



Madison County Government
Building & Zoning Department

Chris Doucleff - Administrator
Madison County Administration Building
157 N. Main Street Suite 254 · Edwardsville, IL 62025-1964
Phone (618) 692-7040 ext. 4468
E-Mail zoning@co.madison.il.us

Kurt Prenzler, CPA
County Board Chairman

_____ Application for Pyrotechnic Display of Display Fireworks _____

(1) Name, address, phone number(s) of person or entity sponsoring display: _____

(2) Exact location of display: _____

(3) Exact date and time of display: _____

(4) Name, address, phone number(s) for the LICENSED Lead Pyrotechnic Operator supervising the display:

Please attach the following REQUIRED documents:

- A current and valid copy of the Lead Pyrotechnic Operator's License
- A Certificate of Insurance from an insurance company licensed to do business in Illinois evidencing a minimum of \$1,000,000 in liability coverage.
- A written approval letter or permit issued by the Chief of the Fire Department providing fire protection coverage to the area of the display.
- A fee in the amount of \$25.00.

Date

Applicant

Your Address, Phone Number & E-mail:



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APPLICATION FOR PERMIT FOR SUPERVISED DISPLAY OF FIREWORKS

We hereby make application for a permit to conduct a display of fireworks on the:

Day of , 20
Organization/Person Name, Address & E-mail

Said Display To Be held At:

Firm Providing Fireworks (Name, Address & E-mail)

IF THE DISPLAY IS A PYROTECHNIC DISPLAY:

Firm/Lead Pyrotechnic Operator (Name, Address & E-mail)

Lead Pyrotechnic Operator State License # (Attach copy of Illinois Pyrotechnic License)

Attach a list of Fireworks to be discharged.
Where will Fireworks be stored prior to Display?

Has Liability Insurance been obtained for \$1,000,000 or more? Yes No (copy must be provided)

IF THE DISPLAY IS A CONSUMER DISPLAY:

has received training from
Of the Fire Department, approved by the Office of the Illinois State Fire Marshall, to be a Consumer Operator.

Attach a list of Fireworks to be discharged.
Where will Fireworks be stored prior to display?

All Accidents Must Be Reported To The Office Of The State Fire Marshal Within Thirty-Six (36) Hours of Any Occurrence.

Applicants Signature Date of Birth Typed or Printed Names Phone

Applicants MUST be submitted at least 15 days prior to the date of occasion.

NOTE: Attach a diagram of display site, Copy of Insurance Papers, List of Fireworks to be ignited when application is submitted, and a list of presenters.

ALL applicants are subject to a criminal background check as a condition to the issuance of the permit.

This application will be approved only after all applicable forms are received and the proposed site has been inspected by the Chief (or their designee) of the Fire Department in which the display is to be held, and all are in compliance with the Fireworks Regulation Act (45 ICLS 35)

(For Fire Department use only)

(Name) Is Found To Be A Competent Individual And Is Hereby Designated As The LEAD OPERATOR And Is Authorized To Handle And Supervise Said Display Of Fireworks.

Approved When Signed And Dated By Authority Having Jurisdiction.

Date Issued _____ Fire Chief _____

FIREWORKS SITE INSPECTION REPORT

LOCATION _____

Date of Inspection _____

Is Distance To Any Fire Hydrant Or Water Supply More Than 600 Feet?

Yes ____ No ____

Is Display Area Clear Of All Overhead Obstructions?

Yes ____ No ____

Have Provisions Been Made To Keep The Public Out Of The Display Area?

Yes ____ No ____

Is There A Hospital, Nursing Home Or Other Institution Within 600 Feet?

Yes ____ No ____

Have Provisions Been Made For On Site Fire Protection During Display?

Yes ____ No ____

This Display Site Has Been Determined Not To Be Hazardous To Property Or A Danger To Any Person Or Persons.

Fire Chief (or their designee)

Fire Department or Fire Protection District Where Display is to Occur



FIREWORKS

The Illinois Legislature amended the Fireworks Use Act (425 ILCS 35), effective July 25, 2005, and the Pyrotechnic Distributor and Operator Licensing Act (225 ILCS 227), effective January 1, 2006. The Office of the State Fire Marshal ("OSFM") has posted copies of these Acts, the Emergency Rules implementing these Acts, and a Frequently Asked Questions document on our website, www.state.il.us/osfm. As we approach the 2006 Fireworks season, these documents contain information that is important to all fire protection jurisdictions in the State of Illinois. This information pertains to all fireworks displays, including those that are operated on a voluntary basis. OSFM is sending this letter to all Villages, Counties, Municipalities, Fire Departments and Fire Protection Districts to assist your jurisdiction in understanding these Acts.

PYROTECHNIC AND CONSUMER DISPLAYS IN YOUR JURISDICTION

As used in this letter, the term "Pyrotechnic Display" refers to all displays using 1.3G fireworks, display fireworks, and flame effects. In other words, these are displays using professional grade fireworks, regardless of who performs the display. The term "Consumer Display" refers to all displays using consumer fireworks. Section 2 of the Fireworks Use Act states "[e]xcept as hereinafter provided it shall be unlawful for any person, firm, co-partnership, or corporation to knowingly possess, offer for sale, expose for sale, sell at retail, or use or explode any display fireworks, flame effects, or consumer fireworks; **provided that city councils in cities, the president and board of trustees in villages and incorporated towns, and outside the corporate limits of cities, villages and incorporated towns, the county board, shall have power to adopt reasonable rules and regulations for the granting of permits for pyrotechnic and consumer displays.**"

Thus, Pyrotechnic Displays and Consumer Displays are permitted in Villages, Counties and Municipalities that have passed Ordinances allowing such displays, and ONLY in those locations. To the extent that your jurisdiction permits Pyrotechnic and Consumer Displays, they must be performed in compliance with the rules adopted by OSFM, and the reasonable rules and regulations for the granting of permits that have been adopted by your jurisdiction.

SALE OF PROFESSIONAL AND CONSUMER FIREWORKS IN YOUR JURISDICTION

As stated above, it is unlawful for anyone to "knowingly possess, offer for sale, expose for sale, sell at retail . . . any display fireworks, flame effects, or consumer fireworks" unless specifically permitted by your jurisdiction. As used in the above-referenced Acts, two general types of fireworks exist: (1) professional grade fireworks that the Acts define as display fireworks, 1.3G fireworks, and special effects fireworks; and (2) consumer fireworks. Only Pyrotechnic Distributors licensed by OSFM may distribute or sell professional grade fireworks in Illinois. Only consumer distributors or retailers registered with OSFM may distribute or sell consumer fireworks in Illinois. Out-of-state distributors of fireworks must obtain a license or register with the OSFM, depending on the type of fireworks they distribute. No distributor may sell or transfer fireworks to any person who does not possess a valid display permit. The law prohibits the purchase of fireworks, either in or out-of-state, by a person who does not possess a valid display permit but intends to possess and display the fireworks in Illinois. In addition, the law prohibits



the purchase of fireworks, either in or out-of-state, from an unregistered Consumer Retailer or an unlicensed Pyrotechnic Distributor. Please report violations to the local law enforcement or to the Office of the State Fire Marshal.

OSFM has posted a copy of the application for a Pyrotechnic Distributor's license, including application instructions, and of the application to register as a Consumer Distributor/Consumer Retailer on its website, www.state.il.us/osfm.

CONSUMER FIREWORKS

Section 4.1 of the Fireworks Use Act requires the OSFM to prepare and maintain a list of approved consumer fireworks. OSFM is in the process of preparing this list. When completed we will post it on our website. Please note, the Fireworks Use Act specifically excludes the following from the definition of consumer fireworks: "snake or glow worm pellets; smoke devices; trick noisemakers known as 'party poppers', 'booby traps', 'snappers', 'trick matches', 'cigarette loads', and 'auto burglar alarms'; sparklers; toy pistols, toy canes, toy guns, or other devices in which paper or plastic caps containing twenty-five hundredths grains or less of explosive compound are used, provided they are so constructed that the hand cannot come in contact with the cap when in place for the explosion; and toy pistol paper or plastic caps that contain less than twenty hundredths grains of explosive mixture." The Fireworks Use Act states that the sale and use of these items shall be permitted at all times. The Fireworks Use Act further states "a municipality may, by ordinance, prohibit the sale and use of sparklers on public property."

CONSUMER FIREWORKS DISPLAYS

Consumer fireworks displays are permitted in Villages, Counties and Municipalities that have passed Ordinances allowing such displays and ONLY in those locations. In order to operate a consumer display, an adult must:

1. Attend training conducted at the local fire department. OSFM will send this Consumer Fireworks Training information to each jurisdiction that permits consumer fireworks displays on or about May 1, 2006.
2. Apply for a site inspection by the local fire department.
3. Apply for a permit issued by the appropriate unit of local government. (The OSFM does not issue fireworks permits.) According to the Fireworks Use Act, these applications "shall be made in writing at least 15 days in advance of the date of the display, unless agreed to otherwise by the local jurisdiction issuing the permit and the fire chief of the jurisdiction in which the display will occur."
4. Once your jurisdiction issues the permit, the Consumer may purchase **approved consumer fireworks** from a registered Consumer Fireworks Distributor/Retailer. This classification of fireworks is not all-inclusive and reference to the approved list published by the OSFM is required. Any sale of consumer fireworks other than on the list is prohibited by law.

Once your jurisdiction has issued a permit, it is not transferable to another person or entity. The sale, possession, use and distribution of consumer fireworks for display are lawful only for the



purpose given by your permit. The Fireworks Use Act does not require insurance coverage for Consumer Displays. Your jurisdiction has the authority to conduct a criminal background check on the applicant as a condition of issuing a permit. In addition, your jurisdiction has the authority to adopt rules regarding Consumer Displays that are more stringent than those adopted by the OSFM.

The OSFM requests that local governments, which permit consumer fireworks displays, contact the OSFM to obtain the Consumer Fireworks Training and testing materials. OSFM will send one set of materials to each jurisdiction for use. **Please send us the name of your contact person, complete address, e-mail address, and telephone number by April 21, 2021. We prefer that you e-mail this information to Fireworks@sfm.state.il.us. In the event you do not have e-mail, please address your request to the Office of the State Fire Marshal, Attn: Jim Boone, 1035 Stevenson Drive, Springfield, IL 62703.**

PYROTECHNIC DISTRIBUTOR'S LICENSE

OSFM has posted a copy of the application for a Pyrotechnic Distributor's license, including application instructions, on its website, www.state.il.us/osfm.

As stated above, 1.3G fireworks, also referred to as display fireworks, are professional grade fireworks. The Pyrotechnic Distributor and Operator Licensing Act defines the term "Pyrotechnic Distributor" as anyone "who distributes display fireworks for sale in the State of Illinois or provides them as part of a pyrotechnic display service in the State of Illinois or provides only pyrotechnic services." Therefore, the rules require that any person, business, or unit of local government that puts on an outdoor pyrotechnic display using display fireworks must either hire a licensed Pyrotechnic Distributor or apply for a Pyrotechnic Distributor's license.

If a municipality or fire protection district (i.e., a political subdivision of the State) is the entity actually applying for the Distributor's license, it may request a fee reduction to \$50, from \$500.00, for the application fee. In the event a municipality or fire protection district requests such a reduction in fee, its Pyrotechnic Distributor's License will be considered a limited license that will permit it to perform only 3 Pyrotechnic Displays a calendar year.

The requirements for a Pyrotechnic Distributor's License include:

1. A current license from the Federal Bureau of Alcohol Tobacco and Firearms. Pursuant to Section 845(a)(3) of the Federal Explosives Law, 40 C.F.R. §845(a)(3), political subdivisions of the State are exempt from having such a license.
2. Proof of training conducted by Illinois Department of Natural Resources
3. Fingerprint background check conducted by a third party vendor for the OSFM
4. Proof of Illinois Worker's Compensation Insurance unless covered by one of the exemptions to the Worker's Compensation Act
5. Proof of Product Liability and General Liability Insurance coverage in the amount of \$1,000,000 minimum. Municipalities and other political subdivisions of the State that are self-insured may provide OSFM with a sworn statement attesting to its self-insurance status.
6. Proof of a current Identification Number, and a current Hazardous Materials Registration Number from the United States Department of Transportation (USDOT)



- 7. Payment to the OSFM of the \$500.00 fee for the three-year Pyrotechnic Distributor's License, or of the \$50.00 fee for the three-year limited Pyrotechnic Distributor's License available for political subdivisions of the State

Items 1 through 7 must be completed to obtain the Pyrotechnic Distributor's license. Because the person is transporting and handling professional grade fireworks, the USDOT Identification and Hazardous Materials Registration numbers are required unless the person is having a USDOT identified and registered carrier deliver the fireworks to the display site for the show. The Pyrotechnic Distributor's license and a Lead Pyrotechnic Operator's license must be obtained before the site inspection, issuance of a permit, purchase of display fireworks, and the Pyrotechnic Display can occur.

PYROTECHNIC OPERATOR'S LICENSE (Displays Using Professional Grade Fireworks)

OSFM has posted a copy of the Pyrotechnic Operator's license application, including application instructions, and a copy of the Assistant's Registration form on its website, www.state.il.us/osfm.

Each person who is responsible for the actual setting off of the display must have a Pyrotechnic Operator's license. The requirements for the operator's license include:

- 1. A license or letter of clearance from the Federal Bureau of Alcohol Tobacco and Firearms
- 2. Proof of training conducted by Illinois Department of Natural Resources for an Outdoor Pyrotechnic Operator's License or an Indoor Proximate Audience Operator's License
- 3. Applicants for an Indoor Proximate Audience Operator's License or an Indoor Flame Effect Operator's License must also pass a test administered by the OSFM, and provide additional evidence of experience.
- 4. Fingerprint background check conducted by a third party vendor for the OSFM
- 5. Payment to the OSFM of the required fee for each type of Pyrotechnic Operator's license requested

The Pyrotechnic Operator must be employed by a Pyrotechnic Distributor. The Pyrotechnic Distributor and Operator may be one and the same person and, in that event, both licenses must be obtained. Only one Pyrotechnic Operator is required for a display. Other employees of the Distributor may act as assistants to the Pyrotechnic Operator. Any assistant used by the Distributor during the display must be at least 18 years old and be registered with the OSFM. There is no fee for registering Assistants.

Due to the limited amount of time between the adoption of the Emergency Rules and the actual fireworks season, letters of temporary authorization are being issued to Pyrotechnic Distributor's and Operator's who present applications and have all of the requirements in process.

PYROTECHNIC DISPLAYS (DISPLAYS USING PROFESSIONAL GRADE FIREWORKS)

Pyrotechnic displays are permitted in Villages, Counties and Municipalities that have passed Ordinances allowing such displays and ONLY in those locations. The local governmental authority may issue a pyrotechnic display permit to any adult applicant that meets the following minimum requirements:



1. The applicant must submit a written application for a permit at least 15 days in advance of the date of the pyrotechnic display.
2. The pyrotechnic display service is provided by a licensed pyrotechnic distributor, and the display is conducted by a licensed lead pyrotechnic operator.
3. The applicant shows proof of liability insurance in a sum not less than \$1,000,000 with an insurance company authorized to do business in Illinois.
4. The fire chief of the local jurisdiction or his/her designee must inspect the display site and ensure the display can be performed in full compliance with the NFPA standards adopted and amended by the OSFM Rules, Part 235, for the type of Pyrotechnic Display to be performed. The Chief of the fire department providing fire protection must sign the display permit.

Once your jurisdiction has issued a permit, it is not transferable to another person or entity. The sale, possession, use and distribution of display fireworks for display are lawful only for the purpose given by your permit. Your jurisdiction has the authority to adopt rules regarding Pyrotechnic Displays that are more stringent than those adopted by the OSFM.

INDOOR PYROTECHNIC DISPLAYS

The OSFM requires local fire jurisdictions that will be inspecting and approving indoor pyrotechnic displays to attend a half-day of training, provided through OSFM, to familiarize the inspectors with the new rules and proper methods for setting up an indoor pyrotechnic display. **We ask that each fire department or fire protection district that requires this training contact OSFM by April 21, 2006. Please send us the name of your contact person, complete address, e-mail address, telephone number, and the number of inspectors who will be requiring training. We prefer that you e-mail this information to FDFireworks@sfm.state.il.us. In the event you do not have e-mail, please send your information to the Office of the State Fire Marshal, Attn. Jim Boone, 1035 Stevenson Drive, Springfield, IL 62703.**

STATE AND COUNTY FAIR ASSOCIATIONS

No permit is required for supervised public displays by State or County fair associations.

ADDITIONAL QUESTIONS

The majority of questions you or your constituents have about fireworks displays can be answered by this letter and by reading the Acts, the Emergency Rules, the Frequently Asked Questions, and the other documents on OSFM's website, www.state.il.us/osfm. For questions not covered by the above you can call 217-785-0969. Please be specific with your questions when you call so that you can be directed to the proper person to answer your questions.