

Application for Permit to Conduct Public Fireworks Display

I. Specific Instructions.

1. This form is to be used for any time there will be a Fireworks Display pursuant to O.C.G.A. §25-10-4.
2. The form is to be completed by the person, firm, corporation, association, or partnership desiring to conduct a public exhibition or display of fireworks and filed in the probate court of the county in which the exhibition or display is to be held, no less than ten (10) days prior to the date of the proposed display.
3. The permit must contain the license number issued by the Safety Fire Commissioner for the person, firm, corporation, association, or partnership that will cause the combustion, explosion, deflagration or detonation of pyrotechnics at the exhibition or display.
4. The application must be accompanied by a bond of no less than \$10,000.00 or such amount as the Probate Judge requires, if greater, or in the alternative, evidence that the applicant carries liability insurance in the amount of not less than \$25,000.00 for each person and \$50,000.00 for each accident and property damage no less than \$25,000.00 for each accident and \$50,000.00 aggregate, or such policy limits greater if the Probate Judge so requires, with an insurance company duly licensed by the Commissioner of Insurance. The bond or insurance certificate must name the permitting county's Board of Commissioners as a named insured for the specific event for which the application is made.
5. Notice shall be sent to the Fire Department or Department of Public Safety that will provide the fire protection services during the display who may object or waive further notice.
6. The local fire official responsible for the area where the display will be held will make a determination of whether or not the site for the display meets his or her approval and is in compliance with all applicable codes and, if so determined, shall issue a certification that shall be returned to the probate court of such county.

7. The judge of the probate court shall receive \$25.00 for his or her services in granting or refusing the original permit and \$1.00 for each copy issued, to be paid by the applicant pursuant to O.C.G.A. §15-9-60 (k) (11) .
8. The judge of the probate court shall provide the Safety Fire Commissioner a copy of each permit granted prior to the proposed date of the exhibition or display.
9. No permit shall be granted unless the applicant has met all the requirements of and is in full compliance with the rules and regulations promulgated by the Safety Fire Commissioner pursuant to O.C.G.A. § 25-10-4 and the display shall be of such character as to not be hazardous to persons or property.

II. General Instructions.

General instructions applicable to all Georgia probate court standard forms appear in Volume 255 of the Georgia Reports and are available in each probate court.

**APPLICATION FOR PERMIT
TO
CONDUCT PUBLIC FIREWORKS DISPLAY**

State of Georgia, _____ **County**

To: Probate Court of _____ **County**

_____ hereby applies for a permit to
(Name of person or corporate entity)

conduct a public fireworks display as provided under O.C.G.A. § 25-10-4. The public
fireworks display is sponsored by _____

(Sponsoring organization)

at _____ on the
(Location of fireworks display)

_____ day of _____, 20____, to begin at approximately
_____ p.m., and last for approximately _____

minutes. This application is being made at least 10 days prior to the proposed display.

1.

The display will be conducted by _____, of
(Operator/person who will discharge fireworks)

_____, a competent and experienced
(Fireworks or pyrotechnic company)

operator who has conducted _____ displays over the past _____ years.
(# of displays)

A copy of the operator’s ATF License (**labeled and attached hereto as Exhibit “A”**)
and/or the corporate entity’s ATF License (**labeled and attached hereto as Exhibit
“B”**).

2.

This display will not be hazardous to persons or property. No persons other than the operator and the operator’s employees will be allowed within _____ feet of the launching or detonation site.

3.

The display (will) (will not) be a proximate audience display as defined by Georgia law. If the display is a proximate audience display, then a copy of the operator’s Georgia License issued by the Safety Fire Commissioner, number _____, **(labeled and attached hereto as Exhibit “C”)** and the corporate entity’s Georgia License issued by the Safety Fire Commissioner, number _____, **(labeled and attached hereto as Exhibit “D”)**.

4.

A. The site for the display is described as follows:

B. The fireworks and/or pyrotechnics to be used in the proposed display are described as follows **or labeled and attached hereto as Exhibit “E”**.

C. The _____ Fire Department or the
(County/City)

_____ will provide the necessary and required
(Name of Department or Entity that will provide services)

fire protection services and the following special services: (list below)

Attached hereto is a certification by the _____ Fire Marshal that
(County/City)

the site for the display meets his or her approval and is in compliance with all applicable codes.

5.

This application is accompanied by a bond in the principal sum of _____ or
(Dollar amount)

more, payable to the _____,
(County)
Board of Commissioners, and conditioned for the payment of damages that may be
caused either to persons or to property by reason of the display, or the applicant has
attached evidence that the applicant carries proper liability insurance for bodily injury of
not less than _____ for each person and _____
(Dollar amount) (Dollar amount)
for each accident and for property damage in an amount of not less than _____
(Dollar amount)
for each accident and _____ aggregate with an insurance company
(Dollar amount)
duly licensed by the Insurance Commissioner of Georgia.

VERIFICATION

I declare under the penalties of perjury that the foregoing statements in this application for permit to conduct public fireworks display have been examined by me and to the best of my knowledge and belief are correct.

Name of Applicant

Signature of Applicant/Corp. Officer

Print Name and Corp. Title of Applicant

Sworn to and subscribed before me this

_____ day of, _____ 20____.

Notary Public or Clerk, Probate Court

EXHIBIT F

(To be completed by individual or corporate entity applying for the fireworks permit and employing the individual operator conducting the display.)

AFFIDAVIT OF COMPETENCY

Comes now _____ and states that
(Name of Affiant)

_____, age _____, has conducted
(Operator)

_____ fireworks displays during the past _____
(Number) (Years experience)

years. The most recent display was conducted at _____ on
(Place of Display)

_____. During the time that _____
(Date) (Operator)

has conducted fireworks displays, no persons have been injured and no property has been damaged or destroyed.

Due to his/her experience and competence, I hereby certify that he/she is a competent operator as described by O.C.G.A. § 25-10-4.

Corporate Entity

Signature of Affiant

Print Name of Affiant

Title of Affiant

Sworn to before me this _____ day of _____, 20____.

Notary or Clerk, Probate Court

EXHIBIT G

(To be completed by an authorized representative of the individual or corporate entity applying for the permit.)

AFFIDAVIT OF INSURANCE

Comes now _____ and states that the attached bond or certificate of insurance complies with the requirement for proper insurance outlined by O.C.G.A. § 25-10-4 and further states that the issuing company, _____, is duly licensed by the Insurance Commissioner for the State of Georgia to do business in Georgia. This affidavit is given to be relied upon by the Probate Court of _____ County, Georgia in connection with the Application for Permit to Conduct Public Fireworks Display to which it is attached.

Corporate Entity

Signature and Title of the Corporate Officer

Street Address

City, State, Zip Code

Telephone

Sworn to before me this
_____ day of _____, 20____.

Notary or Clerk, Probate Court

NOTICE

TO: _____ Fire Department or Department of Public Safety.
(County/City)

You are hereby notified that _____ has applied for a
(Name of applicant)
permit to display fireworks at _____
(Address of display area)
on _____ and has certified that your department will provide the
(Date and time)

usual fire protection services.

This court must determine if the operator _____, employed
(Name of operator)
by _____ is experienced and competent and that the display
(Name of display company)

will not pose a hazard to any persons or property.

This court must also be informed whether the proposed display constitutes a proximate audience display as defined by Georgia Law so as to know whether a Georgia License for such purpose is required.

Please present any objection to the issuance of the permit on behalf of your department to this court on or before _____, 20_____.
(5 days before display)

You may waive any objection to the issuance of the permit by signing the attached acknowledgment of notice and waiver of objection.

This _____ day of _____, 20_____.

Probate Judge

County

ACKNOWLEDGMENT AND WAIVER

On behalf of the _____ Fire Department, I hereby
acknowledge notice of the Application to Display Fireworks of _____
_____ dated _____ and hereby waive any
objection to the issuance of the permit, and confirm that the usual fire protection services
will be provided by this Department, subject to the following restriction, if any (Please
state “none” if there are no restrictions):

I further certify that the proposed display (Initial one)
_____ is
_____ is **NOT**

a proximate audience display as defined by Georgia Law. If the display is a proximate
audience display, the premises on which the display will occur have also been examined
by this Department.

Date: _____.

_____ Fire Department
(Name of Department)

By: _____

Title: _____

**ORDER GRANTING
NONTRANSFERABLE PERMIT**

STATE OF GEORGIA
COUNTY OF _____

FILE NO.

This application of _____
(Applicant)

For a Permit to Display Fireworks was filed in this County on _____, 20____.

The applicant requests permission to exhibit or display fireworks at _____

(Location)

on the _____, 20 ____, which is not less than ten (10) days after the filing of such application.

It appears that the display will be conducted by a competent and experienced operator and that this display will be of such character as will not be hazardous to persons or property.

The _____ Fire Marshal's Office
(County/City)

has certified in writing that the site for the display meet its approval and is in compliance with all applicable codes. The application is accompanied by the evidence that the applicant carries proper liability and property insurance or has posted the required amount of bond as required by law. In addition, the applicant has provided proof of federal license through the Bureau of Alcohol, Tobacco and Firearms.

IT IS HEREBY ORDERED that a Permit to Display Fireworks is herein granted to _____, for a period of not more than fourteen (14) consecutive days, beginning on the _____ day of _____, 20____, to perform a public exhibition of fireworks at _____, beginning at approximately _____ p.m., provided that only the operator named in the application _____, and his/her employees shall be present

and in control of the exhibit or display. The permit is granted subject to all the stipulations and restrictions as stated on in the Acknowledgment and Waiver.

IT IS FURTHER ORDERED that _____,
(Applicant)
shall supply the _____, Fire Department with a copy of
(Name of Department)
this permit.

This _____ day of _____, 20_____.

Probate Judge

Probate Judge Printed Name

_____ County, Georgia