

CITY of NOVI CITY COUNCIL

Agenda Item B June 19, 2017

SUBJECT: Approval of request for Fireworks Display Permit by Funfest Productions, Inc. to be operated by ACE Pyro, on Sunday, July 2, 2017 for the Stars and Stripes Festival.

SUBMITTING DEPARTMENT: City Clerk

CITY MANAGER APPROVAL:

BACKGROUND INFORMATION:

The Stars and Stripes Festival will be held at the Suburban Collection Showplace June 29th through July 2nd. The event is sponsored by Funfest Productions and will include live music, carnival rides, a BMX display and arts & crafts. The festival will culminate with a fireworks display operated by ACE Pyro on Sunday, July 2, 2017 at 10:00 p.m.

The Novi Fire Department has conducted a site inspection and an additional inspection will occur once the show is complete. Additional Police and Fire Department personnel will be assigned for the duration of the event to assure that all safety measures and process are adhered to according to the fireworks permit.

RECOMMENDED ACTION: Approval of request for Fireworks Display Permit by Funfest Productions, Inc. to be operated by ACE Pyro, on Sunday, July 2, 2017 for the Stars and Stripes Festival.

2017 Application for Firework

FOR USE BY LEGISLATIVE BOOY

Authority:

2011 PA 256

The LEGISLATIVE or group because of need assistance with needs known to this

ks Other Than Consumer or Low Impact	OF CITY, VILLAGE OR TOWNSHIP				
EBODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you ith reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your is Legislative Body of City, Village or Township Board.	DATE PERMIT(S) EXPIRE:				
)					

TYPE OF PERMIT(S) (Sele	ct all applicable boxes)							
Agricultural or Wildlife Fin		Articles Pyrotechnic	Display Fireworks					
Public Display		Private Display						
Special Effects Manufact	ured for Outdoor Pest Control or	Agricultural Purposes						
NAME OF APPLICANT		ADDRESS OF APPLICANT	AGE OF APPLICANT 18 YEARS OR OLDER					
Rob Vargo		9700 Burmeister Rd, Saline MI 48176	✓ YES □ NO					
NAME OF PERSON OR RESIDENT CORPORATION, LLC, DBA OR OTH	AGENT REPRESENTING IER	ADDRESS PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER						
Aaron Enzer		9700 Burmeister Rd, Saline MI 48176						
IF A NON-RESIDENT APPLICANT (I OR MICHIGAN RESIDENT AGENT)	LIST NAME OF MICHIGAN ATTORNEY	ADDRESS (MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)	TELEPHONE NUMBER					
NAME OF PYROTECHNIC OPERAT	OR	ADDRESS OF PYROTECHNIC OPERATOR	AGE OF PYROTECHNIC OPERATOR 18 YEARS OR OLDER					
Rob Vargo		9700 Burmeister Rd, Saline MI 48179	✓ YES □ NO					
NO. YEARS EXPERIENCE	NO, DISPLAYS	WHERE						
6	45+	Michigan						
NAME OF ASSISTANT		ADDRESS OF ASSISTANT	AGE OF ASSISTANT 18 YEARS OR OLDER					
Jonathan Sinda		9700 Burmeister Rd, Saline MI 48179	✓ YES □ NO					
NAME OF OTHER ASSISTANT		ADDRESS OF OTHER ASSISTANT	AGE OF OTHER ASSISTANT 18 YEARS OR OLDER					
			YES NO					
EXACT LOCATION OF PROPOSED								
46100 Grand River Ave, DATE OF PROPOSED DISPLAY	Novi, MI 483/4	TIME OF PROPOSED DISPLAY						
July 2, 2017		10:00 PM						
	E, SUBJECT TO APPROVAL OF LOCAL	TO THE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. REDERAL GOVERNMENT						
None, fireworks produc	ct will be brought from cor	mpany storage in time for display setup.						
AMOUNT OF BOND OR INSURANCE	E (TO BE SET BY LOCAL GOVERNMEN	IT NAME OF BONDING CORPORATION OR INSURANCE COMP.	ANY					
\$1,000,000	E (10 BE SET BT ESCAL SOVERNMEN	The Partners Group Ltd	ACC					
ADDRESS OF BONDING CORPORA	ATION OR INSURANCE COMPANY							
11225 SE 6th Street, S	suite 110, Bellevue, WA 9	8004						
NUMBER OF FIREWORKS		KIND OF FIREWORKS TO BE DISPLAYED (Pie	ease provide additional pages as needed)					
Approximately 1,469	Assorted aerial displa	y shells 2.5" - 3"						
		V						
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SIGNATURE OF APPLICANT			DATE					
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1 Willes	MANIA		6/12/2017					

2017 Permit for Fireworks Other than Consumer or Low Impact

The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board

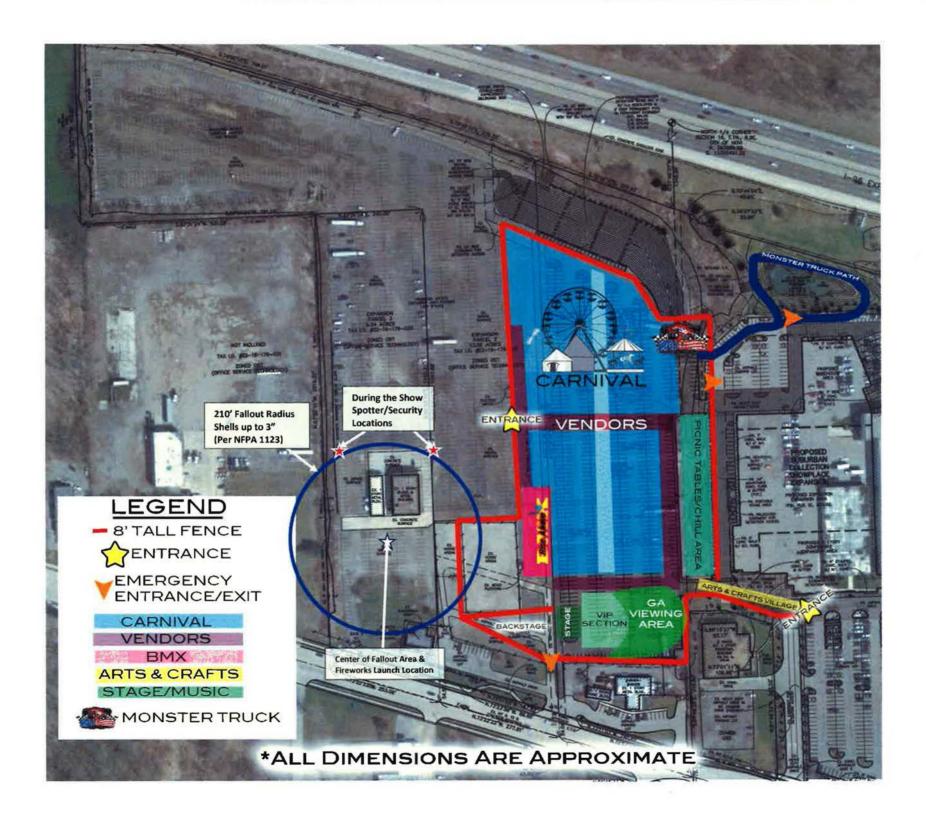
This permit is not transferable. Possession of this permit authorizes the herein named perso the purpose of and at the place listed below only through permit expiration date.	n to possess, transport and d	isplay fireworks in the amounts, for			
TYPE OF PERMIT(S) (Select all applicable boxes) Agricultural or Wildlife Fireworks Articles Pyrotechnic Display Fireworks		FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP			
✓ Public Display Private Display	h	PERMIT(S) EXPIRATION DATE			
Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes		(ENTER DATE OF EXPIRATION)			
NAME OF PERSON PERMIT ISSUED TO Rob Vargo		AGE (18 YEARS OR OLDER) ☑ YES □ NO			
ADDRESS OF PERSON PERMIT ISSUED TO 9700 Burmeister Rd, Saline MI 48176		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION ACE Pyro, LLC					
9700 Burmeister Rd, Saline MI 48176					
NUMBER AND TYPES OF FIREWORKS (Please attach additional pages if necessary)					
Approximately 1,469 assorted aerial display shells 2.5" - 3"					
D.					
exact Location of display or use 46100 Grand River Ave, Novi, MI 48374					
CITY, VILLAGE, TOWNSHIP NOVI, MI	July 2, 2017	10:00 PM			
BOND OR INSURANCE FILED		AMOUNT			
VYES TNO		\$1,000,000			
1					
Issued by action of the Legislative Body of a					
City Village Township of on the	da	ay of			
		€ 1/75591			
(Signature and Title of Legislative Body Represen	ntative)				
following and this of regulative real tracking	nauvoj				

THIS FORM IS VALID UNTIL THE DATE OF EXPIRATION OF PERMIT

BFS-416 (Rev 09/15)

2011 PA 256

Authority:





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 6/2/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to

	e terms and conditions of the policy ertificate holder in lieu of such endor					Section 10 Tests 10 T	ement on thi	s certificate do	oes not co	onfer r	ights to the
	DUCER				CONTA NAME:	CT Janet N	au				
1 he	Partners Group Ltd 25 SE 6th St., Suite 110			*	PHONE (A/C, No, Ext): 425-455-5640 FAX (A/C, No): 425-455-						55-6727
	evue WA 98004				E-MAIL ADDRE	ss: Jnau@tp	grp.com				
5.					INSURER(S) AFFORDING COVERAGE						NAIC #
			INSURER A : T.H.E. Insurance Company						12866		
100		14372	2		INSURE	RB:					
Ace Pyro, LLC 13001 E. Austin Rd			INSURE	RC:							
	nchester MI 48158				INSURER D:						
					INSURER E :						
					INSURER F:						
				NUMBER: 879279360	/F DEE	N IOOUED TO		REVISION NUI		IE DOI	IOV PEDIOD
C	HIS IS TO CERTIFY THAT THE POLICIES IDICATED. NOTWITHSTANDING ANY RETIFICATE MAY BE ISSUED OR MAY KCLUSIONS AND CONDITIONS OF SUCH	EQUIR!	EMEN AIN, SIES.	NT, TERM OR CONDITION THE INSURANCE AFFORD	OF AN'	Y CONTRACT THE POLICIES REDUCED BY	OR OTHER D S DESCRIBED PAID CLAIMS.	OCUMENT WIT	H RESPEC	CT TO	WHICH THIS
INSR LTR	TYPE OF INSURANCE	INSD		POLICY NUMBER		(MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)		LIMIT	S	
Α	X COMMERCIAL GENERAL LIABILITY	Y		CPP010442902		11/1/2016	11/1/2017	DAMAGE TO RENT		\$1,000	,000
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		1 1						MED EXP (Any one	person)	\$Exclu	V.W. way
		1						PERSONAL & ADV	INJURY	\$1,000	,000
	GEN'L AGGREGATE LIMIT APPLIES PER:	1 1						GENERAL AGGRE	GATE	\$/A	
	X POLICY PRO- JECT LOC							PRODUCTS - COM	IP/OP AGG	\$2,000	,000
_	OTHER:	\vdash	_					COMBINED SINGL	ELIMIT	\$	
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	ALL OWNED SCHEDULED AUTOS NON-OWNED	1 1						PROPERTY DAMA		\$	
	HIRED AUTOS AUTOS							(Per accident)		\$	
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	CEAINIS-WADE							AGGREGATE		\$	
-	DED RETENTION \$ WORKERS COMPENSATION	\vdash	\rightarrow		_			PER	OTH- ER	\$	
	AND EMPLOYERS' LIABILITY Y/N						-	For Day Service and Section 1 of the			
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?	N/A					1	E.L. EACH ACCIDE	vana turno pri tri tornati uma marro di il tri tri		
	(Mandatory in NH) If yes, describe under						-	E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$		200	
-	DÉSCRIPTION OF OPERATIONS below	1	-		_			E.L. DISEASE - PO	LICY LIMIT	\$	
2000	CRIPTION OF OPERATIONS / LOCATIONS / VEHIC						그 그래 아이는 이번 얼마를 되었다.	89.5			
Na Ad Ev	e following are Additional Insured of med Insured, as required by written ditionally insured: City of Novi with ent Location: 46100 Grand River A ent Date: 7/2/2017 RD: N/A Site In	n cont 30 da ve, No	ract: ys' r ovi, l	notice of cancellation MI 48374	st may	appear as r	espects ope	erations perfor	med by o	or on t	ehalf of the
CERTIFICATE HOLDER					CANCELLATION						
City of Novi 45175 Ten Mile Road Novi MI 48375					SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.						
					AUTHORIZED REPRESENTATIVE						

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):

The City of Novi 45175 Ten Mile Rd. Novi, MI 48375

Location: 146100 Grand River Ave, Novi, MI 48374 for the period 07/2/2017 RD: N/A Site Inspection: 7/3/2017.

BUT ONLY WITH RESPECT TO THE OPERATIONS OF THE NAME INSURED.

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

- A. Section II Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:
 - In the performance of your ongoing operations; or
 - 2. In connection with your premises owned by or rented to you.

However:

- The insurance afforded to such additional insured only applies to the extent permitted by law: and
- 2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

- 1. Required by the contract or agreement; or
- Available under the applicable Limits of Insurance shown in the Declarations:

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.



CITY COUNCIL

Mayor Bob Gatt

Mayor Pro Tem Dave Staudt

Andrew Mutch

Wayne Wrobel

Laura Marie Casey

Gwen Markham

Brian Burke

City Manager Peter E. Auger

Director of Public Safety Chief of Police David E. Molloy

Director of EMS/Fire Operations Jeffery R. Johnson

Assistant Chief of Police Jerrod S. Hart

Assistant Chief of Police Erick Zinser June 12, 2017

TO: Cortney Hanson, Novi City Clerk

FROM: Kevin S. Pierce, Fire Marshal

RE: Application for Fireworks Display Permit, <u>Stars and Stripes Festival</u>, on the grounds of Suburban Collections Showplace, 46100 Grand River July 2, 2017.

The permit application to conduct a fireworks display has been reviewed for compliance with the following laws and codes:

2012 International Fore Code (City adopted Fire Prevention Code)

P.A. 328 of 1931 as Amended, State of Michigan Fireworks Law NFPA 1123, Code for Fireworks Display

The above application is Recommended for APPROVAL.

- 1) Vendor for the display is Ace Pyro, contact is Robert Vargo.
- 2) Absolutely no smoking or use of open flame in the safety zone.
- 3) All unauthorized personnel and the general public will be kept away from the fireworks firing area and the safe zone before, during and after the display, the safety zone for this event has to a minimum of 420' in diameter, and the launch pad MUST be in the middle of this and is subject to change due to weather and crowd conditions.
- 4) The storage method and location of the fireworks prior to the show shall be provided and shall be in compliance with NFPA 1123, at no time shall the storage of the fireworks be left unattended.
- 5) The firing method of the pyrotechnics devices shall be by electronic means only.
- 6) It shall be the responsibility of Ace Pyro to inspect the fallout area immediately after the show as well as the following morning (July 3, 2017) for any hazardous debris or unexploded shells.
- 7) The installation of the motor tubes and the racks or other launch devices shall be inspected prior to the loading of any pyrotechnic device by a fire department representative.

Novi Public Safety Administration 45125 Ten Mile Road Novi, Michigan 48375 248.348.7100 248.347.0590 fax

cityofnovi.org

This fireworks show is proposed to have 3.0" shell as the largest shell to be shot off. This review and approval is based on this information and the submittal by Ace Pyro. At no time shall a shell larger than 3.0" be used in this show.

It shall be noted, that whenever, in the opinion of the Director of Fire and EMS Operations or his designee, any hazardous condition exists, the fireworks display shall be postponed until the condition is corrected. In addition, if high winds, precipitation, or other adverse weather condition prevail such that a significant hazard exists in the opinion of the Director of Fire and EMS Operations or his designee or the operator, the fireworks display shall be postponed until weather conditions improve to a reasonable level.

Sincerely

Kevin S. Pierce-Fire Marshal City of Novi-Fire Department