REQUEST FOR BOARD ACTION

ITEM NO. 8

DATE OF MEETING: August 4, 2014

REQUESTED BY: Tommy Batson Pender County Emergency Management

SHORT TITLE: Revised Resolution Authorizing Approval of Moving Surf City Pyrotechnic Display from July 3, 2014 to August 29, 2014, in Accordance with North Carolina General Statute 14-413. (Due to Tropical Storm Arthur).

BACKGROUND: The Pender County Fire Marshal's Office had received a request from the Town of Surf City to allow a fireworks display on the dredge island across from Surf City Park, Surf City NC on July 3, 2014 and has been moved to Friday, August 29, 2014. 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 Surf City NC on August 29, 2014. It will be conducted by an approved and licensed fireworks company, East Coast Pyrotechnics, PO Box 209, Catawba, SC 29704. 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 Surf City by East Coast Pyrotechnics at the same site since 2002. East Coast Pyrotechnics 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 in Surf City on a dredge Island in the Intracoastal Waterway in Surf City NC on August 29, 2014, under N.C.G.S. 14-413. The Chairman/County Manager is authorized to execute any/all documents necessary to implement this resolution.

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AMENDMENTS:

MOVED_____ SECONDED_____

APPROVED_____ DENIED_____UNANIMOUS

YEA VOTES: Williams ___ McCoy ___ Brown___ Tate ___ Ward ___

_____ 8/4/14
J. David Williams, Chairman Date

_____ 8/4/14
ATTEST Date