

## CHIEF JOHN R. KRAMER

Monitor Township Fire Department  
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### **Monitor Township Fire Department Check list for Fireworks Permit Request**

The following is a list of requirements needed prior to approval by the fire department:

- 1) **Application for Fireworks Display Permit Form BFS-999 (Rev. 06/15)**
- 2) **Permit for Fireworks Display Form BFS-416 (Rev. 09/15)**
- 3) **Certificate of Insurance 757100**
- 4) **Copy of ATF Fireworks License of person shooting the display**
- 5) **Site Plan showing the following:**
  - A. **Display area and total measurements**
  - B. **Fallout Area and measurements**
  - C. **Spectator Viewing Area with measurements**
- 6) **Written permission from property owner where display will be.**
- 7) **If display area is leased to a farmer/person other than property owner, a permission slip is required from the person leasing the property.**
- 8) **Written permission slips from homeowners where their property is Being used as part of or the fallout area.**
  - A. **Permission slips must state name, address, phone number, and Agreement that they will not enter fallout area for 24 hrs. after display.**
- 9) **Agreement that surrounding homes owners will be notified of the Date and time of the display.**
- 10) **Statement from person or persons doing the display that they will Contact the Monitor Township Fire Department to schedule an Inspection of the site the day of the event. They must leave a contact number On application.**
- 11) **Please obtain a phone number for the Fire Dept. so they may contact the Person for an inspection.**

John R. Kramer, Chief  
Monitor Township Fire Department



# ATF NEWS

Bureau of Alcohol, Tobacco, Firearms, and Explosives  
Office of Public and Governmental Affairs, Washington, D.C.

FY- 03-07  
Contact Gary M. Comerford  
202-927-8500

For Immediate Release  
<http://www.atf.gov/>  
April 3, 2003

## PROFESSIONAL FIREWORK DISPLAYS AND SHOWS TO REQUIRE PERMITS FROM ATF *Requirements Are Part of the Safe Explosives Act*

WASHINGTON - Civic groups, organizations and other private parties planning to acquire Class 1.3 display fireworks for their July 4 celebrations will require a permit under provisions of the new Safe Explosives Act, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) said today.

The requirement takes effect May 24, 2003, but since ATF has 90 days under the law to approve applications, people and organizations requiring a permit should apply as early as possible. Class 1.3 display fireworks are those used in professional fireworks shows and displays. Before the Safe Explosives Act, ATF did not require a permit to acquire and use Class 1.3 fireworks within the same state.

The U.S. Department of Transportation (DOT) established the classification of hazardous materials, which includes Class 1 explosives, for transportation purposes. The 1.3 display fireworks are part of the Class 1 category.

The public should know that consumer fireworks, such as firecrackers, sparklers, bottle rockets and similar small fireworks, are not subject to the provisions of the Safe Explosives Act and remain exempt from ATF requirements. Consumer fireworks, rated as Class 1.4 by DOT and previously known as Class C fireworks, still may be subject to Federal, state and local laws and regulations.

Cities, towns or other political subdivisions are exempt from the ATF permit requirements. However, all persons, including cities, towns and other political subdivisions, must store Class 1.3 display fireworks in accordance with the requirements contained in Subpart K-Storage, Part 555.201-217, in ATF Federal Explosives Regulations. The regulations are titled Commerce in Explosives, ATF Explosive Regulations, 27 CFR, Part 555 (previously known as Part 55). The ATF Federal Explosives Law and Regulations are contained in ATF P 5400.7, which is located on the ATF Web Site at <http://www.atf.gov/>.

In order to obtain a Federal explosives license/permit (FEL), contact the National Explosives Licensing Center (NELC) at (404) 417-2750. You may also contact the NELC via e-mail at [NLCLicenseapplication@atf.gov](mailto:NLCLicenseapplication@atf.gov). The e-mail should contain "Request for Application Package" in the subject line.

The NELC will provide all applicable forms and instructions necessary to persons and organizations desiring a permit. The responsible persons on an application must furnish a photograph and a fingerprint card completed by a Federal, state or local law enforcement agency as part of their application. ATF has 90 days under the Safe Explosives Act to process an application.

A one-time use interstate permit costs \$75. A limited permit, which allows six purchases a year within the same state, costs \$25, and a full, three-year interstate permit is \$100. Any other questions regarding the acquisition of Class 1.3 display fireworks should be referred to ATF's Public Safety Branch at (202) 927-2310.

ATF is the world's leading investigative agency on firearms, explosives and arson, providing that expertise to the Federal and State, local and foreign governments. The Bureau administers and enforces the Federal laws and regulations relating to firearms, explosives and arson. ATF's 4,700 men and women serve to protect the American public and reduce violent crime. More information about ATF and its programs is available on the Internet at <http://www.atf.gov/>.

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# Application for Fireworks Other Than Consumer or Low Impact

FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD ONLY

DATE PERMIT(S) EXPIRE:

Authority: 2011 PA 256 Compliance: Voluntary Penalty: Permit will not be issued	The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, 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.
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TYPE OF PERMIT(S) (Select all applicable boxes)

Agricultural or Wildlife Fireworks       Articles Pyrotechnic       Display Fireworks

Public Display       Private Display

Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes

NAME OF APPLICANT		ADDRESS OF APPLICANT	AGE (18 YEARS OR OLDER) OF APPLICANT
NAME OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER		ADDRESS PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER	
IF A NON-RESIDENT APPLICANT (LIST NAME OF MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)		ADDRESS (MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)	TELEPHONE NUMBER
NAME OF PYROTECHNIC OPERATOR		ADDRESS OF PYROTECHNIC OPERATOR	AGE (18 YEARS OR OLDER) OF PYROTECHNIC OPERATOR
NO. YEARS EXPERIENCE	NO. DISPLAYS	WHERE	
NAME OF ASSISTANT		ADDRESS OF ASSISTANT	AGE OF ASSISTANT (18 YEARS OR OLDER)
NAME OF OTHER ASSISTANT		ADDRESS OF OTHER ASSISTANT	AGE OF OTHER ASSISTANT (18 YEARS OR OLDER)

EXACT LOCATION OF PROPOSED DISPLAY

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DATE OF PROPOSED DISPLAY      TIME OF PROPOSED DISPLAY

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MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT

AMOUNT OF BOND OR INSURANCE (TO BE SET BY LOCAL GOVERNMENT)	NAME OF BONDING CORPORATION OR INSURANCE COMPANY
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ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY

NUMBER OF FIREWORKS	KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed)

SIGNATURE OF APPLICANT	DATE



## Instructions for Application for Fireworks Other Than Consumer or Low Impact

Applications shall be submitted to the legislative body of a city, village or township board. A permit may be issued as a result of official action by the legislative body. A permit shall be valid only for use within the limits of the jurisdiction of the legislative body of a city, village or township board.

1. Type of Permit – check all boxes that may apply to the type of permit needed. You may select several permit types depending on your fireworks display. You may check with your legislative body of a city, village or township board for assistance when making your selection. Please review the following definitions to determine which type of permit to select:
  - Agricultural or Wildlife Fireworks – devices distributed to farmers, ranchers, and growers through a wildlife management program administered by the US Department of Interior or Michigan DNR.
  - Articles Pyrotechnic – 1.4G fireworks for professional use only that is classified as UN0431 or UN0432.
  - Display Fireworks – 1.3G fireworks for professional use only
  - Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes – devices with a combination of chemical elements or compounds capable of burning independently of the oxygen of the atmosphere and designed and intended to produce an audible, visual, mechanical or thermal effect for pest or animal control.
  - Public Display – a fireworks display that is open to all persons for viewing.
  - Private Display – a fireworks display that is not open to the general public for viewing.
2. Name of applicant – list the name of the applicant. The applicant may be a person representing an organization, group, firm or corporation, or self. If the applicant is also the operator, enter the same name in the operator's section.
3. Address of applicant – complete the address of the applicant; include the street address, city, state and zip code.
4. Name of person or resident agent representing corporation, LLC, DBA or other – list the name of the person or resident agent that represents the corporation, LLC, DBA or other.
5. Address of person or resident agent that represents the corporation, LLC, DBA or other – list the address of the person or resident agent representing the corporation, LLC, DBA or other.
6. Non-resident applicant – list the name of the non-resident applicant. A non-resident applicant shall appoint a Michigan attorney or Michigan resident agent in writing to be the applicant's legal representative upon whom all service of process in any action or proceeding may be served.
7. Name of pyrotechnic operator – list the name of the pyrotechnic operator. The pyrotechnic operator is the person in charge of the display. The legislative body of a city, village or township board shall rule on the competency and qualifications of the operator before granting a permit and may require an affidavit from the applicant as to the operator's experience, former pyrotechnic accidents, criminal record, sobriety, etc.
8. Address of pyrotechnic operator – list the address of the pyrotechnic operator; include the street address, city, state and zip code.
9. Age of the pyrotechnic operator – list the age of the pyrotechnic operator; the operator must be 18 years of age or older.
10. Name of assistant – list the name of the assistant to the pyrotechnic operator;
11. Address of assistant – list the address of the assistant; include the street address, city, state and zip code. If there is more than one assistant, please list additional assistants on a separate sheet and include the address and age of those additional assistants.
12. Age of assistant – list the age of the assistant to the pyrotechnic operator; the assistant must be 18 years or older.
13. Name of other assistant – list the name of other assistant to the pyrotechnic operator.
14. Age of other assistant – list the age of the assistant to the pyrotechnic operator; the assistant must be 18 years or older.
15. Exact location of proposed display – list the address of the exact location of the proposed fireworks display.
16. Date of proposed display – indicate the date of the proposed fireworks display; only one display date can be used per application.
17. Time of proposed display – indicate the time of the proposed fireworks display.
18. Manner and place of storage - indicate the manner and place of storage within the legislative body of a city, village or township board of fireworks that are ready for display, just prior to the display in the area of exhibition. The legislative body of a city, village or township board shall obtain approval from the local fire authorities of the manner and place of storage before any permit is issued.

19. Amount of bond or insurance - the issuing legislative body of a city, village or township board shall set the amount of and proof of bond or insurance for the protection of the public to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of the person, firm or corporation, or any agent or employee of the applicant. The applicant shall assure the bond or insurance required is provided.
20. Name of bonding corporation or insurance company – provide the name of the bonding corporation or insurance company for which the bond was issued through.
21. Address of bonding corporation or insurance company – list the address of the bonding corporation or insurance company; include the street address, city, state and zip code.
22. Number of fireworks and kind of fireworks to be displayed– indicate the total amount of fireworks proposed for the display or use and a description of the type of fireworks for display; such as 10 aerial bombs, 30 aerial rocket bursts, etc.
23. The application is valid for the calendar year in which the application was received and permit was issued.
24. Permit fees shall be established by the legislative body of a city, village or township board and shall be submitted to and retained by legislative body of a city, village or township board.
25. Permitting will be in compliance with the Michigan Fireworks Safety Act, PA 256 of 2011, MCL 28.466, Section 16.
26. **Mail the application to the legislative body of a city, village or township board within the location jurisdiction of the display.** DO NOT mail the application to the Bureau of Fire Services (BFS). If mailed to the BFS, it will be returned to the sender.

MONITOR CHARTER TOWNSHIP  
BAY COUNTY, MICHIGAN

ORDINANCE NO. 62

AN ORDINANCE TO REGULATE THE USE, SALE AND  
DISPLAY OF FIREWORKS WITHIN THE TOWNSHIP OF  
MONITOR; TO PROVIDE FOR PENALTIES; AND TO REPEAL  
CONFLICTING ORDINANCES AND PARTS OF ORDINANCES

THE TOWNSHIP OF MONITOR ORDAINS:

SECTION I:

The purpose of this Ordinance is to preserve the public health, safety, and welfare by establishing regulations for the use, possession and sale of fireworks within the Township.

SECTION II:

**DEFINITIONS**

- A. "Consumer Fireworks" means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.
- B. "Display Fireworks" means large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation, as provided in 27 CFR 555.11, 49 CFR 172, and APA standard 87-1, 4.1.
- C. "Firework" or "Fireworks" means any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks, and special effects.
- D. "Low-Impact Fireworks" means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.
- E. "Novelties" means that term as defined under APA standards 87-1, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.5 and all of the following:

or structure at any time without a license or permit issued by the Fire Marshall or Fire Chief. Novelty fireworks may be ignited, discharged, or used without restriction, but only in a manner so as to not cause injury or damage to any person or property.

SECTION V

*This ordinance shall not apply to the sale of novelty fireworks.*

SECTION VI

Obtaining permit for use of Display Fireworks

- A. Applications for fireworks permits for display shall be made in writing on forms provided by the Monitor Township Office.
- B. The Township Board may, in its discretion, issue a fireworks permit for public display of fireworks by a public body, or by a fair association or amusement park, or other approved groups or organizations and approved individuals over the age of 18 years.
- C. Permits approved by the Township Board shall be on forms provided by the Director of the Department of State Police and shall be non-transferable.
- D. Before a permit for use of fireworks is issued, the person making application therefore shall furnish proof of financial responsibility by a bond or insurance on an amount deemed necessary by the Township Board to satisfy claims for damages to property or personal injuries arising out of an act or omission on the part of the person, firm or corporation, or an agent or employee thereof, in the amount, character, and form the local authority determines necessary for the protection of the public.
- E. A permit shall not be issued under this act to a nonresident person, firm, or corporation for conduct of a fireworks display in this state until the person, firm, or corporation has appointed in writing a resident member of the bar of this state or a resident agent to be his or her legal representative upon whom all process in an action or proceeding against him may be served.
- F. The Board shall rule on the competency and qualifications of operators of fireworks displays, as the operator has furnished in his or her application form, and on the time, place, and safety aspects of the displays before granting permits.

SECTION VII