

ITEM #: 37
DATE: 06-22-23
DEPT: Admin

COUNCIL ACTION FORM

SUBJECT: FIREWORKS PERMIT FOR DOWNTOWN AMES RAGBRAI EVENTS

BACKGROUND:

As a part of the planned activities for RAGBRAI on July 25, a variety of entertainers are expected to perform downtown. It is anticipated that between 6,000 and 8,000 attendees will be present for the main musical performer, which is the band Hairball. Hairball's act utilizes ground-effects fireworks during the band's performance show.

The approvals for the downtown beer garden, street closures, and other details are expected to be presented to City Council at a future meeting. However, Council is being asked to consider approval of the Hairball fireworks at this time.

Staff from Police, Fire, and the City Manager's Office have reviewed the plans for the fireworks display. The application and plans appear to be in order. The display will be operated by a qualified and experienced fireworks operator.

Section 17.6(6) of Municipal Code requires that a person obtaining a Fireworks permit from the City must maintain liability insurance with Comprehensive General Liability limits in the amount of \$1,000,000 combined single limit and Excess Liability limits in the amount of \$5,000,000.

Hairball has requested an exception to the \$5,000,000 excess liability requirement, and instead is proposing coverage in the amount of \$2,000,000. Hairball has indicated that the \$2,000,000 limit is the level of coverage it has been subject to in other communities. The difference in liability coverage amounts also has an impact on the price of obtaining the coverage. **Staff has been told the higher liability limit will cost an additional \$1,200.**

City staff cannot recall a previous instance where lower liability coverage limits for a fireworks display were requested or approved. Although the type of fireworks display being undertaken by the Hairball pyrotechnics team has less risk than an aerial display and will meet or exceed all required safety requirements, staff notes that this display will occur in a crowded downtown street.

ALTERNATIVES:

1. Approve the fireworks permit for Downtown Ames RAGBRAI Festival, but require the insurance limits as indicated in Municipal Code.
2. Approve the fireworks permit for Downtown Ames RAGBRAI Festival and waive Section 17.6(6) of Municipal Code to allow for a \$2,000,000 excess liability insurance coverage instead of \$5,000,000 of coverage. All other insurance coverage requirements of this section of Municipal Code would continue to apply.
3. Do not approve the fireworks permit.

CITY MANAGER'S RECOMMENDED ACTION:

The fireworks display is a key component of Hairball's performance. Staff has reviewed the application for a fireworks permit and believes the display operator will be able to host a successful display in the Downtown area during RAGBRAI. However, even the most well-planned displays can be subject to malfunction or other issues, which is the purpose of the insurance limits adopted in Municipal Code. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.



PERMIT TO DISPLAY FIREWORKS APPLICATION

Name of Event Downtown Ames RAGBRAI Festival

Date & Time of Event 7/25/2023 **Rain Date & Time** N/A

Applicant Name Crystal D. Davis **Phone** 515.233.3472

Email crystal@ameschamber.com

Organization Name Ames Main Street

Address 304 Main Street

City Ames **State** IA **Zip Code** 50201

Contact for Day of Display Crystal Davis **Phone** 515.520.0791

Exact location of shoot/display Main St, main stage (by 205/206 Main St)

Attach diagram of display location

Size of shells and/or type of display See attached Hairball Pyro Packet

Attach effects list or schedule

Name of Display Operator/Responsible Shooter Bryant Beckermann
(This person is to be present on the day of the event.)

Attach a resume showing pyrotechnic certification/qualifications

Phone number for Display Operator/Responsible Shooter 612-357-0071

Name of Insurance Company PPIB

See below for detailed information about insurance requirements.

Display sites are subject to examination by the City Fire Inspector or his/her designee. The Ames Fire Department has authority to cancel/postpone any display if it is determined that there are safety concerns.

Applicant Signature Crystal D. Davis Digitally signed by Crystal D. Davis
Date: 2023.06.16 12:48:36 -05'00' **Date** 6/16/2023

Display Operator Signature  **Date** 6/16/23

- City of Ames Insurance Requirements:
- Comprehensive General Liability limits in the amount of \$1,000,000 combined single limit and Excess Liability limits in the amount of \$5,000,000. Coverage shall be at least as broad as the ISO Form Number CG0001 covering commercial general liability written on an occurrence basis only.
 - Applicant and/or Sponsor must be named as certificate holder(s).
 - The City of Ames, its officers and employees must be named as additional insured.
 - A copy of the current insurance certificate must be filed with the City Clerk.

NOTE: This application not to be used for displays originating on Iowa State University property.

Submit your completed permit application to: grace.bandstra@cityofames.org
City of Ames
City Clerk's Office
PO Box 811
Ames, IA 50010

For displays on property owned by Iowa State University, an alternate application must be submitted to ISU Risk Management at least six (6) weeks prior to the event. Please refer to forms and information found at: <http://www.riskmanagement.iastate.edu/events/fireworks> or contact the ISU Office of Risk Management at 515-294-7744

For Office Use Only

Documents Received

Date: _____

Completed Application

Sketch

ISU Property

Fee

Fee \$25.00

Date Fee Paid _____

Insurance

Received _____

Approved _____

Follow Up

Application approved

Fire Inspector approved

Permits database updated

Permit Letter prepared

Letter copied and mailed

City Council Meeting

Added to Agenda _____

City Council Approved _____

Permit Number _____

Special Conditions:

Application Denial Reasons:

Ames City Council,

Hairball is asking for an exception to the \$5,000,000 policy requirement.

Hairball uses 1.4G Fireworks, which is the classification given to the smaller fireworks you can usually find at your local fireworks store, intended for use by the general public. We do not use aerial fireworks (1.3G), which we feel is what a \$5,000,000 policy is generally requested for.

Hairball performs roughly 90 shows a year that use pyrotechnics and our operator, Bryant Beckermann, has not had an accident in the 5 years he has been working with Hairball. Considering the track record and the reduced risk associated with using 1.4G fireworks, we kindly request a review of our provided insurance with a \$2,000,000 limit to reflect this improved safety profile. Given the lower likelihood of accidents or property damage, we believe it would be fair to accept our current policy for this application.

Thank you!

A handwritten signature in black ink, appearing to read 'Danielle Findling', with a stylized flourish extending to the right.

Danielle Findling
Office Manager

