



Mills County

FIREWORK DISPLAY PERMIT APPLICATION CRITERIA:

- ☐ Applicants must complete the Mills County Fireworks Display Permit Application (Page 2).
- ☐ Applicants must complete the Mills County Certification of Liability Insurance Form (Page 3).
- ☐ Applicants must be licensed with the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives and provide a copy of their Federal Fireworks Permit or Waiver of Same.
(See sample forms on pages 4 and 5)
- ☐ Applicants must provide a copy from their insurance company of their Certificate of Liability Insurance. (See sample form on page 6)

INFORMATION FOR APPLICANTS' REFERENCE

- 2023 Iowa Code Section 272.2 (Pages 7 – 8).
- Firework Definitions from American Pyrotechnics Association Standard 87-1 (Page 9).



Mills County

FIREWORK DISPLAY PERMIT APPLICATION

Pursuant to Section 727.2 of the Code of Iowa, the undersigned and associates hereby make application to the Board of Supervisors of Mills County, Iowa for a permit for display of fireworks at:

Location of Display: _____

Display of fireworks will be on the _____ Day of _____, 20_____

The imposition of a County / City wide ban would make all applications null and void.

Fireworks will be handled by the Undersigned applicants who are all competent operators:

The Applicant hereby states that he / she has contacted:

- ☐ The Federal Bureau of Alcohol, Tobacco, Firearms and Explosives and has attached a copy of the Federal Fireworks Permit or Waiver of same.
- ☐ Their insurance company and attached a copy of their Certificate of Liability Insurance.

Applicant Signature: _____ Date: _____

Applicant Address: _____

Applicant Phone #: _____

MILLS COUNTY FIREWORKS DISPLAY PERMIT

Permission as requested in the foregoing application is hereby granted, subject to applicant complying with the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives requirements regarding Class 1.3G display fireworks.

Signed this _____ Day of _____, 20_____

Board Chairperson
Board of Supervisors, Mills County Iowa



Certification of Liability Insurance

I, _____, do hereby certify that I carry adequate liability insurance to cover the risk of exploding fireworks as described in the permit application.

Applicant Signature: _____ Date: _____

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF
Correspondence To
ATF - Chief, FELC
244 Needy Road
Martinsburg, WV 25405-9431

License/Permit
Number

1

Chief, Federal Explosives Licensing Center (FELC)

Expiration
Date

September 1, 2024

Name

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

Type of License or Permit

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

Licensee/Permittee Responsible Person Signature

Position/Title

Printed Name

Date

Previous Edition is Obsolete

RAINBOW FIREWORKS INC. 70 PLUM AVENUE, S75405-9431-113-91-4J-00021 September 1, 2024-01-IMPORTER OF EXPLOSIVES

ATF Form 5400.14/5400.15 Part I
Revised September 2011

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
44 Needy Road
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352
Fax Number: (304) 616-4401
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

Change of Address (27 CFR 555.54(a)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. **(The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)**

Right of Succession (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for the benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

Cut Here X

Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: [REDACTED]

Business Name:

License/Permit Number: [REDACTED]

License/Permit Type: [REDACTED]

Expiration: September 1, 2024

Please Note: Not Valid for the Sale or Other Disposition of Explosives.

Sample



U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Federal Explosives Licensing Center
244 Needy Road
Martinsburg, West Virginia 25405

901090: MH/FLS

5400

File Number: [REDACTED]

08/03/2022

SUBJECT: RESPONSIBLE PERSON LETTER OF CLEARANCE for:

[REDACTED]

[REDACTED]

and is ONLY valid under the following Federal explosives license/permit:

5-IA-129-33-4L-00566

[REDACTED]

Dear [REDACTED]:

You have been approved as a responsible person under the above-listed Federal explosive license or permit. You may lawfully direct the management or policies of the business or operations as they pertain to explosives. You may also lawfully transport, ship, receive or possess explosive materials incident to your duties as a responsible person. **This clearance is only valid under the license or permit referenced above.**

Sincerely,

Marna Howard

Marna Howard
Chief, Federal Explosives Licensing Center (FELC)

FELC Customer Service. If you believe that information on your "Letter of Clearance" is incorrect, please return a COPY of the letter to the Chief, Federal Explosives Licensing Center (FELC), with a statement showing the nature of the error. The Chief, FELC, shall correct the error, and return an amended letter to you.

Mail: ATF
Chief, FELC
Attn.: LOC Correction
244 Needy Road
Martinsburg, West Virginia 25405

Fax: 1-304-616-4401
Chief, FELC
Attn.: LOC Correction

Call toll-free: 1-877-283-3352

WWW.ATF.GOV

Sample

ROBERT CHARLES BEEBE

Responsible Person Letter of Clearance for:



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/12/2023

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 	CONTACT NAME: 	
	PHONE (A/C, No, Ext):  FAX (A/C, No): 	
INSURED 	E-MAIL ADDRESS: 	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A : SCOTTSDALE INS CO	
	INSURER B : NATIONAL CAS CO	
	INSURER C :	
	INSURER D :	
INSURER E :		
INSURER F :		

COVERAGESCERTIFICATE 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 ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC				1/19/2023	1/19/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☒ SCHEDULED AUTOS ☐ NON-OWNED AUTOS				1/19/2023	1/19/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$				1/19/2023	1/19/2024	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATUTORY LIMITS ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Regarding the General Liability coverage, Waiver of Subrogation applies to the entities listed below per attached form CG 24 04 when required by written agreement.

Regarding the General Liability coverage, Blanket Additional Insured applies to the entities listed below per attached form GLS-150s when required by written agreement.

Regarding the General Liability coverage, Primary and Non-Contributory coverage applies to the entities listed below per attached form CG 20 01 when required by written agreement.

Date of Display: July 2, 2023 Rain Date: No rain date at this time

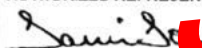
Location of Display: open field west of Bella Terre Vineyard & Reception Hall

See Attached...

CERTIFICATE HOLDER**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



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727.2 Fireworks.

1. *Definitions.* For purposes of [this section](#):

a. “*Consumer fireworks*” includes first-class consumer fireworks and second-class consumer fireworks as those terms are defined in [section 100.19, subsection 1](#). “*Consumer fireworks*” does not include novelties enumerated in chapter 3 of the American pyrotechnics association’s standard 87-1 or display fireworks enumerated in chapter 4 of the American pyrotechnics association’s standard 87-1.

b. “*Display fireworks*” includes any explosive composition, or combination of explosive substances, or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, and includes fireworks containing any explosive or flammable compound, or other device containing any explosive substance. “*Display fireworks*” does not include novelties or consumer fireworks enumerated in chapter 3 of the American pyrotechnics association’s standard 87-1.

c. “*Novelties*” includes all novelties enumerated in chapter 3 of the American pyrotechnics association’s standard 87-1, and that comply with the labeling regulations promulgated by the United States consumer product safety commission.

2. *Display fireworks.*

a. A person, firm, partnership, or corporation who offers for sale, exposes for sale, sells at retail, or uses or explodes any display fireworks, commits a simple misdemeanor, punishable by a fine of not less than two hundred fifty dollars. However, a city council of a city or a county board of supervisors may, upon application in writing, grant a permit for the display of display fireworks by municipalities, fair associations, amusement parks, and other organizations or groups of individuals approved by the city or the county board of supervisors when the display fireworks will be handled by a competent operator, but no such permit shall be required for the display of display fireworks at the Iowa state fairgrounds by the Iowa state fair board, at incorporated county fairs, or at district fairs receiving state aid. Sales of display fireworks for such display may be made for that purpose only.

b. (1) A person who uses or explodes display fireworks while the use of such devices is prohibited or limited by an ordinance or resolution adopted by the county or city in which the firework is used commits a simple misdemeanor, punishable by a fine of not less than two hundred fifty dollars.

(2) A person who uses or explodes display fireworks while the use of such devices is suspended by an order of the state fire marshal commits a simple misdemeanor, punishable by a fine of not less than two hundred fifty dollars.

3. *Consumer fireworks and novelties.*

a. A person or a firm, partnership, or corporation may possess, use, or explode consumer fireworks in accordance with [this subsection](#) and [subsection 4](#).

b. A person, firm, partnership, or corporation who sells consumer fireworks to a person who is less than eighteen years of age commits a simple misdemeanor, punishable by a fine of not less than two hundred fifty dollars. A person who is less than eighteen years of age who purchases consumer fireworks commits a simple misdemeanor, punishable by a fine of not less than two hundred fifty dollars.

c. (1) A person who uses or explodes consumer fireworks or novelties while the use of such devices is prohibited or limited by an ordinance adopted by the county or city in which the fireworks are used commits a simple misdemeanor, punishable by a fine of not less than two hundred fifty dollars.

(2) A person who uses or explodes consumer fireworks or novelties while the use of such devices is suspended by an order of the state fire marshal commits a simple misdemeanor, punishable by a fine of not less than two hundred fifty dollars.

4. *Limitations.*

a. A person shall not use or explode consumer fireworks on days other than June 1 through July 8 and December 10 through January 3 of each year, all dates inclusive.

b. A person shall not use or explode consumer fireworks at times other than between the hours of 9:00 a.m. and 10:00 p.m., except that on the following dates consumer fireworks shall not be used at times other than between the hours specified:

(1) Between the hours of 9:00 a.m. and 11:00 p.m. on July 4 and the Saturdays and Sundays immediately preceding and following July 4.

(2) Between the hours of 9:00 a.m. on December 31 and 12:30 a.m. on the immediately following day.

(3) Between the hours of 9:00 a.m. and 11:00 p.m. on the Saturdays and Sundays immediately preceding and following December 31.

c. A person shall not use consumer fireworks on real property other than that person's real property or on the real property of a person who has consented to the use of consumer fireworks on that property.

d. A person who violates [this subsection](#) commits a simple misdemeanor. A court shall not order imprisonment for violation of [this subsection](#).

5. *Applicability.*

a. [This section](#) does not prohibit the sale by a resident, dealer, manufacturer, or jobber of such fireworks as are not prohibited by [this section](#), or the sale of any kind of fireworks if they are to be shipped out of the state, or the sale or use of blank cartridges for a show or the theater, or for signal purposes in athletic sports or by railroads or trucks, for signal purposes, or by a recognized military organization.

b. [This section](#) does not apply to any substance or composition prepared and sold for medicinal or fumigation purposes.

c. Unless specifically provided otherwise, [this section](#) does not apply to novelties.

[C39, §[13245.08](#) – [13245.10](#); C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §[732.17](#) – [732.19](#); C79, 81, §[727.2](#)]

[92 Acts, ch 1163, §120; 99 Acts, ch 153, §22; 2008 Acts, ch 1032, §106; 2017 Acts, ch 115, §10, 12](#)

Referred to in [§100.1, 101A.1, 331.301, 331.304, 364.2, 461A.42](#)

Fireworks definitions from the American Pyrotechnics Association's Standard 87-1

1. Definitions.

- a. *"Consumer fireworks"* includes first-class consumer fireworks and second-class consumer fireworks. *"Consumer fireworks"* does not include novelties enumerated in chapter 3 of the American pyrotechnics association's standard 87-1 or display fireworks enumerated in chapter 4 of the American pyrotechnics association's standard 87-1.
- b. *"First-class consumer fireworks"* means the following consumer fireworks:
 - (1) Aerial shell kits and reloadable tubes.
 - (2) Chasers.
 - (3) Helicopter and aerial spinners.
 - (4) Firecrackers.
 - (5) Mine and shell devices.
 - (6) Missile-type rockets.
 - (7) Roman candles.
 - (8) Sky rockets and bottle rockets.
 - (9) Multiple tube devices under this paragraph "c" that are manufactured in accordance with APA 87-1, section 3.5.
- c. *"Second-class consumer fireworks"* means the following consumer fireworks:
 - (1) Cone fountains.
 - (2) Cylindrical fountains.
 - (3) Flitter sparklers.
 - (4) Ground and hand-held sparkling devices, including multiple tube ground and hand-held sparkling devices that are manufactured in accordance with APA 87-1, section 3.5.
 - (5) Ground spinners.
 - (6) Illuminating torches.
 - (7) Toy smoke devices that are not classified as novelties pursuant to APA 87-1, section 3.2.
- d. *"Display fireworks"* includes any (1) explosive composition, (2) combination of explosive substances, or (3) article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, and includes fireworks containing any (1) explosive compound, (2) flammable compound, or (3) other device containing any explosive substance. *"Display fireworks"* does not include novelties or consumer fireworks enumerated in chapter 3 of the American pyrotechnics association's standard 87-1.
- e. *"Novelties"* includes all novelties enumerated in chapter 3 of the American pyrotechnics association's standard 87-1, and that comply with the labeling regulations promulgated by the United States consumer product safety commission. These do NOT require approval from DOT and are not regulated as explosives. *"Novelties"* include:
 - (1) Party Popper.
 - (2) Snapper Small.
 - (3) Toy Smoke Devices.
 - (4) Snakes, Glow Worms.
 - (5) Wire Sparklers, Dipped Sticks.