

## **A RESOLUTION OF THE NIXA CITY COUNCIL GRANTING A PERMIT TO THE NIXA PUBLIC SCHOOL DISTRICT FOR THE DISPLAY OF FIREWORKS**

### **Background:**

The Nixa Public School District is requesting to conduct public displays of fireworks at Nixa High School in conjunction with Nixa High School football home games during the 2026 season. Section 16-198 of the Nixa City Code provides for the issuance of permits for these types of displays on certain conditions and with the authorization of the City Council.

### **Analysis:**

Nixa Public Schools plans to conduct public displays of fireworks at the following Nixa High School football games during the 2026 season at Eagle Stadium:

August 28

September 11

October 1

October 9

The displays will be conducted by AM Pyrotechnics on behalf of the school district. AM Pyrotechnics is properly licensed and is competent to conduct such displays. The school district requires the operator to provide proof of insurance of up to \$3 million in liability coverage in addition to worker's compensation insurance. The displays will occur after every Nixa Eagle touchdown and after the above-listed games.

AM Pyrotechnics will be using 1.4G fireworks which is a normal consumer grade firework. The new multipurpose facility for Nixa Public Schools is now located where the fireworks were previously discharged from. The facility's unique covering requires protection from hazards that can cause significant damage. Based off the advice of the manufacturer and of the Nixa Fire Protection District, staff are requiring certain setbacks be met to ensure the safety of the facility and the safety of other infrastructure in the area. The National Fire Protection Association (NFPA) has general guidelines for setbacks for firework displays based on the size of mortar being discharged and it also grants the permit issuing authority the right to extend those setbacks if necessary. In addition to the NFPA, the Code of State Regulations (CSR) for Missouri has additional requirements for firework displays under the Department of Public Safety section (Division 40 Chapter 3). Per the CSR standards, staff is requiring a 300' setback from the fuel storage for the generator at the water tower. The setback from the multipurpose facility could range anywhere from 210' per the NFPA, to 600' per the CSR if the building is classified as a school. Staff are not comfortable with the minimum distance and proposed a

compromise of 350' from the multipurpose facility. AM Pyrotechnics and Nixa Public Schools have agreed to these setbacks.

Nixa Public School District will have to comply with all applicable state and other local regulations, including requirements of the International Fire Code as administrated by the Nixa Fire Protection District.

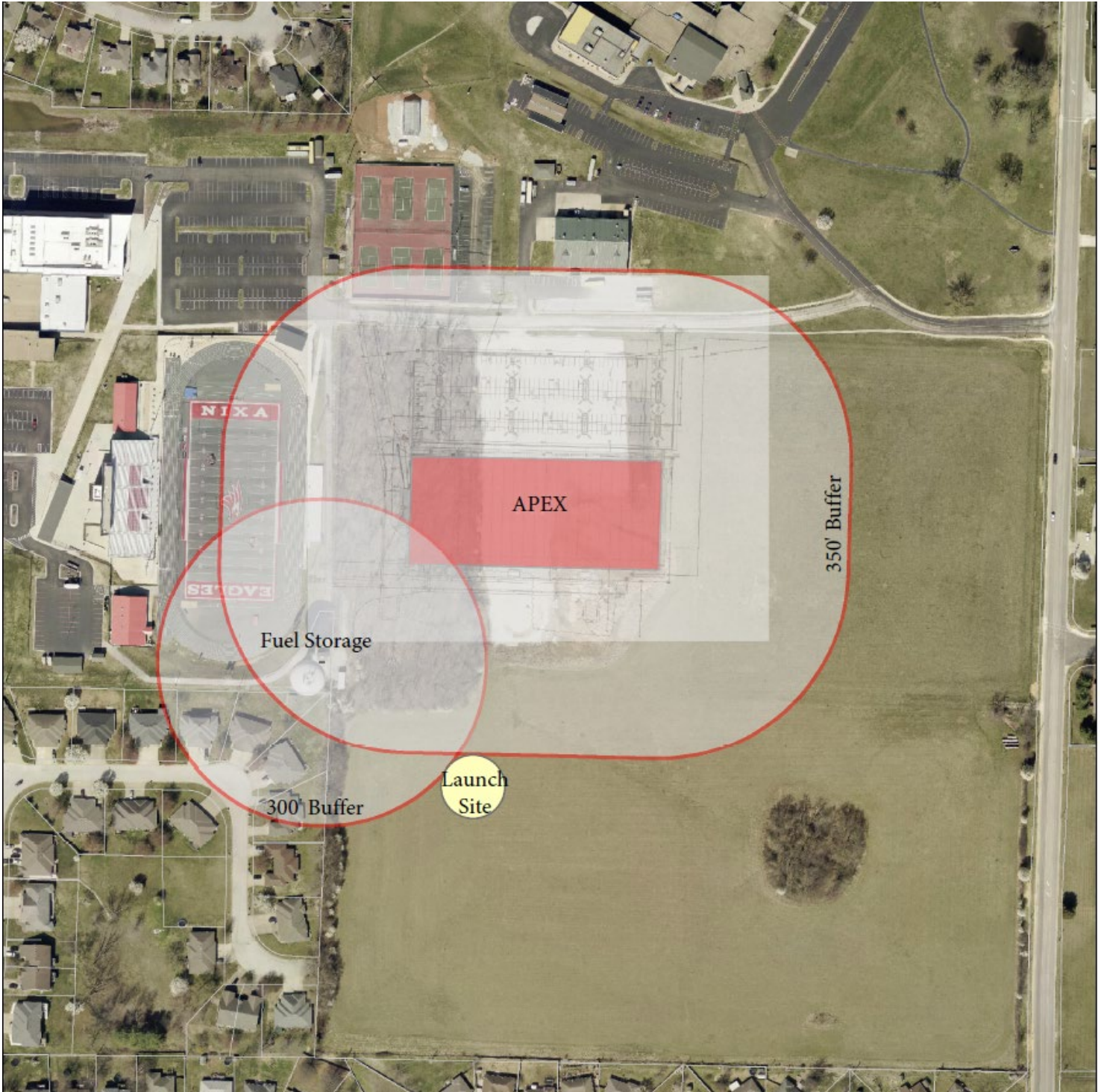
### **Recommendation:**

Nixa Public School District has provided proof of AM Pyrotechnics liability insurance. Staff recommend approval with the required setbacks of 300' from the fuel storage at the water tower and 350' from the multipurpose facility. The attached map will show the setbacks and the acceptable display site.

### **Memo Submitted By:**

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**RESOLUTION NO. 2026-32**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF NIXA GRANTING A PERMIT TO NIXA PUBLIC SCHOOLS TO AUTHORIZE THE DISPLAY OF FIREWORKS FOR THE 2026 HIGH SCHOOL FOOTBALL SEASON.**

**WHEREAS** City Code section 16-197 generally prohibits the discharge or use of any fireworks within the City; and

**WHEREAS** City Code section 16-198 authorizes the City Council to grant permits authorizing the supervised public display of fireworks by other jurisdictions; and

**WHEREAS** Nixa Public Schools (the "Applicant") has requested a permit to engage in the supervised public display of fireworks during certain official Nixa High School home football games during the 2026 season; and

**WHEREAS** the City Council desires to issue a permit for such activity, as authorized by City Code section 16-198, upon the terms and conditions provided for herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NIXA, AS FOLLOWS, THAT:**

**SECTION 1:** City Council hereby grants a permit to the Applicant, pursuant to City Code section 16-198, authorizing the supervised public display of fireworks, provided that such display fully complies with the terms and conditions of this Resolution. The permit granted herein authorizes the Applicant to discharge any fireworks at the Applicant's property located within the City of Nixa at 701 South Gregg Road. Such discharge shall be conducted by an individual appropriately licensed by the state fire marshal.

**SECTION 2:** The permit granted herein authorizes the Applicant to discharge fireworks during official Nixa High School home football games occurring on:

- August 28, 2026;
- September 11, 2026;
- October 1, 2026; &
- October 9, 2026.

**SECTION 3:** The authorization granted herein is subject to all applicable provisions of the City Code, including without limitation City Code sections 16-198, 16-199, & 16-200. Additionally, the authorization granted herein is expressly subject to any and all applicable provisions of the City's adopted Fire Code and any other applicable state or local law. Furthermore, no discharge shall be permitted within 300 feet of any fuel storage equipment located at 658 South Nicholas Road. Additionally, no discharge shall be permitted within 350 feet of the multipurpose facility located at 701 South Gregg Road.

**SECTION 4:** The City Administrator is hereby authorized to impose any additional requirements or conditions to the Permit granted herein that, in the reasonable judgment

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of the City Administrator, are warranted to protect the health, safety, and welfare of the residents of the City. The authorization granted to the City Administrator in this Section includes the authority to revoke the Permit granted by the Council herein if, in the City Administrator's reasonable judgment, the discharge of fireworks by the Applicant would unreasonably harm the health, safety, and welfare of the residents of the City. Additionally, the City Administrator is authorized to do all things necessary or convenient to carry out the intent of this Resolution.

**SECTION 5:** The Applicant shall obtain any necessary approvals of the Nixa Fire Protection District prior to engaging in the activities authorized by this Resolution.

**SECTION 6:** This Resolution shall be in full force and effect from and after its final passage by the City Council and after its approval by the Mayor, subject to the provisions of section 3.11(g) of the City Charter.

**ADOPTED BY THE COUNCIL THIS 14th DAY OF JULY, 2026.**

ATTEST:

\_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
CITY CLERK

**APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2026.**

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
INTERIM CITY ATTORNEY