



**City of Montclair**  
Fire Prevention Bureau  
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## Professional Fireworks Permit Guideline

### HOW TO USE THIS ATTACHMENT

This attachment contains information related to fireworks displays when proposed as part of a special event or similar use. For purposes of this guideline, the use of any pyrotechnic device, including spark machines, is considered a fireworks display; consumer California State Fire Marshal labeled “safe and sane” fireworks, are excluded.

The “Technical Information” section outlines information and safety provisions that apply to fireworks displays in general. The specifications and code provisions for many of the items listed as submittal requirements can be found here, so review of the entire attachment is recommended as you prepare your special event application. As you organize and set up your event, go over the information in this attachment with the crew, operational personnel, and other responsible parties to facilitate a successful fire safety inspection and a safe and code-compliant event.

### SUBMITTAL REQUIREMENTS

**The information listed in the “Submittal Requirements” section shall be provided as part of the application for all events that include fireworks. An application for a Special Event Permit must be made a minimum of 10 working days prior to the planned event.**

Depending on the scope of the event or other considerations, the inspector reviewing the project may need more information in order to complete an evaluation of the event and provide conditions of approval to mitigate the potential hazards.

#### Exterior Plans

Include the following on the site plan:

- Location of the display set-up
- Location of the firing box, including distance from the display set-up area. All displays shall be electrically fired.
- Location of fire hydrants and fire lanes
- Fallout area is based on a 100-foot radius from the set-up area per inch of shell size based on the largest shell used. For example, a 2-inch shell requires a 200-foot radius fallout zone. These minimum dimensions are implemented by MFPB.
- Structures and overhead obstructions (trees, telephone/electrical lines) that may be located in or near the firing area.
- Parking lots, seating/viewing areas, walkways, and other areas accessible to the public during set-up and the display.
- Security fencing

## Other Information

- Provide a current copy of insurance naming the City of Montclair, the city in which the event will take place, their officers, agents, employees and servants as additional insured.
  - Additional Insured Endorsements: City of Montclair must be named as an additional insured on the General Liability insurance policy and an Endorsement to that effect must accompany the Certificate of Insurance reflecting the minimum insurance requirements as stated above. The language on the Endorsement should read, "The City of Montclair is an additional insured on the policy for any and all work performed, and the (Company Name) insurance is primary and noncontributing, and the City of Montclair's insurance is excess only."
- Provide a current copy of the California State Fire Marshal issued pyrotechnic operator's license for public display and current copy of the operator's California driver's license.
- List of all qualified assistants who will work the display. Assistants must be a minimum of 18 years old.
- Provide a list of fireworks to be discharged; indicate class, size, and amount of each (specify single or multiple break or salute).
- Provide a letter from the event sponsor or pyrotechnic company stating that any additional fees will be billed directly to the sponsor.
- Public displays fired on private property must have a letter from the current property owner approving of the event and holding the City of Montclair and its employees harmless to damages or liability.

# TECHNICAL INFORMATION

## SCOPE

The information in this guideline is intended to provide general regulations and procedures for fireworks displays to meet the minimum requirements of California Code of Regulations (CCR) Title 19, 2022 California Fire Code (CFC) Chapter 56 with locally adopted amendments, National Fire Protection Association (NFPA) Section 1123, and comply with segments of the Homeland Security Act of 2001.

## GENERAL REQUIREMENTS

Displays shall comply with the following requirements.

- Public display shall be electrically fired (CFC 5608.2 with local amendment).
- Provide a minimum of two, 2.5 gallon pressurized water extinguishers, currently serviced.
- Provide a water container for duds or misfired shell(s).
- Provide barricades/barriers to keep unauthorized personnel out of the site/fallout area.
- Mortars are to be in good condition. Base plugs in place, with no splits, bulges in the tubes or bent/frayed muzzles.
- Operators and assistants located within the fallout area are required to have all the proper safety gear/protective clothing on during the firing of the display and until the all-clear order is given. (CCR 19).
- If mortar racks are used, they shall be stable and secure.
- Electrically fired shows require that all mortars that are buried in earth or placed in drums/troughs shall be nominally spaced 2 feet apart from the sides of the drum/trough.
- NO SMOKING in any area where fireworks are handled or stored.
- All technicians shall be positioned a minimum of 100 feet from any mortar and positioned so as to be protected from the direct line of fire.
- Intoxicating liquids, narcotics and controlled substances are prohibited within the area of the firing site and shall not be used by any person handling fireworks or special effects at any time during transportation, set-up, firing or removal.

### Event Procedure and Requirements

The City of Montclair Fire Prevention Bureau (MFPB) inspection will include, but is not limited to:

1. Verify licensing of operator and licensed assistants. Verify ID and age of all assistants.
2. Inspection/inventory of fireworks shells to be discharged.
3. Inspection of racks to determine proper spacing and bracing.
4. Inspection of mortars used to fire aerial shells.
5. Inspection of all required safety equipment, fire extinguishers, etc.

Additionally,

- All electrically fired pyrotechnic circuits shall be tested with a test device in which the test current is not capable of firing the pyrotechnic device being tested. Firing site shall be cleared of all personnel while continuity testing is underway.

- A test fire utilizing the largest shell (non-salute type) permitted in the display shall be conducted (1) hour prior to the display and shall be witnessed by an MFPB inspector, as required by the inspector.
- During discharging of shells, operator observes activities to ensure wind and trajectory are adequate and makes adjustment if necessary.
- The licensed pyrotechnic operator shall be responsible to account for and retrieve all duds immediately following the display. Unfired shells shall be removed and returned directly to the supplier or stored in a manner approved on permit.
- The licensed pyrotechnic operator shall file a
  - Verbal report within 24 hours for any incident involving injury or death to public or crew, or for any fire requiring emergency action or response resulting from the firing of the show
  - Written report within 10 working days following any public display directly to the Office of the State Fire Marshal.

## **INSURANCE REQUIREMENTS FOR PROFECTIONAL FIREWORKS PERMIT**

**Acceptability of Insurers:** All insurance policies must have a current A Class VII rated by A.M. Best Company. Worker's Compensation from the State Compensation Fund is acceptable to the City of Montclair.

**General Insurance:** The following basic insurance provisions shall be in place with any vendor or contractor that the City of Montclair contracts with to perform work or provide a service including license agreements for use of property and lease agreements.

1. General Liability (including pyrotechnics, operations, products and completed operations): \$1,000,000 combined single limit for bodily injury, personal injury and property damage/\$2,000,000 aggregate
2. Automobile:\$1,000,000eachaccident;\$1,000,000uninsuredmotorist
3. Professional Liability: \$1,000,000 each occurrence/\$2,000,000 aggregate
4. Worker's Compensation:(required by the State of California and necessary only if the other party to the contract has employees) \$1,000,000 each accident/\$1,000,000 each employee for disease

General liability policy limits shall be per occurrence for bodily injury, personal injury and property damage. If commercial general liability insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the project or the general aggregate limit shall be twice the required occurrence limit.

**Additional Insured Endorsements:** The City of Montclair must be named as an additional insured on the General Liability insurance policy and an Endorsement to that effect must accompany the Certificate of Insurance reflecting the minimum insurance requirements as stated above. The language on the Endorsement should read, "The City of Montclair is an additional insured on the policy for any and all work performed, and the (Company Name) insurance is primary and noncontributing, and the City of Montclair's insurance is excess only."