



## CITY COUNCIL AGENDA ITEM

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Date: September 19, 2016

To: Brian Kischnik, City Manager

From: David Roberts, Fire Chief  
R.C. "Chuck" Riesterer, Assistant Fire Chief/Fire Marshal

Subject: Fireworks Permit – Macy's Annual Holiday Celebration

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Zambelli Fireworks Mfg. Co. of New Castle, Pennsylvania, has submitted a permit application for a public fireworks display to celebrate the beginning of Macy's holiday shopping season. Macy's and Zambelli are requesting the Troy City Council grant a permit for a public fireworks display to occur on Friday, November 4, 2016, at 7:00 PM. Macy's northwest parking lot will accommodate the necessary distances required for the display.

### Legal Considerations

Michigan law requires that before anyone can conduct a fireworks display, a permit must be obtained from the local unit of government. The law states that any person or group that would like to conduct a fireworks display must apply to the local unit of government for a permit. The law defines local unit of government as the council or commission of a city or village, or the township board of a township. Zambelli Fireworks Mfg. Co., therefore, is requesting that City Council grant a permit for a public fireworks display to occur at Macy's, Oakland Mall, on the evening of Friday, November 4, 2016. Zambelli Fireworks Mfg. Co., has provided the required proof of insurance in the amount of \$10M.

### Recommendation

The Fire Department has reviewed the permit application and recommends that City Council approve a fireworks permit for Zambelli Fireworks Mfg. Co. Enclosed for Council's review is the permit application and supporting documentation, along with the permit itself to be signed and issued. The Fire Department will inspect the display and ensure that adequate safety measures are enforced.

### City Attorney's Review as to Form and Legality

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Lori Grigg Bluhm, City Attorney



RECEIVED

SEP 07 2016

CITY OF TROY  
FIRE DEPARTMENT

August 31, 2016

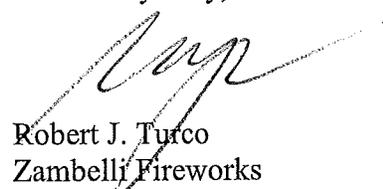
Troy City Hall  
Attn: Fire Chief Chuck Riesterer  
500 West Big Beaver Road  
Troy, MI 48084

Dear Chief Riesterer:

I have enclosed the application for permit for the 11-4-16 display at Oakland Mall. Included is the Certificate of Insurance, site diagrams and permit application fee as required.

Please call me with any questions.

Yours very truly,



Robert J. Turco  
Zambelli Fireworks

RJT/br

Boca Raton, FL  
Raleigh, NC

Shafter, CA  
Myrtle Beach, SC

20 South Mercer Street  
New Castle, PA 16101  
1.800.245.0397  
Fax #724.658.8318

Walkersville, MD  
Denver, CO

Cincinnati, OH  
Pequot Lakes, MN



2016

Permit for Fireworks Other Than Consumer or Low Impact  
Michigan Department of Licensing & Regulatory Affairs  
Bureau of Fire Services  
P.O. Box 30700  
Lansing MI 48909  
(517) 241-8847

Authority: 2011 PA 256	The Department of Licensing & Regulatory Affairs will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.
Compliance: Voluntary	
Penalty: Permit will not be issued	

This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only.

Public Display												
ISSUED TO	Zambelli Fireworks Mfg.	AGE (18 or over)										
ADDRESS	20 South Mercer Street, New Castle, PA 16101											
NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION	City of Troy, MI											
ADDRESS	500 West Big Beaver Road, Troy MI											
NUMBER AND TYPES OF FIREWORKS	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; text-align: right;">1200</td> <td style="width: 10%;"></td> <td style="width: 80%;">3" aerial display shells</td> </tr> <tr> <td style="text-align: right;">402</td> <td></td> <td>4" aerial display shells</td> </tr> <tr> <td style="text-align: right;">15</td> <td></td> <td>barrage cakes</td> </tr> </table>			1200		3" aerial display shells	402		4" aerial display shells	15		barrage cakes
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402		4" aerial display shells										
15		barrage cakes										
EXACT LOCATION OF DISPLAY OR USE	Parking lot at Macy's - Oakland Mall											
CITY, VILLAGE, TOWNSHIP	Troy, MI	DATE	11-04-2016									
		TIME	7 PM									
BOND OR INSURANCE FILED	Allied Specialty Insurance Company, Treasure Island FL		AMOUNT									
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			\$10 Million									
Issued by action of the Legislative Body of a <input type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Township of _____ on the _____ day of _____												
(Signature and Title of Legislative Body Representative)												

\*THIS FORM IS VALID FOR THE YEAR SHOWN ONLY\*

**ZAMBELLI FIREWORKS**

**Supplement to City of Troy Fireworks Permit Application**

***Hazardous Materials Inventory Statement***

***November 4, 2016 display***

<b>SHELL DESCRIPTION</b>	<b>QUANTITY</b>
<b>Barrage Cakes – 49 to 120 Shots per barrage (1” to 2” shells)</b>	<b>15</b>
<b>Three Inch Assorted Aerial Display Shells</b>	<b>1200</b>
<b>Four Inch Assorted Aerial Display Shells</b>	<b>402</b>

All materials will be Class B, Fireworks, UN0335 1.3B.

All materials will be delivered on the day of display on a Zambelli company truck.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
09/01/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Allied Specialty Insurance, Inc. 10451 Gulf Blvd Treasure Island, FL 33706-4814 1-800-237-3355	CONTACT NAME:	FAX (A/C, No):
	PHONE (A/C, No, Ext):	
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: T.H.E. Insurance Company	12866
INSURED Zambelli Fireworks MFG Co Inc etal 20 South Mercer Street New Castle, PA 16101	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

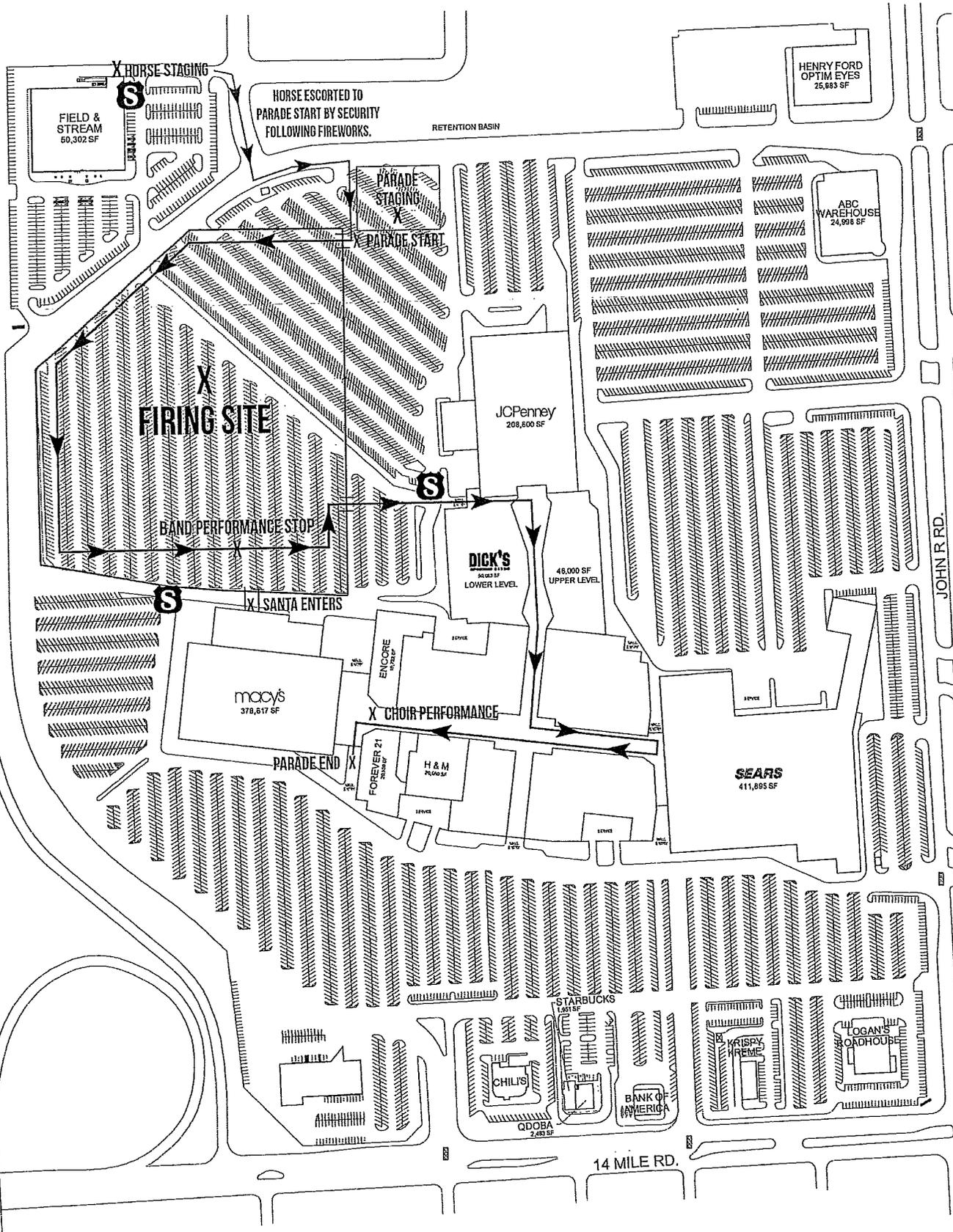
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			CPP0103167-03	02/01/2016	02/01/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ N/A PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ 2,000,000 Protection & Indemnity \$ 1,000,000 COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			CPP0103167-03	02/01/2016	02/01/2017	EACH OCCURRENCE \$ 9,000,000 AGGREGATE \$ 9,000,000 WC STATUTORY LIMITS OTHER
A	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			ELP0011081-03	02/01/2016	02/01/2017	E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				
A	Inland Marine / Hull			CPP0103167-03	02/01/2016	02/01/2017	Hull Limit \$ 900,000 Show Limit \$ 1,500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
Display Date: 11/04/16 Rain Date: N/A Location: Macy's Oakland Mall North lot 500 W 14 Mile Rd  
RE: General Liability, the following are named as additional insured in respects to the operation of the named insured only: City of Troy is included as an additional insured as their interest may appear under the Commercial General Liability insurance policy, with regards to the actions of Macy's and its associates, affiliates, contractors and sub contractors in accordance with and to the extent of the term of the written agreement with Macy's related to Holiday Fireworks in the parking lot of Macy's Oakland Mall talking place 11-04-16

CERTIFICATE HOLDER City of Troy 500 West Big Beaver Rd Troy MI 48084  2016	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTI <i>Carol A. Serra</i>
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INTERSTATE 75



14 MILE RD.

JOHN R. RD.

RESIDUAL

RETENTION BASIN

~~XERO~~

J.C. PENNEY  
(3 LEVELS)  
TOTAL 174,000

TEA

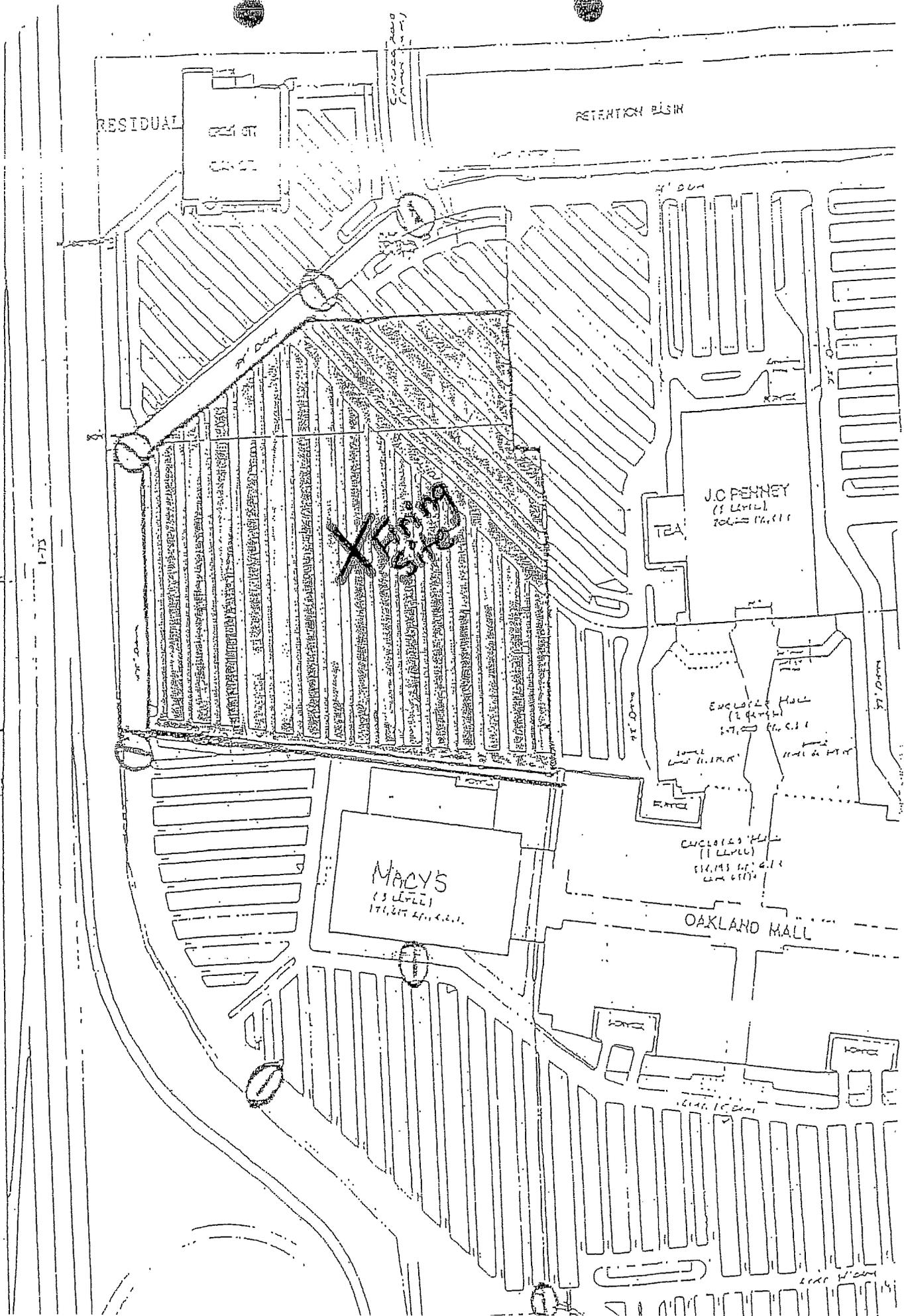
ENCLOSURE HALL  
(2 LEVELS)  
57,000 S.F. G.F.L.  
114,000 S.F. B.T.M.

ENCLOSURE HALL  
(1 LEVEL)  
57,000 S.F. G.F.L.  
114,000 S.F. B.T.M.

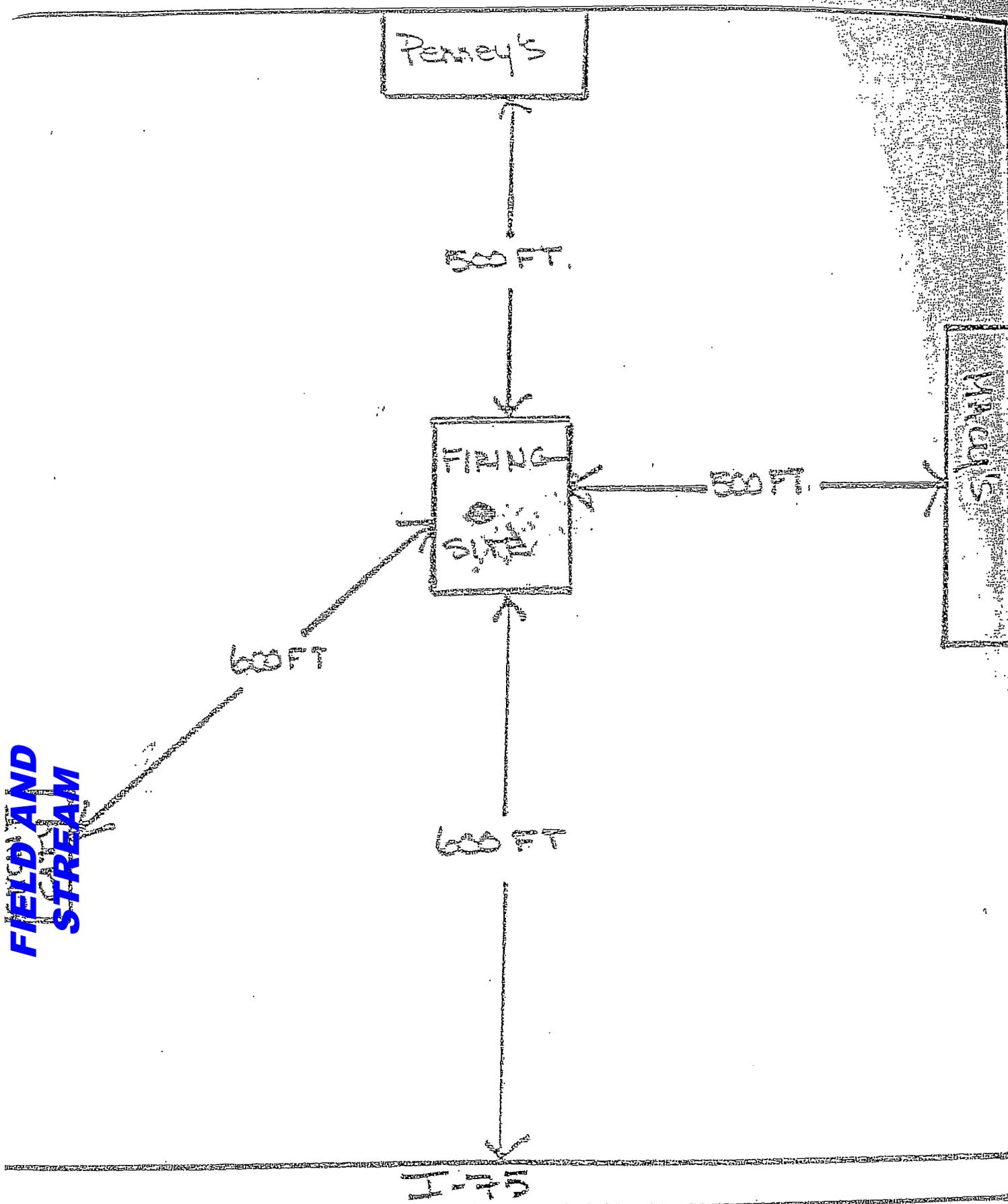
MACY'S  
(3 LEVELS)  
174,000 S.F. G.F.L.

OAKLAND MALL

1-75



**FIELD AND  
STREAM**



\* AREA WILL BE BARRICADED / NO ONE ALLOWED