

BOROUGH OF DEAL
190 NORWOOD AVENUE, P.O. BOX 56
DEAL, NEW JERSEY 07723
Telephone (732) 531-1454

Date: **January 1, 2025**

Re: **Fireworks Displays and Amusement Ride Requirements**

There are requirements for fireworks displays and amusement rides prior to permits being granted. Please submit the attached Firework and/or Amusement Ride Checklist along with all other requirements to: clerk@dealborough.com.

****Submissions should be sent at least two (2) weeks prior to the event.****

This bulletin applies to all amusement rides required to be registered with NJDCA. As a reminder, “bouncy houses” and the like are also considered amusement rides and are formally known as “Type 4 Air Supported Structures”. Please note, oversight of the structures is considered “operation”.

Vendors must provide their own attendants.

FIREWORKS DISPLAY/AMUSEMENT RIDE REQUIREMENTS

The following information must be filed with and approved by Municipal Clerk and/or the Borough Administrator prior to the event:

1. Contract between the contractor and the member entity. Contracts we see are sometimes silent or ambiguous as to who is responsible for policing the display/ride, setting up the ride, searching for/disposing of unfired fireworks, etc. If the contract is silent or ambiguous on any of this, we will be requesting that you obtain an addendum to the contract or a letter from the contractor on their letterhead stating they will be responsible for such. Contracts must be signed by both the member entity and the contractor.
2. Certificate of insurance from contractor to include the following information:
 1. General Liability: \$1,000,000 per occurrence combined single limit for bodily injury and property damage with \$2,000,000 general aggregate. Contractual liability must be included. No amusement/inflatable exclusion; it must cover the amusements to be used in the contract, and such should be stated on the Certificate.
 2. Automobile Liability: \$1,000,000 per occurrence combined single limit for bodily injury and property damage with no aggregate.
 3. Workers Compensation: Statutory limits
 4. Employers Liability: at minimum limits of \$500,000.
 5. Umbrella Liability: \$4,000,000 per occurrence and in the aggregate are strongly recommended, sitting excess of the General Liability, Automobile Liability and Employers Liability coverages.
 6. The member entity and any associations, recreations or committees formed by the member entity to organize the “event” must be named as additional insureds on the General Liability, Automobile Liability and Umbrella Liability coverages.
 7. Rain date, if applicable, should also be shown on the description section of the certificate of insurance.
3. An executed hold harmless agreement in favor of the member entity must be signed by the contractor. Enclosed is suggested hold harmless agreement wording to be used by the

contractor. **The Borough will not accept a "Null and Void" clause in favor of the contractor as part of the hold harmless agreement. Any additional hold harmless/indemnification language in any agreement contradictory to the wording enclosed shall be removed.**

4. As respects to mechanical amusement rides/devices, the contractor will need to provide proof of registration of its amusement ride equipment, as well as a copy of the contractor's permit application for the rides being utilized for the member sponsored event. Once the equipment is delivered to the event site, the member should confirm the actual permit is affixed to the equipment. To confirm the amusement vendor is registered, as required by the State, the member can visit the NJDCA website at http://www.state.nj.us/dca/divisions/codes/publications/pdf_rides/permitted_rides.pdf
5. A ride inspection must take place prior to using the inflatable.

As stated above, mechanical amusements rides/devices are required to be licensed by the State of New Jersey. Mechanical amusement rides/devices are defined as any amusement ride required to be licensed by the State of New Jersey which includes any mechanical device or devices, including but not limited to water slides exceeding 15 feet in height, which carry or convey passengers along, around, or over a fixed or restricted route or course for the purpose of giving its passengers amusement, pleasure, thrills or excitement; and any passenger or gravity propelled ride when located in an amusement area or park in which there are other amusement rides. Mechanical amusement rides/devices are also defined to include the following pursuant to the New Jersey Department on Community Affairs, concerning Carnival and Amusement Ride Safety Act P. L. 1975 C105 as amended on July 20, 2001, and New Jersey Administrative Code, Title 5. Community Affairs, Chapter 14A. Carnival-Amusement Rides, N.J.A.5:14 A (2014), N.J.A.C. §5.14A-1.1:

- Small truck kiddie rides as defined under N.J.A.C. §5:14A-1.2, and inflatable bounce houses, moonwalks, inflatable slides, and other inflatable attractions, which allow riders to bounce, slide, and/or to be supported by them, as defined under N.J.A.C. §5:14A-1.2, and §5:14A-13.1, "Inflatable Rides" subchapter.
- The rental or lease of Inflatables – Inflatables are considered an amusement ride. DCA's web site lists rental firms and those inflatables that already have a DCA permit. Be sure the inflatable you want to rent is on the list.

http://www.state.nj.us/dca/divisions/codes/publications/pdf_rides/permitted_rides.pdf

The fireworks display/amusement ride submissions should be e-mailed to MEUnderwritingSvcCntr@connerstrong.com and clerk@dealborough.com for review and approval no later than three weeks prior to the event.



**BOROUGH OF DEAL
APPLICATION FOR MERCANTILE:
AMUSEMENT RIDE AND FIREWORKS PERMIT**

Pursuant to Ordinances of the Borough of Deal the undersigned hereby makes application for mercantile license as indicated below and certifies to the correctness of the following information:

Name of Applicant: _____

Business Address: _____

Business Phone #: _____ **Business Email:** _____

Trade Name, if any, under which business is to be conducted _____

Type of Business: _____

Signature _____ **Date:** _____

Previous Year License No. _____ **Applicant's Title:** _____

DO NOT WRITE BELOW THIS LINE

DEAL BOROUGH OFFICE USE ONLY

Date of Application: _____

Application: **Approved** **Disapproved**

License #: _____ **Date Issued:** _____

Municipal Clerk's Signature: _____
Jo Anna Myung

BOROUGH OF DEAL
FIREWORKS DISPLAY
HOLD HARMLESS AGREEMENT

Between the Borough of Deal and _____ (Contractor).

WITNESSETH:

1. _____ (Contractor) agrees to release, indemnify and hold harmless the Borough of Deal from and against any loss, damage or liability, including attorneys' fees and expenses incurred by the latter entities and their respective employees, agents, volunteers or other representatives arising out of or in any manner relating to the manufacture, installation, firing or disassembly of any pyrotechnic equipment or device and/or the supervision and presentation thereof.

2. The applicant has furnished the Certificate of Insurance with limits of liability described below:

Workers Compensation/Employers Liability: _____

General Liability: _____

Automobile Liability: _____

Umbrella Liability: _____

A true copy of the Certificate of Insurance is attached indicating the member entity and applicable associations, recreations or committees formed by the member entity to organize the "event" must be named as additional insured on all liability policies.

3. The facilities will be used for the following purpose and no other:

Event: _____ Date: _____ Rain Date: _____

Dated: _____ Signed: _____
Authorized Signature of the Contractor

Witness: _____

BOROUGH OF DEAL
AMUSEMENT RIDES
HOLD HARMLESS AGREEMENT

Between the Borough of Deal and _____ (Contractor).

WITNESSETH:

1. _____ (Contractor) agrees to release, indemnify and hold harmless the Borough of Deal from and against any loss, damage or liability, including attorneys' fees and expenses incurred by the latter entities and their respective employees, agents, volunteers or other representatives arising out of or in any manner relating to the installation, operation, use, or disassembly of any amusement ride equipment or device and/or the supervision thereof.

2. The applicant has furnished the Certificate of Insurance with limits of liability described below:

Workers Compensation/Employers Liability: _____

General Liability: _____

Automobile Liability: _____

Umbrella Liability: _____

A true copy of the Certificate of Insurance is attached indicating the member entity and applicable associations, recreations or committees formed by the member entity to organize the "event" must be named as additional insured on all liability policies.

3. The facilities will be used for the following purpose and no other:

Event: _____ Date: _____ Rain Date: _____

Dated: _____ Signed: _____

Authorized Signature of the Contractor

Witness: _____

FIREWORKS CHECKLIST

REQUIREMENTS	PENDING/APPROVED/DENIED
Signed Contract in Full	
Post Clean up Wording	
Hold Harmless	
GL COI w/AI	
Auto COI w/CSL Limit \$1M	
WC COI statutory limit & Employers Liability Limit minimum \$500,000	

Member:

JIF:

VENDOR:

DATE OF EVENT:

RAIN DATE (IF APPLICABLE):

RMC OR MUNICIPALITY E MAIL ADDRESS:

Post Clean Up: A letter from the Fireworks contractor indicating that they are responsible for the inspection, clean up and disposal of any unexploded aerial shells or live components, as required under NFPA 1123, 1995 edition, Section 4-1.12. Clean/Disposal may be indicated within the contract.

The fireworks display submission should be emailed to clerk@dealborough.com and MELrequest@connerstrong.com for review and approval no later than three weeks prior to the event. If you have any questions please contact Jo Anna Myung, Municipal Clerk/Interim Borough Administrator at clerk@dealborough.com.

BOROUGH OF DEAL - AMUSEMENTS CHECKLIST

REQUIREMENTS	PENDING/APPROVED/DENIED
Signed Contract in Full	
Hold Harmless	
GL COI w/AI	
Auto COI w/CSL Limit \$1M	
WC COI statutory limit & Employers Liability Limit minimum \$500,000	
Permitted by DCA	

MEMBER:

JIF:

VENDOR:

DATE OF EVENT:

RAIN DATE (IF APPLICABLE):

RMC OR MUNICIPALITY E MAIL ADDRESS:

PERMITTED BY DCA: Proof of registration of amusement ride equipment, as well as, a copy of the contractors permit application for the rides being utilized for the member sponsored event. Once the equipment is delivered to the event site, the member should confirm that the actual permit is affixed to the equipment. Copy and paste the following link in to your tool bar to see the list of vender who are registered with the State of NJ.
(https://www.state.nj.us/dca/divisions/codes/publications/pdf_rides/permitted_rides.pdf)

The amusement ride submission should be emailed to clerk@dealborough.com for review and approval no later than three weeks prior to the event.