



State Fire Marshal's Office
Virginia Department of Fire Programs



Application for the USE OF PYROTECHNICS INSIDE State-owned buildings and OUTDOORS on State-owned Property Before a Proximate Audience

INSTRUCTIONS

1126

All information must be printed in ink or typewritten.

Submit two (2) copies of this application and all its attachments to the SFMO. The SFMO must be in receipt of this application not less than 15 days prior to the event to avoid an increase in the required fee. A post mark or its equivalent is not the determining factor for having submitted an application in a timely manner. See the fee increase schedule in Statewide Fire Prevention Code Section 107.13 for information on applications received less than 15 days prior to the planned event.

Line 1. Provide name of person or company applying for a permit.

Line 2. List telephone number where applicant may be reached.

Line 3 & 3b. Use mailing address the applicant can expect the quickest service. If available, provide email address and/or fax number.

Line 4. What is the physical address (location) of the permit applicant if it's different from the mailing address given?

Line 5. List city, state and zip code for the complete mailing address.

Line 6. Provide the firework vendor's Federal Identification Number as provided by the IRS.

Line 7. A "designated individual" is defined as "a person in possession of a *Background Clearance Card* (BCC) issued by the SFMO, or is certified by the SFMO as a *Pyrotechnician*, ... (either of) whom are responsible for (i) ensuring compliance with state law and regulations relating to blasting agents and explosives, (ii) applying for explosives or firework permits, (iii) is at least 21 years of age, and (iv) shall demonstrate the capability to effectively communicate safety messages verbally and in writing in the English language."

The "Designated individual" is to print their name and card number in the spaces provided. In accordance with SFPC Section 3301.2.3.1, the SFMO shall deny the application for permit if the application does not contain a designated individual's name and signature as representing the applicant. Space is provided on Line 14 for the designated individual's signature. Attach a photo-copy of the designated individual's card to the application. (The Pyrotechnician named on Line 12.1 may also be the designated individual and/or applicant which results in repeated listings.)

Line 8. The use of pyrotechnics before a "proximate audience" is governed by provisions contained in the Virginia Statewide Fire Prevention Code (SFPC) and its incorporated NFPA 1126-06 standard. **This application is for a permit to use NFPA 1126 – type devices**, sometimes referred to as "**close proximity fireworks**", in circumstances listed on lines 8.1 through 8.5.

(If the applicant desires to use pyrotechnics or materials in circumstances not listed, the applicant should immediately consult with the State Fire Marshal's Office for further guidance, direction or information.)

Line 9. The SFPC requires a "*plan for the use of pyrotechnics*". The specifics of the plan are paraphrased and spread throughout the application.

Line 9.1. The plan is to include the name of the sponsoring group, person or organization.

Line 9.2. The exact location of the production or firing is to be listed. Include as much information as may be available such as street address, City, County or Town, facility name, building name or number if assigned one, etc.

READ AND COMPLY WITH APPLICATION INSTRUCTIONS!

Line 9.2.1. Provide the name of the venue manager who has overall responsibility for the operation and management of the facility or site where the pyrotechnics are to be used.

Line 9.3. Indicate whether the use of pyrotechnics will occur inside of a state-owned building, or outside on state-owned property to determine the appropriate permit fee. If Line 10.1 also is checked, the permit fee will increase \$150.00 per day for each succeeding and sequential day that pyrotechnics will be used. An example of the required permit fee for an identical display occurring over the course of 3 sequential dates (i.e.: August 1st, 2nd and 3rd), the initial permit fee is \$300.00 plus \$150.00 each succeeding day for a total permit fee of \$600.00.

(A separate application is required for 1123 fireworks. A permit fee reduction is not available for 1123 pyrotechnics used in concert with 1126 pyrotechnics.)

Line 10. Provide the date and time-frames the use of pyrotechnics will occur.

Line 10.1. The box is to be checked if the use of pyrotechnic devices will occur on multiple, consecutive dates. If multiple dates are planned for identical setups, list the additional dates and times on a separate sheet. Label or indicate at the top of the sheet that it's an attachment for line #10.1.

Checking the box for Line 10.1 is intended to apply *only* to those multi-day displays that are identical in location, types and numbers of devices. If the firing dates are not consecutive, if the number and/or types of devices are not identical to the day before, or if identical device setups will occur at different locations or dates, new and separate permits are required.

Line 11 The SFPC provides an opportunity for the operator to prove to the fire official, sponsor and venue manager that the pyrotechnic devices will operate as planned and within the safety parameters required by the SFPC. Designate a date and time at which a walk-through can begin and a representative demonstration will be available.

Line 12. The "plan" as mentioned on line 9 also requires specific informational items.

Line 12.1. Provide the name and number of the Virginia Certified Pyrotechnic operator who will be in responsible charge of the setting up and firing of the pyrotechnic devices.

Lines 12.2. List the names and ages of all assistants that will be present. All assistants must be at least 18 years of age. If additional space is needed for line 12.4, attach an additional sheet (not to exceed the standard 8½ by 11 inch dimension) to the application and label or indicate at the top of the attached sheet that it's an additional sheet for line # 12.2.

Line 12.3. The plan requires a listing of *"the number and types of pyrotechnic devices and materials to be used."* If additional space is needed for line 12.5, attach an additional sheet (not to exceed the standard 8½ by 11 inch dimension) to the application and label or indicate at the top of the attached sheet that it's an additional sheet for line # 12.5.

Line 13. The "plan" mentioned on line 9 requires specific documents be provided. Placing a check in the boxes provided is a means for the applicant to determine or track for themselves they have obtained or possess the required information, and have attached it to the application.

Line 13.1. A site plan is to be provided of the premises upon which the pyrotechnics will be fired. If the firing will be inside a building, a floor plan or diagram of the space is to be provided. In either case, the position at which the devices will be positioned for firing is to be noted, the fallout radius is to be indicated, and the lines behind which an audience will be restrained.

Line 13.2. A material safety data sheet (MSDS) is to be provided for each type of device used including the name and address of the manufacturer of the devices and any cautionary statements.

Line 13.3. A statement or certification is to be provided stating that sets, scenery, and rigging materials are inherently flame-retardant or have been treated to achieve a similar flame resistance. If such items will not be exposed or involved, check the box provided.

Line 13.4. Proof of insurance or surety bond is required in an amount that is agreeable to the sponsor (Line 9.1), the venue manager (Line 9.2.1) and permit applicant but shall not be less than \$500,000.00. The proof of insurance or bond is to be submitted as an attachment to the application.

Line 14. Attestation that is largely self-explanatory.

Lines 15. Signature line.

The lack of the correct permit fee or an incomplete application is cause for the application to be returned to the applicant without further processing.



READ AND COMPLY WITH APPLICATION INSTRUCTIONS!

VIRGINIA STATE FIRE MARSHAL'S OFFICE
APPLICATION FOR THE USE OF PYROTECHNICS INSIDE STATE-OWNED BUILDINGS AND OUTDOORS ON STATE-OWNED PROPERTY BEFORE A PROXIMATE AUDIENCE

1. Name/Company: 2. Company Phone #: 3. Mailing address: 3b. Email address: FAX #: 4. Physical address if different from Line 3: 5. City/State/Zip: 6. F.I.D. (Federal Identification Number):

7. "Designated individual": (Print name, Last, First, MI) See instructions for more information on "Designated individual". Card number: (Photo copy of card is to be attached to this application.)

8. Of the following, check all that may apply and for which application is being made:

- 8.1. [] For the use of pyrotechnics in theatrical, musical or similar productions before a proximate audience, performers, or support personnel.
8.2. [] The use of pyrotechnics while videotaping, audio taping, or filming of any television, radio, or movie production where such production takes place before a proximate audience.
8.3. [] The rehearsal of any production in which pyrotechnics are used.
8.4. [] The indoor use of pyrotechnics.

- 8.5. [] The outdoor use of pyrotechnics at distances less than those required by NFPA 1123, Code for Fireworks Display, as referenced by Section 3308.2.2 of the Virginia Statewide Fire Prevention Code.

Note: This application and any permit issued as a result do not confer approval to use flammable liquids and/or flammable gases in any performance or display. A separate application and permit is required for the use of flame effects before a proximate audience.

9. Sponsorship.

9.1. The use of pyrotechnic materials and/or devices will be sponsored by:

9.2. The use of pyrotechnics will occur at (Provide location by listing address, name of complex or facility, name or building number, etc. Include name of City, County or Town):

9.2.1. Name of venue manager: _____

9.3. The use of pyrotechnic materials and/or devices at the location listed above will occur (check one):

9.3.1. [] Inside a state-owned building (\$350.00 permit fee for 1st day plus \$150/day for any succeeding days.)

9.3.2. [] Outside on state-owned property (\$250.00 permit fee for 1st day plus \$150/day for any succeeding days.)

10. The use of pyrotechnic materials and/or devices will occur on:

(Date): ____ / ____ / 20 ____ beginning at (time) ____:____ am/pm and end at (time) ____:____ am/pm.

READ AND COMPLY WITH APPLICATION INSTRUCTIONS!

10.1. [] Check this box if the firing of identical pyrotechnic materials or device setups will occur on multiple consecutive days (sequential dates). List all the dates and times on a separate page and attach it to this application. **(For important permit fee information, see application instructions for Line 9.3.)**

11. A walk-through and representative demonstration of the pyrotechnics should be conducted and would be available to commence on (date) ____ / ____ / 20__ at (time) ____ : ____ AM / PM prior to the first rehearsal, production and/or performance at which the pyrotechnics will be used. The demonstration will be completed and followed with sufficient time afterward to reset/reload the pyrotechnics before the arrival of any audience. **IMPORTANT:** If Line 10.1 is checked for multi-day setups that are identical in location, types and number of devices, the demonstration need be conducted only once. ► If the demonstration is not ready or is not performed in a timely manner, the applicant and venue manager risk a delay or denial for the use of pyrotechnics because sufficient time was not provided prior to audience arrival and would not be a qualifying reason for a refund of the permit fee.

12. Operators, Assistants and Pyrotechnic Specifications.

12.1. Name of the Virginia Certified Pyrotechnic operator (person actually in charge of firing the pyrotechnics):

Name (Print – last, First, MI)	Certification #

12.2. Name and ages of all assistants who will be present (attach additional pages as needed):

Name (Print – Last, First, MI) <small>(See application instructions.)</small>	Age

12.3. List the number and types of pyrotechnic devices or materials to be used (attach additional pages as needed):

#	Name of device or material <small>(See application instructions.)</small>

13. Additional Attachments.

The following items are to be provided as attachments to this application.

13.1. [] A diagram of the grounds or facilities where the production is to be held. (See application instructions.) The diagram is to show:

- 13.1.1. [] the point at which the pyrotechnic devices are to be positioned and fired,
- 13.1.2. [] the fallout radius for each pyrotechnic device used in the performance,
- 13.1.3. [] the lines behind which the audience will be restrained, and
- 13.1.4. [] The point of on-site assembly of pyrotechnic devices.

13.2. [] A material safety data sheet (MSDS) for the pyrotechnic material(s) to be used including:

- 13.2.1. [] the name, address and phone number of the manufacturer, and
- 13.2.2. [] whether it is to be used with any special considerations or cautions.

(See NFPA 1126-06, Section 7.1, [4] and [5].)

READ AND COMPLY WITH APPLICATION INSTRUCTIONS!

- 13.4. Certification that the set, scenery, and rigging materials are inherently flame-retardant or have been treated to achieve flame retardancy. Check this box if this item is not applicable to the circumstance.
- 13.5. Proof of a corporate surety bond or a public liability insurance policy in an amount acceptable to the sponsor noted on Line 9.1 and/or venue manager listed on Line 9.2.1 but not less than \$500,000.00.

Special Instructions

Submit two (2) copies of this application complete with all attachments to the SFMO. (Photocopy of complete application package is acceptable.) The SFMO must be in receipt of this application at the address listed below not less than 15 days prior to the event to avoid a higher required fee. A post mark or its equivalent is not the determining factor for having submitted an application in a timely manner. See the fee increase schedule in Section 107.13 of the Statewide Fire Prevention Code for information on applications received less than 15 days prior to the event.

If an application is received with incomplete information or incorrect fee, the application may be returned without further processing resulting in the potential of a higher fee based upon SFMO receipt of a complete application and the fee schedule as found in SFPC Section 107.13.

After initial review and conditional approval, a SFMO representative will meet and/or finalize the permit at the location and date indicated on Line 10.

14. By my signature below, I attest the information provided is complete and accurate. I acknowledge and agree to comply with all applicable requirements of the Virginia Statewide Fire Prevention Code (SFPC) and the referenced NFPA 1126-06 standard governing the use, storage and firing of pyrotechnics, even those not specifically covered or expressed on this application.

I also acknowledge that if a permit is issued it shall be valid only at the location listed on the application and for the specific date(s) and time(s) for which it is issued.

If approved to proceed, I acknowledge that **a copy of this application and all its attachments will be available on-site during the date and time(s) noted on Line 10** and constitute approval to proceed with the activity applied for. I further acknowledge and understand that any SFPC violations identified after approval to proceed may result in denial of final permit issuance or immediate suspension or revocation of a permit.

In the form of a check or money order made payable to the **TREASURER OF VIRGINIA**, this application and attachments are submitted with the required permit fee as noted on Line 9.3 and the application instructions for Line 9.3.

15. Signature of "designated individual" (person listed on line 7):	Date:
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Two copies of the application and attachments are to be delivered to:

State Fire Marshal's Office
 Virginia Department of Fire Programs
 1005 Technology Park Drive
 Glen Allen, Virginia 23059-4500

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PERMIT

To be completed by SFMO personnel only:

Preliminary application review performed by (print name): _____

Conditional approval to proceed: Yes No, with the reason being: _____

Preliminary review date: _____

Final action on application is for: Approved Not Approved

Final reviewer's comments, additional conditions, or reasons for non-approval:

Signature of Final SFMO reviewer: _____ Date: _____