

**Memorandum  
Office of the City Clerk**



**To:** Randall D. Tweet, Interim City Manager  
**Subject:** Pyrotechnic Display Permit – Quad City Hindu Temple  
**Date:** October 5, 2016

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Attached is a memo from Fire Marshal Greg Marty detailing the application review process for a pyrotechnic display permit request from John Norris of J&M Displays. This permit request is in regards to a Fireworks Display to be held at the Quad City Hindu Temple on Saturday, October 15, 2016 at approximately 8:30 pm at 9801 14<sup>th</sup> Street West, Rock Island, IL. The Fireworks Display will be part of a religious ceremony. The Fireworks will be held on the east end of the Quad City Hindu Temple's property.

John Norris from J & M Displays is a licensed pyrotechnics distributor and operator and will be the technician for the Fireworks Display. Mr. Norris is working with Fire Marshal Greg Marty to ensure that all the proper procedures are being followed. Fire Marshal Marty has reviewed and approved the application.

Also attached is an email from Raju Penmatcha of the Quad City Hindu Temple requesting permission for the Fireworks Display.

Article I of Chapter 10, Sec. 10-9 (a) of the Code of Ordinances does not permit fireworks to be discharged in the City of Rock Island. Prior to the permit being issued and for the Fireworks Display to move forward, it is recommended that Council temporarily waive the ordinance.

The pyrotechnics display permit application, insurance and a copy of the identified section of the ordinance is attached.

**RECOMMENDATION:**

It is recommended that Council approve the fireworks display and temporarily waive Article I of Chapter 10, Sec. 10-9 (a) of the Code of Ordinances, and authorize the Fire Marshal's office to issue the pyrotechnic display permit.

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**Submitted by:** Aleisha L. Patchin, City Clerk  
**Approved by:** Randall D. Tweet, Interim City Manager



**ROCK ISLAND**  
ILLINOIS

**MEMORANDUM**  
**OFFICE OF THE FIRE MARSHAL**

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**TO:** Aleisha Patchin, City Clerk  
**SUBJECT:** Pyrotechnic Display Permit Application  
**DATE:** October 5, 2016

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An application for a pyrotechnic display has been submitted to my office by John Norris of J & M Displays. Mr. Norris is a licensed pyrotechnics distributor and operator. He possesses the required Illinois certifications through the Illinois State Fire Marshal's office. His application was submitted within the prescribed time limitations required under Illinois State Statutes.

A permit has been requested for a fireworks display to be held on October 15, 2016 at 8:30 p.m. at the Quad City Hindu Temple at 9801 14<sup>th</sup> St. W. The display will be part of a religious ceremony. The show will be shot using a professionally licensed technician with all the required state and federal licensures. The application has been reviewed and found to be in order. All safety measures and practices are understood and will be followed.

As part of the application process, the applicant must be granted a variance of the City of Rock Island Code of Ordinances, Chapter 10, Article 1, Sec. 10-9 before a permit may be issued. Before the permit is issued the completed application must be reviewed and the variance must be granted.

Recommendation: After a review of the application it is my recommendation that a variance of the ordinance would be in order. Pending council's granting the variance, a permit will be issued by the Fire Marshal's Office.

**Submitted by:** Greg C. Marty, Fire Marshal  
**Approved by:** Jeffrey Yerkey, Fire Chief

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**Re: Quad City Hindu Temple(QCHT) Fireworks Display and Burning of Effigy of a Demon, Oct 15, 2013; 6-7 PM**

1 message

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rpenmatcha@msn.com <rpenmatcha@msn.com>

Tue, Oct 4, 2016 at 6:38 PM

To: Aleisha Patchin City Clerk <patchin.aleisha@rigov.org>, Greg Marty City Of Rock Island <marty.greg@rigov.org>

Cc: qchtboard <qchtboard@qchindutemple.com>

Oct 4, 2016

Aleisha/Greg-

1. We are going to have a major religious function scheduled for Oct 15th which involves fireworks display and burning of effigy of a demon and about 500 devotees are planning attending.

2. We have been doing this kind of ceremonies for the last 9 years since our temple was built. Our devotees thought that the temple is located in the rural area and they never thought that they need the City permit.

3. I am the one who raised this question to our community this week and wanted to go by your city rules, codes and ordinances and asked Greg this morning about this issue. We did not know that we have to go through the City Council. Had we known, we could have applied early for the City Council approval.

4. We really appreciate if you can place this variance request on the City Council agenda for the meeting scheduled on Oct 10th. The next meeting scheduled for Oct 17th will be too late since Our function is going to be on Oct 15th.

5. We are willing to have a professional pyrotechnics/licensed vendor to do the fireworks display work, if the City Council approves this variance at the Oct 10th meeting.

6. Also, we need an open burning permit to burn the effigy of a demon which is going to be 20ft high, made of two layers of plywood stuffed with hay in between and it will have a three dimensional statue look

7. We will take all the precautions including spraying of water around the area before burning, two water hoses ready nearby etc so that it will be very safe to our structures. Please note that we do not have any development and/or buildings on three sides of our property. This fireworks and burning of the effigy is going to take place at the east end of our property with no buildings close by.

Summary:

A. We request you to keep our request for variance on the fireworks on the Oct 10th City Council agenda

B. We are willing to use a licensed pyrotechnics operator for our fireworks display as required by the City Ordinance.

C. We need the open burning permit to burn effigy of the demon.

D. We greatly appreciate your help to make it work.

E. Sorry for not being able to request this variance in a timely manner IAW your City guidelines.

F. If it is going to help, I can talk to the City Mayor and our Alderman Mr. Virgil Mayberry to keep this issue on the City Council Agenda. Please let me know.

G. I will be very happy to show you the location of the fireworks display on our temple grounds.

Thanks for your help

Raju Penmatcha, MBA  
9311 Turkey Hollow Road  
Taylor Ridge, Illinois 61284



HOLD HARMLESS AGREEMENT

FIREWORKS

I, John Norris, state that I am the authorized agent of J & M Displays, Inc., which is duly organized under the State of Iowa and authorized to do business in the State of Illinois, as a corporation and am authorized to bind it to this Hold Harmless Agreement.

The corporation, having been issued a permit and license to explode fireworks and/or fireworks displays by the De Hindu Temple 9801 14th St Rock, IL do hereby agree to hold the city of Rock, IL, Illinois harmless from any and all liability resulting from the use of said fireworks and/or fireworks displays within the permitted area.

The corporation further agrees to indemnify and hold harmless city of Rock, IL, Illinois, its agents and employees from and against all claims, damages, losses and expenses including attorney fees arising out of the explosion, construction of, and dismantling of said fireworks and/or fireworks displays as a result of the issuance of said permit.

The corporation further states that it has insurance to cover liability for the above stated activity in the amount of Ten Million (\$10,000,000.00)

Dated this 5 day of Oct ~~June~~, 2016

J & M Displays, Inc.

By John P Norris

Agent's Signature.



**Sec. 10-9. Firearms; Explosives; Slingshot; Fireworks; Bow And Arrow;  
Air Gun:**

- (a) *Prohibited:* No person shall, in any part of the city, fire or discharge any cannon, gun, pistol or other firearm, or set off, fire or explode any torpedo, firecracker, fireball, rocket or other fireworks whatsoever <sup>1</sup>. However, the discharge of firearms by the members of any military organization when on parade and in accordance with the command of the commanding officer, or by any city officer or other person in the discharge of any legal duty or necessary and lawful act done in a proper and careful manner, shall not be deemed a violation hereof <sup>2</sup>. No person shall in any part of the city possess any torpedo, firecracker, fireball, rocket or other fireworks whatsoever. Fireworks as defined in the fireworks regulation act, 425 Illinois Compiled Statutes 30/2.
- (b) *Air Guns And Toy Guns:* It shall be unlawful for any person to discharge on the streets, avenues, alleys or other public grounds any air gun or toy gun from which is sent a lead or metal missile.
- (c) *Slingshots; Bow And Arrow; Exception:* It shall be unlawful for any person to shoot a slingshot or bow and arrow within the corporate limits of the city. However, archery may be practiced if done in a safe place and under the competent supervision of an adult. The prohibition against shooting a bow and arrow within the city limits shall not apply to the hunting of deer with a bow and arrow in accordance with subsection (d) of this section.
- (d) *Archery Deer Hunting:* A person may discharge a long, recurve, compound bow, or crossbow as permitted by the Illinois department of natural resources regulations and the laws of the state of Illinois, within the corporate limits of the city during the course of harvesting deer if the following requirements are met:
- (1) The person must possess a valid deer archery permit issued by the state of Illinois and must comply with all of the conditions of the permit and all applicable laws and regulations of the Illinois department of natural resources relating to archery deer hunting.
  - (2) The person must possess a deer hunting permit issued by the city. The cost for this permit shall be fifty dollars (\$50.00). The application procedure necessary for obtaining a permit shall be according to the city of Rock Island deer management rules and restrictions for deer hunting in subsection (f) of this section.
  - (3) The number of locations or "sites" for deer hunting to be permitted shall be set by the city council on an annual basis. There shall be fourteen (14) permitted "sites" with no more than eight (8) "sites" located on private property. The size of each "site" whether on public or private property, must have a minimum of three (3) contiguous acres. City staff shall identify and approve all "sites".
  - (4) Each hunter shall be authorized to hunt from an approved "stand" located on the permitted hunting "sites". Each "stand" located on an approved "site" shall have a minimum platform height of six feet (6'). No person shall knowingly direct an arrow across the boundary of or off the designated "site". Only one hunter per "stand" at any one time