

APPLICATION FOR PERMIT OF SUPERVISED PUBLIC DISPLAY OF FIREWORKS



(Revision 3/2019)

Application name _____ Phone number _____
(Group, individual or organization sponsoring the event)

Address of applicant

(Street)

(City)

(State)

(Zip Code)

Date/Time _____
(Of Production)

Alternate Date/time _____
(Rain/wind date/time)

Location of production _____
(Street)

Lexington, KY _____
(Zip Code)

Type of production: Indoor Outdoor

Indoor & Outdoor display of pyrotechnics before a proximate audience shall comply with NFPA 1126 (current adopted edition) and NFPA 1123 (current adopted edition)

Flame Effect devices shall comply with NFPA 160 (current adopted edition)

A fee for a minimum of two onsite fire inspectors may apply for all pyrotechnics displays at a rate of their current overtime pay (approximately \$75.00 per hour for each inspector), if outside of regular working hours (M – F, 7 a.m. – 5 p.m.). Invoice will be sent after event.

Permits are granted at the sole discretion of the local official having jurisdiction. This document must be completed and signed by the FIRE CHIEF or FIRE MARSHAL.

THE FOLLOWING INFORMATION AND DIAGRAM SHALL BE PROVIDED:

- **ATF License required for all display fireworks shows**
- A picture ID and résumé of the competent pyrotechnic operator
 - A picture ID for all assistants
 - [KRS 227.710 \(1\)\(c\) & \(1\)\(d\)](#)
- CERTIFICATE OF INSURANCE for the production. **(SEE INSURANCE REQUIREMENTS ADDENDUM)**
- Names, types, size and quantities of devices. Description of the operator’s experience with these devices
 - **Describe in detail any onsite assembly of devices**
- Place and manner of storage for pyrotechnic devices
- A diagram, cut sheets and listings on each type of device used
- Material Safety Data Sheets (MSDS) for the Pyrotechnic Materials to be used
- Certification that the set, scenery and rigging materials are flame retardant or equivalent
 - **Include any clothing worn by operators, assistants, and performers)**
- Diagram of the Grounds or Facilities where the production is to be held indicating the following:
 - Location of control equipment or fire location
 - Location of devices and approximate distance to audience
 - **Identify each device type, method of placement and elevation**
 - Fallout radius of each device used in the production
 - Minimum distance for any consumer fireworks show is **200’** from any structure, vehicle, or any other person
 - [KRS 227.715 \(11\)\(b\)](#)

NFPA 1123 (2010 EDITION) TABLE 5.1.3.1

Distances for Outdoor Aerial Shell Display Sites: Minimum Separation Distances from Mortars to Spectators for Land or Water Displays

Mortar Size		Minimum Secured Diameter of Site		Vertical Mortars		Angled Mortars 1/3 offset		Mortars to Special Hazards	
Inches	mm	ft	m	ft	m	ft	m	ft	m
≤ 1	25	150	46	75	23	75	23	150	46
1.5	38	210	64	105	32	75	23	210	64
2	50	280	85	140	43	95	29	280	85
2.5	63	350	107	175	54	115	35	350	107
3	76	420	128	210	64	140	43	420	128
4	102	560	171	280	85	190	58	560	171
5	127	700	213	350	107	230	70	700	213
6	152	840	256	420	128	280	85	840	256
7	178	980	299	490	149	320	98	980	299
8	203	1120	341	560	171	370	113	1120	341
10	254	1400	427	700	213	460	140	1400	427
12	305	1680	512	840	256	560	171	1680	512

All projectiles shall be set up so that they will fire as nearly vertical as possible. Although they may be fired over water, the distances set out in the above table still apply.

Any fireworks that remain unfired after the display is concluded shall be immediately destroyed by the operator.

No fireworks display shall be held during any windstorm in which the wind reaches a velocity of more than **15 mph**. Extremely dry conditions may govern also. In such cases, the local Fire Chief may authorize the display to be rescheduled.

All debris resulting from any display shall be cleaned up and removed immediately by the operator at the conclusion of the display.

At least two approved Class A (water type) fire extinguishers of at least 2 ½ gallons capacity each shall be kept at widely separated points as possible within the actual area in which the discharging is being done.

This application and required information shall be submitted for review 30 days prior to the event.

RETURN COPY TO: **Lexington Fire Department**
Fire Inspections
211 E. Third St.
Lexington, KY 40508

Email addresses:
johnsonj@lexingtonky.gov
cased@lexingtonky.gov
holmanj@lexingtonky.gov

Signature of applicant *Print name* *Date*

PERMIT IS HEREBY GRANTED PURSUANT TO KRS 227.710 (1)

Signature of Fire Chief or Fire Marshal *Date Approved*

INSURANCE ADDENDUM

(Read carefully)

INSURANCE REQUIREMENTS and INDEMNIFICATION:

The governing body of any city/county shall require insurance amounts deemed adequate by them in accordance with [KRS 227.720](#).

Licensee shall give a **Bond or evidence of liability insurance deemed adequate by the official to whom application for the permit is made** for all firework displays for which a permit is granted.

Check the appropriate box for your show:

- City sponsored event (**\$5,000,000** minimum insurance requirement)
- Event held on city property (**\$5,000,000** minimum insurance requirement)
- Fireworks operating on a public roadway (**\$5,000,000** minimum insurance requirement)
- Private entity on private property (**\$2,000,000** minimum insurance requirement)

A valid Certificate of General Liability Insurance placed with a licensed or approved surplus lines insurer in Kentucky with a satisfactory A.M. Best solvency rating must be attached to the application. The Certificate shall clearly state that the coverage afforded thereunder will be in full force and effect for the duration of the performance/event. The amount of coverage afforded by said Certificate of General Liability Insurance shall be not less than the stated limits in the Insurance Addendum for the particular fireworks display. LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT (LFUCG), its elected and appointed officials, employees, agents, volunteers, and successors in interest must be clearly shown within the body or upon the face of the Certificate of General Liability Insurance, to which reference is made above, as additional insureds. ***The Certificate shall clearly state that the coverage afforded is Primary and Non-Contributory where required. Owner agrees to indemnify and save them, and each of them, fully harmless to the extent of any and all claims, damages, losses, expenses, attorneys' fees, or other costs, that may result, directly or indirectly, from owner's fireworks or pyrotechnic displays. The obligation of the owner/applicant to indemnify and fully save harmless Lexington-Fayette Urban County Government, and the persons and entities herein identified is not limited to the coverage afforded by the Certificate of Insurance, and the owner's/applicant's obligation to indemnify shall be signified by the filing of said application, fully executed. The stated minimum amount of insurance coverage, \$2,000,000 per occurrence (private) or \$5,000,000 per occurrence (public) may, in the sole discretion of Lexington-Fayette Urban County Government, be increased based upon the size, scope, and perceived hazards of the performance/event, once the application, in all its parts, and the premises where the performance/event is to be presented, have been reviewed.*** Nothing in this provision, or in this subchapter, should be deemed, or considered to be a waiver of any form of immunity enjoyed by Lexington-Fayette Urban County Government, its elected and appointed officials, employees, agents, volunteers, and successors in interest, such immunity being specifically reserved.