



## REQUEST FOR BOARD ACTION

ITEM NO. 13.

**DATE OF MEETING:** September 3, 2013

**REQUESTED BY:** Tommy Batson, Deputy Fire Marshal, Pender County Emergency Management

**SHORT TITLE:** Resolution Authorizing Approval of NC Spot Festival Pyrotechnic Display on September 28, 2013, in Accordance with North Carolina General Statute 14-413.

**BACKGROUND:** The Pender County Fire Marshal Office has received a request from North Carolina Spot Festival Chairman Lynn Lanier to allow a fireworks display on the property across from Port City Java on US Hwy 17, Hampstead NC on September 28, 2013. The North Carolina Office of State Fire Marshal now requires the Board of County Commissioners to approve all pyrotechnic displays under N.C.G.S. 14-413. This requirement was implemented as a result of a fireworks truck explosion that occurred while preparing for a show in Ocracoke, NC in 2009 in which four people were killed. The State of North Carolina Legislature passed the 2010 North Carolina Pyrotechnics Act that modified the General Statutes to define the term fireworks "expert" as a state requirement to obtain a display operator's permit (N.C.G.S. 14-410) effective February 1, 2010. The Fire Marshal's Office will be on site for review and approval of the complete setup, display shooting and cleaning up from the pyrotechnic display. The pyrotechnic display will be a public display in Hampstead NC on September 28, 2013. It will be conducted by an approved and licensed fireworks company, Zambelli Fireworks, New Castle PA. The display will meet all rules and regulations set by NC Code Fire Code, NFPA 1123, NFPA 1126, OSFM, and AFT. This same pyrotechnic show has been successfully completed in Pender County by Zambelli Fireworks at the Lea's site in 2009 & 2010 as well as the 2008, 2009, 2010, and 2011 at the North Carolina Spot Festival in Hampstead NC. Zambelli Fireworks meets all of the liability insurance requirements set by the State of North Carolina and the Fire Marshal Office recommends approval of their request.

**SPECIFIC ACTION REQUESTED:** To consider a resolution authorizing the pyrotechnic display outlined above.

**COUNTY MANAGER'S RECOMMENDATION**

Respectfully recommend approval.

  
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**RESOLUTION**

**NOW, THEREFORE BE IT RESOLVED** by the Pender County Board of Commissioners that:

the Board hereby approves the resolution authorizing a public pyrotechnic display on the property across from Port City Java on US Hwy 17, Hampstead NC on September 28, 2013, under N.C.G.S. 14-413. The Chairman/County Manager is authorized to execute any/all documents necessary to implement this resolution.

**AMENDMENTS:**

MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ UNANIMOUS

YEA VOTES: Brown \_\_\_ McCoy \_\_\_ Tate \_\_\_ Ward \_\_\_ Williams \_\_\_

\_\_\_\_\_  
George R. Brown, Chairman      9/3/2013  
Date

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ATTEST      9/23/13  
Date