuse to approve an application for any reason, or when it is claimed that the provisions of procedure do not apply, the applicant or his duly authorized agent shall have recourse of appeal to the City Council.

:5 FORMS:

Fireworks Application and Permit Form.

:6 COMMITTEE RESPONSIBILITIES:

None.

:7 REFERENCE:

Florida State Statutes, Section 791.02; City of Orlando Code, Chapter 24, Fire Prevention. This procedure approved by City Council July 23, 1973, Item 46. Form No. 601.2.1 amended November 1973; procedure amended July 29, 1974, Item 10; amended August 26, 1974, Item 26; reviewed and found current January 1, 1977, Item 7; amended April 28, 1980, Item 13; amended January 21, 1985, Item 21(24).

:8 EFFECTIVE DATE:

This procedure effective April 19, 1993.