County of Monroe
Emergency Services Division

OFFICE OF FIRE MARSHAL
Monroe County Fire Rescue
490 63rd Street, Ocean
Marathon, FL 33050
(305) 289-6368 – Phone
(305) 289-6369 – Fax

BOARD OF COUNTY COMMISSIONERS
Mayor George Neugent, District 2
Mayor Pro Tem David Rice, District 4
Danny L. Kolhage, District 1
Heather Carruthers, District 3
Sylvia J. Murphy, District 5

FIREWORKS PERMIT APPLICATION

APPLICATION SHALL BE SUBMITTED TO THE FIRE MARSHAL'S OFFICE
NO LESS THAN 30 DAYS PRIOR TO THE EVENT

SPONSORING ORGANIZATION	RESPONSIBLE ORGANIZATION
Business Name:	**Business Name:**
Address:	**Address:**
City / State / Zip:	**City / State / Zip:**
Phone:	**Phone:**
Fax:	**Fax:**

DATE OF DISPLAY: **TIME OF DISPLAY:** ☐ **AM** ☐ **PM**

Approximate Duration of Display:

Location of Property and Display:

Distance from Shore/Nearest Buildings:

Name of Area Fire Department:

*ATTACH SITE MAP TO INCLUDE BARGE/LAUNCH LOCATION OF DISPLAY**

**A diagram of the grounds on which the display is to be held, showing the point at which the fireworks are to be launched, the location of all buildings, highways, the line behind which the audience will be restrained, and the location of nearby trees, telephone lines, and any other overhead obstructions.*
(Site map must show the distance of nearest shore/buildings, and the distance from the audience)

DATE OF APPLICATION: _____

EVIDENCE OF INSURANCE

The ORIGINAL Certificate of Insurance, per event, must be approved by the Monroe County Risk Management Office prior to issuance of the fireworks permit.

Copies are not acceptable for insurance approval.

1. The **MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** MUST be:
   a. Named as an Additional Insured party **AND ALSO**,
   b. Listed as a Certificate Holder on a Commercial General Liability insurance policy covering the fireworks display.
2. Both the "sponsoring" and "responsible" entities/organizations must be named as insured parties.
3. The Commercial General Liability insurance policy must have limits of not less than $1,000,000.00 per occurrence and $2,000,000.00 annual aggregate claims.
4. Statutory Workers' Compensation
   a. Employers Liability coverage with minimum limits of $500,000
5. Watercraft Liability with minimum limits of $1,000,000. This coverage is necessary because a barge will be used as the "firing stage" for the fireworks.
   a. Jones Act coverage with minimum limits of $1,000,000. This coverage is necessary because any of the fireworks company's employees that work off the barge will be eligible for Jones Act benefits.

REGULATIONS FOR THE DISPLAY OF FIREWORKS

The applicant shall read and comply with the following regulations as evidenced by signature below:

1. Is the location of this fireworks display in a public park or on property owned by Monroe County?

   Check One: YES ☐ NO ☐

   (If "**YES**", attach a copy of the resolution or other authorization or permit of the Board of County Commissioners of Monroe County or County Administrator authorizing said display and use of the County property.)

2. List the number, size and type of each fireworks shell to be discharged: (Use attachment page if necessary)

Quantity	Size	Type – Description

3. **Site selection of fireworks displays, the transportation and ground discharge of fireworks shall conform to NFPA 1123 and NFPA 1124. Off-shore discharge of fireworks must obtain a marine event permit issued by the U.S. Coast Guard, and shall conform to USCG regulations, Title 46, CFR.** Fireworks shall NOT be displayed within one hundred (100) feet of any building of any sort, or where the discharge/failure to fire/faulty firing/or fallout of any fireworks or other objects would endanger any persons, buildings, structures, forests or brush, or fifty (50) feet from the nearest above ground electric or telephone lines, tree, or other overhead obstruction. In no case shall a display be fired within one half (1/2) mile of any hospital, nursing home, or nursing care center.
4. Spectators at a display of fireworks shall be restrained behind lines or barriers as designated by local authorities and as specified in **NFPA 1123, Table 3-1.3**; but in no case less than two hundred (200) feet from the point at which the fireworks are to be discharged. Only authorized persons and those in actual charge of the display shall be allowed inside these lines or barriers during the unloading, preparation, or firing of fireworks.
5. All fireworks that fire a projectile shall be so set up that the projectile will go into the air as nearly as possible in a vertical direction, provided that where such fireworks are to be fired beside a lake or other large body of water, they may be directed in such a manner that the falling residue from the deflagration will fall into said body of water.

6. Any fireworks that remain unfired after the display is concluded shall be immediately disposed of or removed in a manner safe for the particular type of fireworks. The debris from the discharged fireworks shall be properly disposed of by the operator prior to departure from the premises. The operator, upon conclusion of the display, shall make a complete and thorough search for any unfired fireworks or pieces which have failed to fire or function, and shall dispose of the material in a safe manner. Such search shall be instituted at the earliest possible time following the conclusion of the display, but in no event later than the first period of daylight which follows the event.

7. **No fireworks display shall be held, or firing of shells must cease, when the wind velocity exceeds twenty (20) miles per hour.**

8. **QUALIFICATIONS OF OPERATORS:** A certified, experienced, competent operator with the knowledge of **NFPA 1123 "Code for Fireworks Display"** and **NFPA 1124 "Standard Code for Outdoor Display of Fireworks"** is required. Fireworks display companies are responsible for the current certification of the operators employed by the company. (Attach copies of operator certifications when utilizing free-lance operators.)

9. There shall be, at all times, a competent and certified operator of the display constantly on duty during the discharge of the fireworks, with a sufficient number of trained assistants available for safe conduct of the display. Assistants shall be fully trained and educated in regard to safety hazards. Please provide operator/assistant information requested below:

OPERATOR:

Name:			
Address:			
Phone:		**Certification Expiration Date:**	

TRAINED DISPLAY ASSISTANT(S): (Use attachment page if needed)

Name:			
Address:			
Phone:		**Certification Expiration Date:**	

Name:			
Address:			
Phone:		**Certification Expiration Date:**	

Name:			
Address:			
Phone:		**Certification Expiration Date:**	

10. All fireworks articles and items at places of display shall be stored in a manner and in a place secure from fire, accidental discharge and theft; and in a manner recommended by the manufacturer.

11. The sponsor of the display shall make provisions for adequate fire protection for the display. The sponsor shall consult with the authority having jurisdiction and the operator to determine the level of fire protection required.

12. **Any fireworks display over open water must be permitted by the U.S. Coast Guard and shall conform to USCG regulations, Title 46, CFR. Contact the Commanding Officer, USCG Marine Safety Office, Waterways Branch, PO Box 01-6940, Miami, FL at (305) 535-8751, Fax (305) 535-8740 for USCG marine event planning information.**

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I HAVE READ THE ABOVE REGULATIONS AND SHALL COMPLY FULLY WITH ALL OF THE REQUIREMENTS HEREIN AND HAVE AUTHORITY TO ENTER INTO THIS AGREEMENT ON BEHALF OF THE ABOVE LISTED ORGANIZATION.

SIGNATURE: _____ **DATE:** _____

PRINTED NAME: _____ **TITLE:** _____

DEFENSE, INDEMNITY AND HOLD HARMLESS AGREEMEENT

THIS AGREEMENT made as of the _____day of _____, 20__ by and between **MONROE COUNTY**, ("County"), and _____, hereinafter referred to as ("Sponsor"):

WITNESSETH: That for and in consideration of the mutual covenants and conditions set forth hereinafter, the parties agree as follows:

1. That for and in consideration of permission to conduct a fireworks display in Monroe County, Florida, by the Sponsor to be performed on _____, to be held at the location of_____
   the Sponsor does hereby agree and will have issued a Commercial General Liability insurance policy in accordance with Monroe County Ordinance Nos. 29-1983; 30-1985; 34-1985; 005-1986; and 001-1991, and Ch. 13, Art. I, Sec. 13-3 of the Monroe County Code of Ordinances wherein the Monroe County Board of County Commissioners shall be named an Additional Insured of the Sponsor; with limits of not less than $1,000,000.00 per occurrence and $2,000,000.00 annual aggregate. Additionally, the Sponsor shall provide:
   a. Statutory Workers' Compensation - Employers Liability coverage with minimum limits of $500,000.
   b. Merchant Marine Act of 1920 also known as the "Jones Act", Watercraft Liability with minimum limits of $1,000,000.
2. That an original of said insurance policies, per event, shall be delivered to the Monroe County Fire Marshal's Office prior to the issuance of the Fireworks Permit.
3. That for and in consideration of the permission to have the fireworks display, the Sponsor does hereby agree to indemnify Monroe County for any and all claims, suits, causes of action, loss, damage, costs, expenses and liabilities that may result or arise out of the fireworks display, including but not limited to any and all claims, suits, causes of action, judgments or damages sustained by Monroe County for bodily injury or for injury to or loss of property resulting from, caused by, or arising out of the fireworks display.
4. That in addition to the indemnification referred to in paragraph #3, the Sponsor does hereby agree to hold Monroe County harmless concerning the fireworks display activities, and will defend any and all lawsuits, causes of action and claims, and will further, pay all costs and attorney's fees for Monroe County BOCC resulting from, caused by, or arising out of the fireworks display.

IN WITNESS WHEREOF, I hereto affix my hand and seal on this _____day of _____, 20_____.

_____
SIGNATURE AND TITLE

_____
PRINT NAME

_____
ORGANIZATION

State of Florida
County of _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20 ____ by _____
Name of person signing above

(Notary Seal)

_____
Signature of Notary Public – State of Florida

_____
Name of Notary Public (Typed, Printed, or Stamped)

Personally Known: ☐ Or Produced Identification: ☐
Type of Identification Produced: _____