

ORDINANCE NO. O2019-\_\_

**AN ORDINANCE AMENDING THE WARRENVILLE CITY CODE REGARDING FIREWORKS PERMITS**

WHEREAS, the City is a home rule municipal corporation pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the City has established Chapter 6, entitled "Fireworks," of Title 4, entitled "Police Regulations," of the Warrenville City Code ("City Code"), to regulate the display and use of fireworks and pyrotechnics; and

WHEREAS, in order to issue a permit for a pyrotechnic display, it is necessary to have the chief of the fire protection district with jurisdiction approve the display, and it is more practical to require submission of a copy of the permit issued by the chief of the fire protection district with the application for a City permit; and

WHEREAS, it is necessary and advisable to amend Section 4-6-4 of the City Code to clarify this requirement, and to make another technical correction; and

WHEREAS, the Mayor and the City Council have determined that it is in the best interest of the City and the public to amend the City Code pursuant to this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF WARRENVILLE, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Recitals. The recitals listed above are incorporated in this Ordinance as if fully set forth in this Ordinance.

SECTION 2: Amendment to Section 4-6-4. Section 4-6-4 of the City Code, entitled "Pyrotechnic Display Permit," shall be and is hereby amended, as follows: [additions are **bold and double underlined**; deletions are ~~struck through~~]

4-6-4: PYROTECHNIC DISPLAY PERMIT:

The city council may authorize the issuance of a pyrotechnic display permit for city events, subject to the following conditions:

- A. Each pyrotechnic display shall be conducted by a licensed lead pyrotechnic operator. Application for a pyrotechnic display permit shall be made in writing at least fifteen (15) days in advance of the date of the pyrotechnic display, unless agreed to otherwise by the city and the fire chief of the Warrenville fire protection district. After a permit has been granted, sales, possession, use and distribution of display fireworks for the display shall be lawful for that purpose only. No permit granted hereunder shall be transferable.
- B. The applicant seeking the pyrotechnic display permit shall provide proof of liability insurance in a sum not less than one million dollars (\$1,000,000.00) to the city.
- C. A permit shall be issued only after the chief of the Warrenville fire protection district or his or her designee has inspected the site and

determined that the display can be performed in full compliance with the rules adopted by the state fire marshal and that the display shall not be hazardous to property or endanger any person or persons. **A copy of the permit signed and issued by the chief of the Warrenville fire protection district or his or her designee shall be provided to the city as a part of the permit application.**

- D. All indoor pyrotechnic displays shall be conducted ~~in buildings~~ in buildings protected by automatic sprinkler systems and meeting the requirements of rules adopted by the state fire marshal.
- E. Permits shall be signed ~~by the chief of the Warrenville fire protection district or his or her designee~~ and by the mayor upon approval of the city council and must identify the lead pyrotechnic operator.

SECTION 3: EFFECTIVE DATE. This Ordinance shall be in full force and effect ten days after its passage, approval, and publication in the manner provided by law.

PASSED THIS \_\_\_\_ day of \_\_\_\_\_, 2019.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK



**FIREWORKS AND PYROTECHNICS PERMIT APPLICATION**

Attn: John Coakley, City Administrator

<b>CITY OF WARRENVILLE FIREWORKS AND PYROTECHNICS PERMIT No. _____</b>		
APPLICANT—COMPANY NAME and LICENSE NUMBER (must be a licensed pyrotechnic distributor or licensed production company)		
ADDRESS (street address, mailing address if different, city, state, zip code)		
PHONE NO.	FAX NO.	24 HOUR PHONE NO.
CONTACT PERSON	PHONE NO.	EMAIL
LEAD PYROTECHNIC OPERATOR NAME and LICENSE NUMBER (attach copy of Operator’s valid government-issued ID card and Pyrotechnic Operator license)		
ADDRESS, PHONE and EMAIL FOR LEAD PYROTECHNIC OPERATOR (if different from Company)		
PROPOSED DISPLAY LOCATION (include address and describe location including any park or public space involved—attach location map)		
DESCRIPTION OF PROPOSED DISPLAY (attach additional pages as needed):		
PROPOSED DATE: _____ PROPOSED TIME: _____ A.M./P.M.		
_____		
_____		
NAME OF INSURANCE COMPANY and PROOF OF INSURANCE (attach a certificate of insurance demonstrating that the Applicant has not less than \$1,000,000 in general liability insurance that includes the performance of fireworks and pyrotechnics displays)		
APPLICANT SIGNATURE: The Applicant understands and agrees that the display authorized under this permit shall be subject to the General Permit Terms, Conditions and Restrictions on page 2 of this form, and shall be limited to the date, time and location described in this Application/Permit, unless otherwise authorized by both the City of Warrenville and the Warrenville Fire Protection District.		
_____	_____	_____
SIGNATURE OF APPLICANT/APPLICANT’S AUTHORIZED OFFICER	PRINTED NAME	DATE
PERMIT BY WARRENVILLE FIRE PROTECTION DISTRICT: Attach copy of permit or approval from the Warrenville Fire Protection District showing that the District has inspected the proposed location for the display and has determined that the display can be performed in full compliance with the rules adopted by the State Fire Marshal and that the display will not be hazardous to property or endanger any person or persons.		
*** FOR CITY USE ONLY ***		
<input type="checkbox"/> This permit was approved by the Warrenville City Council on the ____ day of _____, 20__.		
<input type="checkbox"/> This permit is denied. Please see attached page(s) for explanation of denial.		
_____	_____	_____
MAYOR, CITY OF WARRENVILLE	DATE	

# FIREWORKS AND PYROTECHNICS PERMIT APPLICATION

## GENERAL PERMIT TERMS, CONDITIONS AND RESTRICTIONS

1. If this Application/Permit is approved, the Applicant and Lead Pyrotechnic Operator will comply with all ordinances and requirements of the City of Warrenville related to this permit and pay all required fees and will comply with all requirements of Illinois law.
2. The Applicant represents to the City that the Applicant and its Lead Pyrotechnic Operator are licensed and qualified to perform all work necessary to put on the display described in this Application/Permit, as required by the Warrenville City Code and Illinois law.
3. The Applicant affirms that the information provided on this Application/Permit form is true and complete.
4. The Applicant understands and acknowledges that it must obtain approval from the chief of the Warrenville Fire Protection District or his designee for the proposed display that is described in this Application/Permit. The permit is effective only insofar as the City has jurisdiction and does not presume to release the Applicant from compliance with the provisions of any existing statutes or local regulations relating to the performance of the display.
5. The Applicant will notify the City of any changes in the insurance provided with this Application/Permit that occur prior to the date of the proposed display.
6. The Applicant hereby states, certifies and affirms that the information contained in this Application/Permit and any materials provided with this Application/Permit is true and correct to the best of the knowledge and belief of those signing this application for the Applicant. The Applicant also recognizes and agrees that any changes in the work must be submitted to the City for prior review and approval. No error or omission in the completed Application/Permit or any materials provided with this Application/Permit shall relieve the Applicant from performing the display in full conformance with all applicable laws.

Additional Conditions:

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