



AUBURN UNIVERSITY

DEPARTMENT OF RISK
MANAGEMENT AND SAFETY

Guidelines for Fireworks/Pyrotechnics Approval Process

I. PURPOSE

The purpose of this guideline is to ensure the safety and welfare of all faculty, staff, students, and visitors and to ensure university property is not compromised during the display of fireworks/pyrotechnics at University sponsored events.

II. OBJECTIVE

The objective of this guideline is to ensure all of the following are addressed prior to the event:

- Compliance with all applicable fire and life safety codes.
- All necessary permits have been obtained, reviewed and approved.
- Bonds and insurance requirements have been met.
- All necessary parties are included in the review and approval of firework/pyrotechnic displays.

III. DEFINITIONS

- **Approved:** Acceptable to the authority having jurisdiction.
- **Authority Having Jurisdiction:** An organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, an installation, or a procedure.
- **Aerial Shell:** A cartridge containing pyrotechnic composition, a burst charge, and an internal time fuse or module that is propelled into the air from a mortar and that is intended to burst at or near apogee.
- **Airburst:** A pyrotechnic device that is suspended in the air to simulate outdoor aerial fireworks shells without producing hazardous debris.
- **Assistant:** A person who works under the supervision of the pyrotechnic operator.



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- **Audience:** Spectators whose primary purpose is to view a performance.
- **Fallout Area:** The designated area in which hazardous debris is intended to fall after a pyrotechnic device is fired.
- **Fallout Radius:** A line that defines the fallout area of a pyrotechnic device.
- **Fireworks:** Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, or detonation that meets the definition of consumer fireworks or display fireworks.
- **Hazardous Debris:** Any debris, produced or expelled by the functioning of a pyrotechnic device, that is capable of causing personal injury or unpredicted property damage.
- **Producer:** An individual who has overall responsibility for the operation and management of the performance where the pyrotechnics are to be used.
- **Pyrotechnics:** Controlled exothermic chemical reactions 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 the maximum effect from the least volume.
- **Pyrotechnics Operator:** The person who has overall responsibility for the operation and safety of a pyrotechnic display.
- **Pyrotechnic Material (Pyrotechnic Special Effects Material):** A chemical mixture used in the entertainment industry to produce visible or audible effects by combustion, deflagration, or detonation.
- **Rehearsal:** A practice performance during which no audience is present.
- **Venue Manager:** An individual who has overall responsibility for the operation and management of the facility where pyrotechnics are to be used in a performance. The venue manager or event promoters shall be a representative of the requesting AU College, School, or Department.



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IV. SCOPE

This guideline is applicable to all faculty, staff and students, venue managers, and firework/pyrotechnics operators.

V. RESPONSIBILITIES

- The University Venue Manager is responsible for notifying the University Fire Safety Program in writing 30 days in advance for a request to display firework/pyrotechnics.
- All required permits and insurance documents will be submitted to the University Fire Safety Program for review and forwarding to Risk Management and Insurance to ensure compliance with all University insurance requirements.
- The University Fire Safety Program will forward the State Pyrotechnics Permit to the City of Auburn Fire Chief for approval signature.
- The City Fire Chief will act as the “Authority Having Jurisdiction (AHJ)” on all University property and reserves the right to cancel or suspend any and all fireworks/pyrotechnic displays if it is determined that the safety and welfare of the public or University property are at risk. The Alabama State Fire Marshal recognizes the local Fire Chief as their representative and the local AHJ for fire suppression activities.
- The venue site will be evaluated by the University Fire Safety Program Manager and the City of Auburn Fire Chief to ensure all applicable codes and standards will be complied with prior to event approval.
- The City of Auburn Fire Chief will determine if the City’s Fire Division will be present at firework/pyrotechnic displays.

VI. GUIDELINES

- Fireworks are prohibited on University property. However, during special events, fireworks displays are permitted when the location and use have been approved by Risk Management and Safety and the City of Auburn Fire Chief. All permits and insurance requirements must be approved prior to the event.



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- No fireworks/pyrotechnic displays will be permitted inside University facilities unless the location and use have been approved by Risk Management and Safety and the City of Auburn Fire Chief.
- A memo or letter requesting approval for the Firework/Pyrotechnic display must be submitted in writing to Auburn University's Risk Management and Safety's Fire Safety Program 30 days prior to the event. The request must include the following information: Name of event sponsor, event, display date, and approximate starting time, distance from launching site within which people will not be allowed (feet), description of fireworks to be used, description of launching site and it must provide the name of the pyrotechnics company, operator, operator address and phone number, plus the date of submittal to the University Fire Safety Program.
- The pyrotechnic operator will be required to comply with all applicable National Fire Protection Association (NFPA) Codes and Standards (NFPA 1123, *Code for Firework Display*, and NFPA 1126, *Standard for the Use of Pyrotechnics before a Proximate Audience*).
- Only properly licensed and insured pyrotechnic operators will be allowed to display fireworks/pyrotechnics on Auburn University property or at University sponsored events.
- If the request is approved by the University Fire Safety Program, the pyrotechnic operator will be instructed to acquire a State Pyrotechnic Permit Application from the Alabama Fire Marshal's Office. State Permit applications, as well as other information regarding State requirements, may be found at: <https://aldoi.gov/FireworksPermitApp/SignIn.aspx>.
- The pyrotechnic operator must submit the State Pyrotechnic Permit Application, proof of insurance, a valid license issued by the Alabama Fire Marshal's Office to the University Fire Safety Program. They must also submit the name and State license number of the pyrotechnic operator who will be in charge of the firework/pyrotechnics display.
- Prior to any pyrotechnic display, the pyrotechnics operator will submit to Auburn University written documentation indicating they are in full compliance with all University insurance requirements as stated below:

INSURANCE REQUIREMENTS



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The contractor shall, at its own expense, procure and maintain, without interruption during the entire term of this contract, insurance of the kinds and limits listed hereunder. Certificate(s) of insurance issued by the contractor's insurance carrier shall be furnished to Auburn University before beginning work and **shall name Auburn University, its Board of Trustees, Faculty, Staff, and Agents as Additional Insureds*** on the General Liability, Employers' Liability, and Automobile Liability policies. The insurance coverages required under this contract are minimum limits required and are not intended to limit the responsibility or liability of the Contractor. If any subcontractor is used to fulfill this contract, they or the Contractor on their behalf, shall carry the same coverages and limits of insurance outlined herein. It shall be the Contractor's responsibility to ensure compliance of this requirement.

Workers' Compensation and Employers' Liability Insurance

- a) Workers' Compensation insurance shall be written in accordance with statutory coverage. A self-insurer must provide a certificate issued by the Department of Industrial Relations stating the contractor is qualified to pay its worker's compensation claims.
- b) Employer's Liability Insurance shall be written with minimum limits of:
 1. Bodily Injury by Accident - \$1,000,000 each accident
 2. Bodily Injury by Disease - \$1,000,000 each employee

Commercial General Liability Insurance

Commercial General Liability Insurance shall be written on an occurrence form and shall provide at minimum the following limits:

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|---|-------------|
| Each Occurrence | \$1,000,000 |
| General Aggregate | \$1,000,000 |
| Products-Completed Operations Aggregate | \$1,000,000 |
| Contractual Liability | \$1,000,000 |
| Personal & Advertising Injury | \$1,000,000 |
| Damage to Rented Premises | \$ 300,000 |

In Addition the:

Policy must cover all activities to be performed by the contractor.

Commercial Automobile Liability Insurance



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Commercial Automobile Liability Insurance shall be written to include coverage for bodily injury and property damage arising from ownership, maintenance or use of any and all owned, non-owned and/or hired automobile.

Minimum limit \$1,000,000 Combined Single Limit.

Commercial Umbrella/Excess Liability Insurance

If a Commercial Umbrella/Excess Liability Insurance is used to provide excess coverage above the Commercial General Liability and Commercial Business Automobile Liability to satisfy the minimum limits set forth herein, the policy must be on an "occurrence" basis and must be a "Follow Form".

All insurance coverage shall be issued by an insurer licensed by the Insurance Commissioner to conduct business in the State of Alabama and have a minimum current A.M. Best rating of A.

Each policy shall be endorsed to provide that the policy not be canceled, non-renewed, changed or allowed to lapse for any reason without thirty (30) days of written notice to Auburn University. Insurance policies meeting the requirements stated above shall be maintained for the duration of the project. Renewal certificates shall be sent to Auburn University thirty (30) days prior to any expiration date of coverage.

Auburn University shall be entitled, upon request and without expense, to receive copies of policies and endorsements thereto and may make any reasonable requests for deletion or revision or modification or particular policy terms, conditions, limitations or exclusions except where policy provisions are established by law or regulations binding upon either of the parties or to underwriting on such policies.

NOTICE OF INCIDENT

Contractor shall inform (specify the position; for example VP for Auxiliary) for Auburn University of all incidents and/or accidents that occur on AU premises or that might otherwise give rise to a claim against AU and shall be responsible for providing appropriate written notification. Such notification shall be provided as soon as reasonably possible but will not exceed twenty four (24) hours after contractor is aware of the incident/accident.

Due to the nature of some activities, Auburn University reserves the right to require additional limits of liability coverage.



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The Fire Safety Program will coordinate with Risk Management and Insurance to ensure all University insurance requirements are met prior to any pyrotechnic display proceeding on campus.

- Once the request has been approved the following agencies will be notified: the Fire and Police Chiefs for the City of Auburn, Auburn University Risk Management and Safety, University Venue Manager, Pyrotechnic Operator, and University Department of Public Safety and Security. The City of Auburn Fire Chief and University Fire Safety Program Manager will review the site, fallout zones and review all site safety requirements to ensure for the safety and welfare of all students, faculty, staff and visitors and to ensure University property will not be compromised. Notification of the date and time shall be sent to City of Auburn Public Safety Communications Division (911).
- After all insurance, state permit requirements and applicable NFPA Codes and Standards have been complied with; the City Fire Chief will sign and approve the State issued Firework/Pyrotechnic Permit. If any of the above requirements have not been submitted to the University Fire Safety Program prior to the event, the permit will be denied.
- Once the State Pyrotechnic Permit application is received and approved by the AHJ it will be forwarded to the University Fire Safety Program who may contact and arrange a meeting at the display site.
- The City of Auburn, Department of Public Safety's Fire Division may be present at the time of all firework/pyrotechnic displays.
- For additional information regarding holding a Firework/Pyrotechnic display on University property or obtaining an Alabama Pyrotechnic Permit, please contact the Auburn University Risk Management and Safety's Fire Safety Program at 334.844.4870 or visit the following websites:

AU Risk Management and Safety - Fire Safety Program
<https://cws.auburn.edu/rms/fireSafety.aspx>

Alabama Department of Insurance - Fire Marshall's Office
<http://www.firemarshal.alabama.gov/>