

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

September 20, 2023

Bobby Retz Westin La Paloma 3800 E. Sunrise Drive Tucson, AZ 85718

RE:

Fireworks Display

Applicant:

Westin La Paloma

Date:

November 14, 2023 at 8:00 p.m.

Location:

3800 E. Sunrise Drive

Dear Mr. Retz:

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, October 17, 2023, at approximately 9:00 a.m. or thereafter, to be held at the following location:

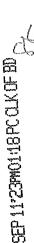
Pima County Administration Building Board of Supervisors Hearing Room 130 W. Congress, 1st Floor Tucson, AZ 85701

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

Sincerely,

Melissa Manriquez Clerk of the Board

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





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

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.

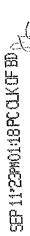
NOTE: The Display Operator and Site Manager should be selected as individuals with authority to supervise the event. These parties must be willing to accept civil/criminal responsibility for assuring compliance with provisions and safety regarding this display. A violation of Pima County Code 9.04 is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

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ORGANIZATION/APPLICANT:	Westin La Paloma	
MAILING ADDRESS:	3800 East Sunrise Dr, Tucson AZ 85718	
LOCATION/ADDRESS OF DISPLAY:	Westin La Paloma/same	
SITE MANAGER:	Bobby Retz	
CONTACT INFO: Email: bobby.retz	Phone #:	
DATE AND TIME OF DISPLAY:	Tuesday, Nov 14, 2023 @ 8:00pm	
ALTERNATE DISPLAY DATE(s)/TIME*	none	
*(Alternate display date(s) must be within 7	days of the date selected above)	
PRODUCTION COMPANY:	Fireworks Productions of Arizona	
DISPLAY OPERATOR:	Troy Finley	
CONTACT INFO: Email: tfinley@tue	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.





ORGANIZATION:

ADDRESS:

PIMA COUNTY PERMIT FOR FIREWORKS DISPLAY

3800 East Sunrise Dr., Tucson AZ 85718

Westin La Paloma

LOCATION OF DISPLAY:	Westin La Paloma/same address				
DATE AND TIME OF DISPLAY:	Tuesday, November 14, 2023@ 8:00pm				
PRODUCTION COMPANY:	Fireworks Productions of Arizona				
conducted a site inspection and	9.04.050, the Pima County Sheriff's Department has a recommends approval of the Permit for Fireworks provisions on the attached <i>Pima County Fireworks</i>				
	Con Non				
	Pima County Sheriff				
the location, date and time specif	ervisors approves the Permit for Fireworks Display for fied above. In the event a fire emergency is declared, it forth in that declaration is required.				
Dated thisday 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	МО	DATE OF INSPECTION: 4/16/23 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)
ø,		Site plan submitted to inspecting authority (NFPA 1123 5.1.2.1)
Ø		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)
丒		Minimum radius of display site equals 70 feet per inch shell diameter (NFPA 1123 5.1.3.1)
XP/		Distance exemption required Reason: (NFPA 1123 5.1.4.6)
721		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)
山		Launch site is more than five hundred feet from a school, theater, church, hospital, or similar institution (09.04.080)
d		Spectator site is more than (200') two hundred feet from the point at which the fireworks are to be discharged (09.04.080)
z		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)
力		Mortar rack set to be designed at as near vertical as possible (09.04.080)
14		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)
ø		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 parential hazards, and in a manner approved by the governmental agency having jurisdiction. Storage method: (09.04.080)
6		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)
ď		Debris from the discharged fireworks will be properly disposed of by the operator before operator leaves the premises (09.04.080)
Þ		Upon conclusion of the display the operator shall make a complete and thorough search for any unfired fireworks or pieces which have falled 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)
A		Fire department scheduled for standby. Fire agency and POC: RURAL META (NFPA 1123 8.1.1)
A		Evidence of all site crew meeting NFPA training requirements provided (NFPA 1123 8.1.3.3)
		Display site meets crowd control requirements including the use of ropes, boundary lines and/or spotters (NFPA 1123 8.1.2)
ø		Operator will conduct display in compliance with the provisions set forth in NFPA 1123 and Pima County Code 9.04
'ø		Permit approved by Sheriff's Department(09.04.050)
/_	///	
Inage	ctor	Site Representative Operator's Representative

Revised 28 OCT 2012



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	ve		
Fireworks Productions of Arizona LTD	To the state of th		i
as Principal, and MERCHANTS BONDING COMPA organized under the laws of the State of licensed to do business in the State of A	Iowa, and di	uly author	rized and
bound unto Pima County			
in the sum of One Thousand Dollars	D	OLLARS (\$	ate of Arizona \$1,000.00
lawful money of the United States, to the truly to be made, the Principal and Suret of their heirs, executors, administrators and severally, firmly by these presents.	y bind them:	selves, th	eir and each
WHEREAS the above bounden Principal Fireworks	Productions of Arize	na I TD	
desires to have a permit for Fireworks D display it is necessary for said <u>Fireworks I</u>	splay and	n order	to have such
to execute a surety bond in the amount of	One Thousand	Dollars	
Dollars (\$ \$1,000.00) conditioned for be caused to persons or property by reason provided in Chapter 46, Arizona Legislativ	the payment of the per	of all da mitted di	splay as
NOW, THEREFORE, if the said Fireworks Production	s of Arizona LTD		
well and truly observe, carry out, perform terms and provisions of the Ordinance: Pima	of the Bo	ard of S	
conditioned for the payment of all damage property by reason of the permitted di Arizona Legislative Session Laws of 19 May 7,2023 to 12:01 A.M. obligation to be void, and of no effect.	s which may splay as pr	be caused ovided i eriod fr	to persons or n Chapter 46,
	Tri Tri managaman and Tri		:
SIGNED, sealed and dated this 14th day	of Feb	ruary	, 2023
Fireworks Produ	ctions of Arizona I	TD /	
Principal	(O)		
	900	1	
MERCHANTS	BONDING COMP.	ANY (MUTUA	L)
ByAttorney-i	n-fact Logie	ogart Sogart	
- /			

LP 0265 AZ (2/15)



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.

resident, 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 transpission 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 aut hority 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

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 Commission Number 702737 My Commission Expires April 14, 2024

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 ‡ONDING, 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

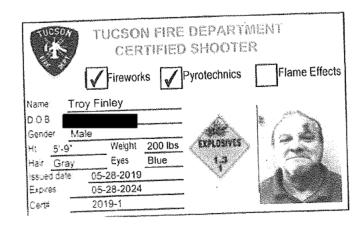
February

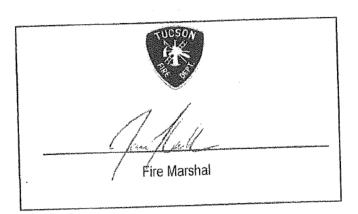
, 2023 .

Secretary

William

POA **0**018 (10/22)







CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 9/6/2023

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(les) 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).

CONTACT NAME:				
PHONE (A/C, No. Ext); 216-658-7100	FAX (A/C, No): 216-658-7101			
E-MAIL ADDRESS:				
INSURER(S) AFFORDING COVERAGE	NAIC#			
INSURER A: Everest Indemnity Insurance Co.				
INSURER B: Axis Specialty Ins Co	15610			
INSURER c : Everest Denali Insurance Company	16044			
INSURER D: AZ Assigned Risk Plan NCCI				
INSURER E :				
INSURER F:				
	NĂMÉ: PHONE (A/C. No. Ext): 216-658-7100 E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A: Everest Indemnity Insurance Co. INSURER B: Axis Specialty Ins Co INSURER C: Everest Denali Insurance Company INSURER D: AZ Assigned Risk Plan NCCI INSURER E:			

COVERAGES	CERTIFICATE NUMBER: 1567252123	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.

E	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)	LIMIT	s
Α	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY	Υ	Y	SI8ML02344-231	10/9/2023	10/9/2024	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000 \$ 500,000
	CLAIMS-MADE X OCCUR						MED EXP (Any one person)	\$
ļ							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	\$ 2,000,000 \$
С	POLICY X PRO- AUTOMOBILE LIABILITY	Y	Y	SI8CA00258-231	10/9/2023	10/9/2024	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
	X ANY AUTO						BODILY INJURY (Per person)	\$
	ALL OWNED SCHEDULED AUTOS AUTOS							\$
	X HIRED AUTOS X NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	\$ 5
								\$ 5
В	UMBRELLA LIAB X OCCUR	Υ	Υ	P-001-000691697-02	10/9/2023	10/9/2024	EACH OCCURRENCE	Ψ 4,000,000 αμπη
	X EXCESS LIAB CLAIMS-MADE						AGGREGATE	\$ 4,000,000 ——1
	DED RETENTION\$						1	\$ 4,000,000
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N			6JUB-6R08411-5-23(AZ)	10/9/2023	10/9/2024	X WC STATU- OTH- TORY LIMITS ER	*•
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?	N/A					E.L. EACH ACCIDENT	\$ 1,000,000
	(Mandatory in NH)						E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
L	If yes, describe under DESCRIPTION OF OPERATIONS below	ļ					E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
А	2nd Excess			SI8EX01790-231	10/9/2023	10/9/2024	Each Occurrence Aggregate	5,000,000 5,000,000

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

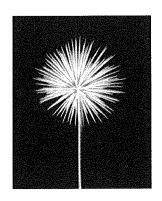
Additional Insured extension of coverage is provided by above referenced General Liability and Auto Liability policies where required by written agreement.

Date of Display: October 26, and November 14, 2023 Location of Display: Westin La Paloma Driving Range

Additional Insured(s): Pima County; Rural Metro Fire Department; Westin La Paloma Resort & Spa: Destination & Conference Services Inc..

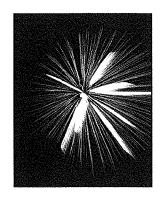
CERTIFICATE HOLDER	CANCELLATION
Westin La Paloma Resort & Spa	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
3660 East Sunrise Drive Tucson AZ 85718	AUTHORIZED REPRESENTATIVE

EXHIBIT A



WESTIN LA PALOMA

Tuesday, November 14, 2023 8 - 10 Minutes



Total Aerial Effects 703

Total Aerial Shells 253

Total Basin Effects 450

Opening:

Your show begins with an impressive series of powerful booms and fiery color to excite and thrill the audience.

14 - 3" Assorted Color Shells

Aerial Display:

A large assortment of brilliantly-colored shells, including Chrysanthemums, Rings, Various Shapes, Waves, Crowns, Peonies, Strobes, Double Rings, Brocade Crowns, Diadems, and Crossettes in gorgeous Reds, Yellows, Blues, Greens, Silvers, and Golds.

Your Aerial Display will contain a total of 190 Aerial shells and 450 Basin Effects.

1 ½" - 3 FPA Premier Specialty Basins (100 - 300 Shots per Basin)

3" - 190 Chinese Fancy's & Specials

Grande Finale:

Your celebration will close in spectacular excitement as multiple styles of brilliantly-colored shells, rocket skyward growing and glowing in breath-taking Blues, Golds, Greens, Silvers, Yellows, Purples and Red.

Your Grand Finale consists of 49 Aerial shells:

Your Grand Finale: 49 - 3" shells.



Fireworks Productions of Arizona 480-948-0090

90 info@fireworksaz.com

SEP 11"23PMO1:19 PC CLK OF BD A