



PYROTECHNICS BEFORE A PROXIMATE AUDIENCE ****PERMIT REQUIRED****

SCOPE

This publication outlines the requirements and limitations for the use of pyrotechnics before a proximate audience (indoor/outdoor), within the City of Winchester. A permit is required before discharging any fireworks within the City of Winchester.

DEFINITIONS

Fallout Area- The designated area in which hazardous debris is intended to fall after a pyrotechnic device is fired.

Proximate Audience- An audience closer to pyrotechnic devices than permitted by NFPA 1123, *Code for fireworks display*.

Pyrotechnic Device – Any device containing pyrotechnic materials and capable of producing a special effect as defined in NFPA 1126, *Use of Pyrotechnics before a Proximate Audience*.

Pyrotechnics – Controlled exothermic chemical reaction that are timed to create the effects of heat, gas, sound, dispersion of aerosols, emission of visible electromagnetic radiation, or a combination of these effects to provide maximum effect from the least volume.

Special Effect – A visual or audible effect used for entertainment purposes, often produced to create an illusion.

Requirements

Permit holder agrees to abide by the Virginia Statewide Fire Prevention Code and any special stipulations noted on the permit, as well as the following;

1. Before the performance of any production, the permittee shall submit a plan for the use of pyrotechnics to the Fire Marshal's Office.
2. All applications for proximate audience displays shall include plans indicating the required clearances for spectators and combustibles, crowd control measures, smoke control measures and requirements for standby personnel and equipment when required by fire code official.
3. Transport vehicle information shall be included.
4. The Fire Marshal's office shall be furnished with a certificate of insurance, with a face value of a minimum of one million dollars, showing the City of Winchester and all properties located within the fallout area as "additional insured", and the Fire Marshal, 21 S Kent Street, Winchester, VA, as the

certificate holder. **This is to be provided a minimum of 15 days prior to the event for validation.** The insurance shall cover pyrotechnic operations and the insurance company shall be licensed to do business in the State of Virginia.

5. Submit name, contact information and qualifications of the person responsible for the pyrotechnic activity. A signature of this person agreeing to comply with all regulations is required.
6. **All proximate audience displays shall comply with NFPA standards 1123 and 1126.**
7. Persons in charge of pyrotechnics special effects operations shall be 21 years old, shall demonstrate knowledge of all safety precautions related to the handling, storage or use of pyrotechnic special effects materials or devices. All assistants shall be 18 years of age.
8. The controller key shall be kept in the possession of the technician, except when actually firing. A room for storage of all pyrotechnic devices and products shall be provided by the venue with a key to secure the assigned area.
9. All devices shall be pre-loaded prior to the show. Recharges may be installed during planned intermissions.
10. Use only products that are in labeled containers and never exceed the manufacture's maximum recommended load.
11. Any misfires shall be handled in accordance with the manufacturer's instructions.
12. Each pyrotechnic device fired during a performance shall be separated from the audience by at least 15 feet but not by less than twice the fallout radius of the device.

PYROTECHNICS PLAN

The Plan shall include the following:

1. Name of the person, group, or organization sponsoring the production
2. Date and time of day of the production
3. Exact location of the production
4. Name of the person actually in charge of firing the pyrotechnics (i.e., the pyrotechnic operator)
5. Number, names, and ages of all assistants who are to be present
6. Qualifications of the pyrotechnic operator
7. Pyrotechnic experience of the operator
8. Confirmation of any applicable state and federal licenses held by the operator or assistant(s)
9. Evidence of the permittee's insurance carrier or financial responsibility
10. Number and types of pyrotechnic devices and materials to be used, the operator's experience with those devices and effects, and a definition of the general responsibilities of assistants
11. Diagram of the grounds or facilities where the production is to be held that shows the point at which the pyrotechnic devices are to be fired, the fallout radius for each pyrotechnic device used in the performance, and the lines behind which the audience is to be restrained

12. Point of on-site assembly of pyrotechnic devices
13. Manner and place of storage of the pyrotechnic materials and devices
14. Material safety data sheet (MSDS) for the pyrotechnic material(s) to be used
15. Certification that the set, scenery, and rigging materials are inherently flame-retardant or have been treated to achieve flame-retardancy
16. Certification that all materials worn by performers in the fallout area during use of pyrotechnic effects shall be inherently flame-retardant or have been treated to achieve flame-retardancy
17. In the case of a hybrid flame effect, identification of those portions of the flame effect that require compliance with NFPA 160 and those portions that require compliance with NFPA 1126

PYROTECHNICS DEMONSTRATION

1. Where required, a walk-through and a representative demonstration of the pyrotechnics shall be provided to the Fire Marshal before a permit is approved.
2. Where the use of certain indoor pyrotechnics requires smoke detectors to be bypassed or air-handling systems to be disengaged, the fire department shall be notified and a fire department representative shall be present for the demonstration.
3. The individual responsible for the life safety systems of the building shall return those systems to normal operating conditions as soon as the likelihood of false alarms from the pyrotechnics has passed.

LIMITATIONS & PROHIBITIONS

- **Use of Fireworks**

Unless expressly approved by the City Fire Marshal in the form of a Fire Prevention Code Permit (FPCP), the exploding, igniting, and use of fireworks is strictly prohibited in the City of Winchester. However, the supervised use of permissible fireworks on private property with the consent of the owner of such property is allowed, and a permit is not required. Fireworks obtained or purchased in other localities that are not permissible fireworks approved by the City Fire Marshal shall be prohibited.

- **Sale of Fireworks**

Unless expressly approved by the City Fire Marshal in the form of a Fire Prevention Code Permit (FPCP), offering for sale, exposing for sale, retailing, and wholesaling fireworks is prohibited in the City of Winchester.

- **Storage of Fireworks**

Unless expressly approved by the City Fire Marshal in the form of a Fire Prevention Code Permit (FPCP), the storage and possession of fireworks is strictly prohibited in the City of Winchester. However, the safe storage of permissible fireworks on private property with the consent of the owner of such property is allowed, and a permit is not required.

- **Manufacturing of Fireworks**

The manufacturing of fireworks is prohibited in the City of Winchester. In addition, the use of pyrotechnic material obtained through the dismantling of fireworks for the purpose of building, assembling, or fabricating another fireworks device, incendiary device, or explosive device, is strictly prohibited. Permissible fireworks devices shall not be altered or modified.

- **Transportation of Fireworks**

The transportation of fireworks, when permitted, shall be in accordance with applicable federal and state regulations.

- **Disposal of Illegal or Unwanted Consumer Fireworks**

If you would like to dispose of any illegal or unwanted consumer fireworks in your possession without penalty, please contact the City Fire Marshal at 540-662-2298.

REPORTING FIREWORKS ACCIDENTS

- Accidents involving the use of fireworks which result in personal injury or property damage shall be immediately reported to the City Fire Marshal through the Emergency Communications Center (ECC)
- **Emergency** situations should be reported by calling **9-1-1**
- **Non-emergency** situations can be reported by calling **540-662-4131**



WINCHESTER FIRE & RESCUE DEPARTMENT
OFFICE OF THE FIRE MARSHAL
 21 S Kent Street, Suite 301
 Winchester, VA 22601
 (540) 662-2298



Permit Application – Indoor Pyrotechnic and Special Effects Display

Fireworks Company Name		Application Date		
Address		Date of Show		
Applicant Full Name				
Driver's License Number and Issuing State				
Company Emergency Phone #	Pyro technicians mobile phone #	F.I.D. (Federal Identification Number)		
Sponsor Organization		Contact:		
Address		Phone		
Emergency #				
Venue Name/Location		Contact:		
Address		Phone		
Event Description				
The applicant hereby accepts full responsibility for the adherence to all requirements of the Virginia Statewide Fire Prevention Code and the City of Winchester Code pertaining to this application.				
Permit		Description		
<input type="checkbox"/> Indoor Pyrotechnic Display				
<input type="checkbox"/>	I have received and read the permit guidelines.			
<input type="checkbox"/>	I understand that this permit must remain in a conspicuous location on the premises and is not transferable.			
<input type="checkbox"/>	I understand a site inspection must be conducted by the Fire Marshal's Office prior to the validation of the permit.			
<input type="checkbox"/>	Permit Fee: \$250	Type of payment:	Check Number:	
Signature		Date		
Mail Completed Application and Payment To: Winchester Fire and Rescue Department • Fire Marshal's Office • 21 S Kent Street, Suite 301 • Winchester, VA 22601				
For Fire Department Use Only				
Application Received				
Application Reviewed				
Payment Received				
Inspection Completed				
Permit #				
		Approval: Yes <input type="checkbox"/>	No <input type="checkbox"/>	Conditionally approved <input type="checkbox"/>