



Katrina Martinez
Deputy Clerk

Pima County Clerk of the Board

Melissa Manriquez

Administration Division
33 N. Stone Avenue, Suite 100
Tucson, AZ 85701
Phone: (520) 724-8449 • Fax: (520) 222-0448

Management of Information & Records Division
1640 East Benson Highway
Tucson, Arizona 85714
Phone: (520) 351-8454 • Fax: (520) 791-6666

June 2, 2023

Lisa DeFalco
Forty Niner Country Club
12000 E. Tanque Verde Road
Tucson, AZ 85749

RE: Fireworks Display
Applicant: Forty Niner Country Club
Date: June 30, 2023 at 8:50 p.m.
Location: 12000 E. Tanque Verde Road

Dear Ms. DeFalco:

Notice is hereby given that the above-referenced application for a fireworks permit is scheduled to be heard before the Pima County Board of Supervisors on Tuesday, June 20, 2023, at approximately 9:00 a.m. or thereafter, to be held at the following location:

Pima County Administration Building
Board of Supervisors Hearing Room
130 W. Congress, 1st Floor
Tucson, AZ 85701

If you have any questions pertaining to this matter, please contact this office at (520) 724-8449.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa Manriquez", is written over a horizontal line.

Melissa Manriquez
Clerk of the Board

c: Sheriff's Department-Explosives Division
Fireworks Productions of Arizona



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PIMA COUNTY APPLICATION FOR FIREWORKS DISPLAY INSPECTION/PERMIT

Persons applying for a fireworks display permit in Pima County are required to undergo a display site inspection conducted by the Pima Regional Bomb Squad. This inspection is used to make a recommendation to the Board of Supervisors regarding the approval or denial of your permit. Inspectors will be checking for compliance with Pima County Code 9.04 and the National Fire Protection Association Code 1123: Code for Fireworks Display. The local fire district and or the state fire marshal may conduct an independent inspection which has the authority to override permit approval.

NOTE: The Display Operator and Site Manager should be selected as individuals with authority to supervise the event. These parties must be willing to accept civil/criminal responsibility for assuring compliance with provisions and safety regarding this display. A violation of Pima County Code 9.04 is a class 3 misdemeanor.

ORGANIZATION/APPLICANT:	<u>Forty Niner Country Club</u>	
MAILING ADDRESS:	<u>12000 E Tanque Verde Rd Tucson 85749</u>	
LOCATION/ADDRESS OF DISPLAY:	<u>same</u>	
SITE MANAGER:	<u>Lisa DeFalco</u>	
CONTACT INFO: Email:	<u>ldefalco@fortyninercc.com</u>	Phone #: <u>520-749-4925 x211</u>
DATE AND TIME OF DISPLAY:	<u>Friday, June 30, 2023 @ 8:50pm</u>	
ALTERNATE DISPLAY DATE(s)/TIME*	<u>none</u>	
*(Alternate display date(s) must be within 7 days of the date selected above)		
PRODUCTION COMPANY:	<u>Fireworks Productions of AZ</u>	
DISPLAY OPERATOR:	<u>Troy Finley</u>	
CONTACT INFO: Email:	<u>tfinley@tucsoncountryclub.com</u>	Phone #: <u>520-991-0150</u>

Submit this completed application to the **Pima County Clerk of the Board** with the following:

- ☐ *Pima County Permit for Fireworks Display* form completed with organization/display information
- ☐ Written shot sheet including display list and mortar diameters
- ☐ Site plan diagram including dimensions of display, location of discharge site, spectator area, parking area, fall-out area and associated distances per NFPA 1123 5.1.2.2.
- ☐ Evidence that all persons participating in the display have received training as required under NFPA 1123 8.1.3.3
- ☐ Evidence of insurance/bonding (Alternative display date(s) requested above must be listed on the Certificate of Liability Insurance.)

A Pima Regional Bomb Squad representative will contact you to schedule a site inspection.

MAY 22 23 PM 12:01 PM CLK OF PD



PIMA COUNTY PERMIT FOR FIREWORKS DISPLAY

ORGANIZATION: Forty Niner Country Club
ADDRESS: 12000 E Tanque Verde Rd, Tucson 85749
LOCATION OF DISPLAY: same
DATE AND TIME OF DISPLAY: June 30, 2023@ 8:50pm
PRODUCTION COMPANY: Fireworks Productions of AZ

Pursuant to Pima County Code 9.04.050, the Pima County Sheriff's Department has conducted a site inspection and recommends approval of the Permit for Fireworks Display. Conformance to the provisions on the attached *Pima County Fireworks Inspection Form* is required.



Pima County Sheriff

=====

The Pima County Board of Supervisors approves the Permit for Fireworks Display for the location, date and time specified above. In the event a fire emergency is declared, adherence to any restriction(s) set forth in that declaration is required.

Dated this _____ day of _____, 20____.

Chair, Pima County Board of Supervisors

ATTEST

CLERK OF THE BOARD

This permit is not transferable or assignable, must have the executed *Pima County Fireworks Inspection Form* attached and must be available for inspection prior to, during and after the fireworks display.



PIMA REGIONAL BOMB SQUAD

Pima County Sheriff's Department
1750 E Benson Highway, Tucson, AZ 85714
"Leadership Through Teamwork"



PIMA COUNTY FIREWORKS INSPECTION FORM

This inspection is being conducted pursuant to Pima County Code (PCC) 09.04.050. Its purpose is to assure compliance with NFPA 1123 and PCC 09.04.080. No permit will be recommended for approval unless the display meets the requirements of both standards; a person violating these provisions is guilty of a class three misdemeanor. The "Site Representative" and "Operator's Representative" signing this document assume criminal and civil responsibility for compliance with these provisions.

- | YES | NO | DATE OF INSPECTION: <u>5/30/23</u> |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Launch site is more than (200') two hundred feet from the nearest permanent building, public highway, railroad, or other means of travel. Building is defined as a facility intended for occupancy or inhabitation. (09.04.080) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Site plan submitted to inspecting authority (NFPA 1123 5.1.2.1) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Site Plan includes dimensions of display, location of discharge site, spectator area, parking area, fall-out area, and associated distances (Attach Site Plan) (NFPA 1123 5.1.2.2) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Minimum radius of display site equals 70 feet per inch shell diameter (NFPA 1123 5.1.3.1) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Distance exemption required Reason: <u>NA</u> (NFPA 1123 5.1.4.6) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Launch site is more than (50') fifty feet from the nearest above ground telephone or telegraph line, tree or other overhead obstruction, or one hundred feet from a high-tension wire (09.04.080) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Launch site is more than five hundred feet from a school, theater, church, hospital, or similar institution (09.04.080) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Spectator site is more than (200') two hundred feet from the point at which the fireworks are to be discharged (09.04.080) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Only authorized persons and those in actual charge of the display shall be allowed inside these lines or barriers during the unloading, preparation, firing and clean-up period of fireworks (09.04.080) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Mortar rack set to be designed at as near vertical as possible (09.04.080) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Fireworks display will be stopped during any storm or wind in which the wind reaches a velocity of more than ten miles per hour (09.04.080) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All fireworks, articles and items at places of display shall be stored in a manner and in a place secure from fire, accidental discharge, and theft or other potential hazards, and in a manner approved by the governmental agency having jurisdiction. Storage method: <u>DELIVERED BY OP</u> (09.04.080) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Any fireworks that remain unfired after the display is concluded shall be immediately disposed of or removed in a manner safe for the particular type of fireworks (09.04.080) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Debris from the discharged fireworks will be properly disposed of by the operator before operator leaves the premises (09.04.080) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Upon conclusion of the display the operator shall make a complete and thorough search for any unfired fireworks or pieces which have failed to fire or function and shall dispose of them in a safe manner and contact the bomb squad for assistance if necessary (09.04.080) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Fire department scheduled for standby. Fire agency and POC: <u>RURAL METRO</u> (NFPA 1123 8.1.1) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Evidence of all site crew meeting NFPA training requirements provided (NFPA 1123 8.1.3.3) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Display site meets crowd control requirements including the use of ropes, boundary lines and/or spotters (NFPA 1123 8.1.2) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Operator will conduct display in compliance with the provisions set forth in NFPA 1123 and Pima County Code 9.04 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Permit approved by Sheriff's Department(09.04.050) |

[Signature]
Inspector

[Signature]
Site Representative

[Signature]
Operator's Representative

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MERCHANTS
BONDING COMPANY

MERCHANTS BONDING COMPANY (MUTUAL) P.O. BOX 14498, DES MOINES, IA 50306-3498
PHONE: (800) 678-8171 FAX: (515) 243-3854

FIREWORKS DISPLAY BOND

Bond No. AZ 423905

KNOW ALL PERSONS BY THESE PRESENTS, that we

Fireworks Productions of Arizona LTD

as Principal, and MERCHANTS BONDING COMPANY (MUTUAL), a corporation organized under the laws of the State of Iowa, and duly authorized and licensed to do business in the State of Arizona, as Surety, are firmly bound unto Pima County

State of Arizona
in the sum of One Thousand Dollars DOLLARS (\$\$1,000.00) lawful money of the United States, to the payment of which sum, well and truly to be made, the Principal and Surety bind themselves, their and each of their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS the above bounden Principal Fireworks Productions of Arizona LTD desires to have a permit for Fireworks Display and in order to have such display it is necessary for said Fireworks Productions of Arizona LTD

to execute a surety bond in the amount of One Thousand Dollars Dollars (\$ \$1,000.00) conditioned for the payment of all damages which may be caused to persons or property by reason of the permitted display as provided in Chapter 46, Arizona Legislative Session Laws of 1941.

NOW, THEREFORE, if the said Fireworks Productions of Arizona LTD well and truly observe, carry out, perform and comply with all requirements, terms and provisions of the Ordinances of the Board of Supervisors of Pima County, State of Arizona, conditioned for the payment of all damages which may be caused to persons or property by reason of the permitted display as provided in Chapter 46, Arizona Legislative Session Laws of 1941, for a period from 12:01 A.M. May 7, 2023 to 12:01 A.M. May 7, 2024 then this obligation to be void, and of no effect.

SIGNED, sealed and dated this 14th day of February, 2023.

Fireworks Productions of Arizona LTD

Principal

MERCHANTS BONDING COMPANY (MUTUAL)

By Loi Bogart
Attorney-in-fact Loi Bogart

MAY 19 2023 PM 4:23 PM

MERCHANTS
BONDING COMPANY
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa, d/b/a Merchants National Indemnity Company (in California only) (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Lori Bogart

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 14th day of February, 2023.



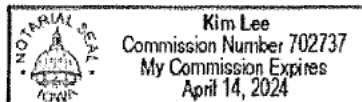
MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.
d/b/a MERCHANTS NATIONAL INDEMNITY COMPANY

By

Larry Taylor
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 14th day of February, 2023, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



Kim Lee
Notary Public

(Expiration of notary's commission
does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 14th day of February, 2023.



William Warner Jr.
Secretary



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/15/2023

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 The Partners Group Ltd 11225 SE 6th St., Suite 110 Bellevue WA 98004	CONTACT NAME: Janet Nau	
	PHONE (A/C, No, Ext): 425-455-5640 FAX (A/C, No): 425-455-6727	
	E-MAIL ADDRESS: jnau@tpgrp.com	
INSURED FPA, LTD Fireworks Productions of Arizona 17034 S. 54th Street Chandler AZ 85226	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Everest Indemnity Insurance Co	10851
	INSURER B: Everest Denali Insurance Company	16044
	INSURER C: AXIS Surplus Lines Insurance Company	26620
	INSURER D: Travelers Property Casualty Co of America	25674
	INSURER E:	
	INSURER F:	

COVERAGES**CERTIFICATE NUMBER:** 1309820839**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 SUBR INSR 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 checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	Y	SI8ML02344221	10/9/2022	10/9/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ /A PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		SI8CA00258221	10/9/2022	10/9/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
C	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$		P00100069169702	10/9/2022	10/9/2023	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	6R08411	10/9/2022	10/9/2023	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	General Liability & Auto Excess over \$4M		SI8EX01790221	10/9/2022	10/9/2023	Each Occurrence \$5,000,000 Aggregate \$5,000,000

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

The following are included as Additional Insured on General Liability as their interest may appear as respects operations performed by or on behalf of the Named Insured per form #ECG 20592 0509 Additional Insured-Designated Person or organization attached:

Date of Display: June 30, 2023

Location of Display: Forty Niner Country Club

Additional Insured(s): State of Arizona; City of Tucson (PO Box 27210, Tucson AZ 85726-7210); Pima County; Bert Williams; Forty Niner Country Club; Rural/Metro Fire Department.




CERTIFICATE HOLDER**CANCELLATION**

Macco LLC DBA Forty Niner Country Club
12000 E Tanque Verde Rd
Tucson AZ 85749

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

AUTHORIZED REPRESENTATIVE

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		TUCSON FIRE DEPARTMENT CERTIFIED SHOOTER			
<input checked="" type="checkbox"/>	Fireworks	<input checked="" type="checkbox"/>	Pyrotechnics	<input type="checkbox"/>	Flame Effects
Name: <u>Troy Finley</u>					
D.O.B. <u>[REDACTED]</u>					
Gender: <u>Male</u>					
Ht: <u>5'-9"</u>		Weight: <u>200 lbs</u>			
Hair: <u>Gray</u>		Eyes: <u>Blue</u>			
Issued date: <u>05-28-2019</u>					
Expires: <u>05-28-2024</u>					
Cert#: <u>2019-1</u>					
					

	
	
Fire Marshal	

MAY 22 23AM 1053 PC CLK OF ED



FORTY NINER COUNTRY CLUB
Tucson

Friday, June 30, 2023

10 minute display

Total Aerial Effects 2,400



Show Program:

An incredible variety and selection of multi-shot basin effects to celebrate and excite and thrill the audience.

1 1/2" - 24 FPA Premier Specialty Basins providing over 2,400 effects.

Planned Inclusion of the following Styles:

"O" Red, White & Blue
Silver Crackling Crossette
"X" Red & Green to Silver
Western Type Assorted
"X" Green & Yellow
Variety Crossette
"R" Red to White Strobe
Bless
Green Crossette

Poison Spider
"X" Red & Blue
New Type Crossette
"X" Gold to Silver Crackling
Red Crossette
Silver Crossette
Blue Crossette
New Assorted A Style
"X" Pink & Lemon

FPA Premier Multi-shot Basins provide 100 - 300 various pyro effects.

These Multi-shot basins will be fired from 1 to 3 various locations alone and in combinations to create a spectacular fiery display in the sky.

MAY 19 23 PM 01:44 PC CLK OF RD 28



Site Map

Maximum Shell Size: 1.5" Basins

12000 Tanque Verde, Tucson 85749

Fireworks Productions of Arizona

480-948-0090

info@fireworksaz.com

MAY 19 23PM 01:44 PC CLK OF RD

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