

Pima County Clerk of the Board

Melissa Manriquez

Katrina Martinez Deputy Clerk 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

July 26, 2023

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

RE: Fireworks Display Applicant: Westin La Paloma Date: September 2, 2023 at 9:00 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, August 21, 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



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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:	Westin La Paloma	
MAILING ADDRESS:	3800 East Sunrise Dr, Tucson AZ 85718	Ê
LOCATION/ADDRESS OF DISPLAY:	Westin La Paloma/same	
SITE MANAGER:	Bobby Retz	i de la companya de
CONTACT INFO: Email: bobby.retz	z@westinlapaloma.com	
DATE AND TIME OF DISPLAY:	Saturday, Sept 2, 2023 @ 9pm	Phone #: <u>520-400-4477</u>
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	1 m
DISPLAY OPERATOR:	Troy Finley	
CONTACT INFO: Email: tfinley@tu	Phone #: ⁵²⁰⁻⁹⁹¹⁻⁰¹⁵⁰	

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.



PIMA COUNTY PERMIT FOR FIREWORKS DISPLAY

ORGANIZATION:	Westin La Paloma				
ADDRESS:	3800 East Sunrise Dr., Tucson AZ 85718				
LOCATION OF DISPLAY:	Westin La Paloma/same address				
DATE AND TIME OF DISPLAY:	Saturday, September 2, 2023@ 9pm				
PRODUCTION COMPANY:	Fireworks Productions of Arizona				

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"



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I BERNIG ROAD

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 guility 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.

VES E	NO □	DATE OF INSPECTION: $7/25/23$ 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)							
ø		Minimum radius of display site equals 70 feet per inch shell diameter (NFPA 1123 5.1.3.1)							
Ø		Distance exemption required Reason: N A (NFPA 1123 5.1.4.6)							
E		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)							
Ø		Launch site is more than five hundred feet from a school, theater, church, hospital, or similar institution (09.04.080)							
Ø		Spectator site is more than (200') two hundred feet from the point at which the fireworks are to be discharged (09.04.080)							
ø		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)							
Ø		Mortar rack set to be designed at as near vertical as possible (09.04,080)							
ø		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 potential hazards, and in a manner approved by the governmental agency having jurisdiction. Storage method:							
۲d,		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)							
Ø		Debris from the discharged fireworks will be properly disposed of by the operator before operator leaves the premises (09.04.080)							
Ø		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)							
ø		Fire department scheduled for standby. Fire agency and POC: <u>RVRAC MERO</u> (NFPA 1123 8.1.1)							
ĺ⊈/		Evidence of all site crew meeting NFPA training requirements provided (NFPA 1123 8.1.3.3)							
Ø		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)							
	/	MILLAN - SE							
	le f								
Inspec	C Street	Site Representative Operator's Representative							

Revised 28 OCT 2012

ERCHANT BONDING COMPAN

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 Nd. 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 sun, 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 \mid One Thousand \oint ollars 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 May 7, 2024 ____ to 12:01 A.M. _ 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) War By Attorney fact L61 Bogart

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.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice Ptesident 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 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 Februa February , 2023



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 sw did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the 2023 , before me appeared Larry Taylor, to me personally known, who being by me duly sworn 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.

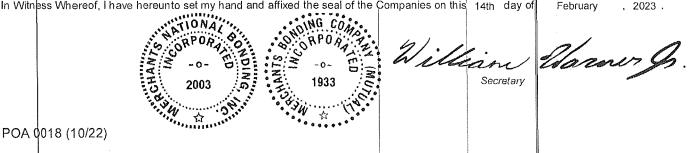


Votarv Public

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

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL CONDING, 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



A		ric		ATE OF LIA	BII				DATE (MM/DD/YYYY)
Ĺ	CER						JUNA		7/2	20/2023
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.										
tł	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									
	ertificate holder in lieu of such endors	seme	nu(s)	•	CONTA	CT Longt Nieu				
Th	e Partners Group Ltd				NAME: Janet Nau PHONE FAX (A/C, No, Ext): 425-455-5640					
	225 SE 6th St., Suite 110 llevue WA 98004				PHONE (A/C, No, Ext): 425-455-5640 E-MAIL ADDRESS: jnau@tpgrp.com					
De	lievue WA 98004									NAIC #
					INSURER A : Everest Indemnity Insurance Co				10851	
INSL	RED			16021	INSURER B : Everest Denali Insurance Company				16044	
	A, LTD							surance Company		26620
	eworks Productions of Arizona							sualty Co of America		25674
Ch	andler AZ 85226				INSURE	RE:				
					INSURE	R F :				
co	VERAGES CER	TIFI	CATE	NUMBER: 713727209				REVISION NUMBER:		
IN C	HIS IS TO CERTIFY THAT THE POLICIES IDICATED. NOTWITHSTANDING ANY RE ERTIFICATE MAY BE ISSUED OR MAY KCLUSIONS AND CONDITIONS OF SUCH	EQUIF PERT	REMEI 'AIN, '	NT, TERM OR CONDITION THE INSURANCE AFFORDI	of an' Ed by	Y CONTRACT	OR OTHER I S DESCRIBEI	DOCUMENT WITH RESPE	ст то и	WHICH THIS
INSR LTR	TYPE OF INSURANCE		SUBR WVD	POLICY NUMBER		POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMIT	s	
A	GENERAL LIABILITY	Y		SI8ML02344221		10/9/2022	10/9/2023	EACH OCCURRENCE DAMAGE TO RENTED	\$ 1,000,0 \$ 500,00	
	CLAIMS-MADE X OCCUR							PREMISES (Ea occurrence) MED EXP (Any one person)	\$ /A	<u>,</u>
								PERSONAL & ADV INJURY	\$ 1,000,0)00
								GENERAL AGGREGATE	\$ 2,000,0	
	GEN'L AGGREGATE LIMIT APPLIES PER:							PRODUCTS - COMP/OP AGG	\$ 2,000,0	
	POLICY X PRO- JECT LOC								\$	
В	AUTOMOBILE LIABILITY			SI8CA00258221		10/9/2022	10/9/2023	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,0	000
	X ANY AUTO							BODILY INJURY (Per person)	\$	to a second
	ALL OWNED SCHEDULED AUTOS AUTOS							BODILY INJURY (Per accident)	\$)
	X HIRED AUTOS X NON-OWNED AUTOS							PROPERTY DAMAGE (Per accident)	\$	1
									\$	
С	UMBRELLA LIAB X OCCUR			P00100069169702		10/9/2022	10/9/2023	EACH OCCURRENCE	\$ 4,000,0	000
	X EXCESS LIAB CLAIMS-MADE						AGGREGATE	\$ 4,000,0	1.1	
D	DED RETENTION \$		6R08411		10/0/20	10/9/2022	10/9/2023	X WC STATU- OTH-	\$	
	AND EMPLOYERS' LIABILITY Y / N			0100411		10/3/2022	10/5/2025	TORY LIMITS ER		
	ANY PROPRIETOR/PARTNER/EXECUTIVE	N / A						E.L. EACH ACCIDENT \$ 1,000,		
(Mandatory in NH)								E.L. DISEASE - EA EMPLOYEE \$ 1,000,		
A General Liability &				SI8EX01790221		10/9/2022	10/9/2023	E.L. DISEASE - POLICY LIMIT Each Occurrence	\$5,000	,000
	Auto Excess over \$4M					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: September 2, 24 and October 2, 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										
	RTIFICATE HOLDER				CAN	CELLATION	illing of the lange of the lang			
Westin La Paloma Resort & Spa 3660 E. Sunrise Drive Tucson AZ 85718					SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.					
				Sweet Hardh						

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

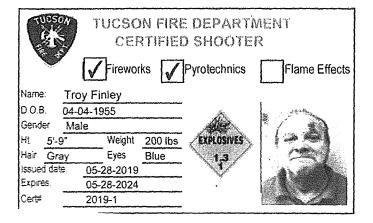
Name Of Additional Insured Person(s) Or Organization(s) ANY PERSON OR LEGAL ENTITY IN WHICH YOU HAVE A WRITTEN CONTRACT, AGREEMENT, OR PERMIT WHICH REQUIRES THAT YOU NAME THE CONTRACTING PARTY AS AN ADDITIONAL INSURED.

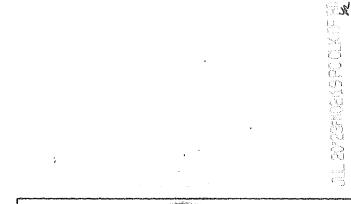
- Information required to complete this Schedule, if not shown above, will be shown in the Declarations.
- A. Section II Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" but only to the extent caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:
 - **1.** In the performance of your ongoing operations: or
 - 2. In connection with your premises owned by or rented to you.
- B. The insurance afforded to an additional insured shall only include the insurance required by the terms of the written agreement and shall not be broader than the coverage provided within the terms of the Coverage Part.

- C. The Limits of Insurance afforded to an additional insured shall be the lesser of the following:
 - 1. The Limits of Insurance required by the written agreement between the parties; or
 - 2. The Limits of Insurance provided by this Coverage Part.
- **D.** With respect to the insurance afforded to an additional insured, the following additional exclusion applies:

This insurance does not apply to "bodily injury", "property damage" or "personal and advertising injury" arising out of any act or omission of an additional insured or any of its employees.

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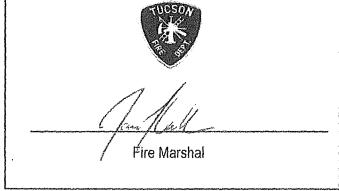
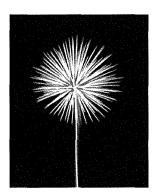


EXHIBIT A

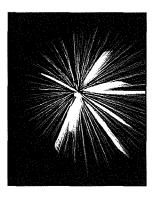


WESTIN LA PALOMA

Saturday, September 2, 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 ¹/₂" - **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 brilliantlycolored 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: <u>49</u> - 3" shells.

Designed by: Fireworks Productions of Arizona



Site Map

Maximum Shell Size: 3" Shells

Fireworks Productions of Arizona

480-948-0090 info@firev

info@fireworksaz.com

JUL 20*23PM02/19 PC CL K (F. R.D.