



APPLICATION FOR VARIANCE

State Form 44400 (R7 / 10-13)
Approved by State Board of Accounts, 2013

INDIANA DEPARTMENT OF HOMELAND SECURITY
CODE SERVICES SECTION
302 West Washington Street, Room W246
Indianapolis, IN 46204-2739
http://www.in.gov/dhs/fire/fp_bs_comm_code/



INSTRUCTIONS: Please refer to the attached four (4) page instructions.
Attach additional pages as needed to complete this application.

Variance number (Assigned by department)

17-06-05

1. APPLICANT INFORMATION (Person who would be in violation if variance is not granted; usually this is the owner)

Name of applicant Spencer Humiston	Title
Name of organization The Lantern Fest	Telephone number (801)400-4842
Address (number and street, city, state, and ZIP code) 59 west 100 south, Salt lake City, Utah 84101	

2. PERSON SUBMITTING APPLICATION ON BEHALF OF THE APPLICANT (If not submitted by the applicant)

Name of applicant N/A	Title
Name of organization	Telephone number ()
Address (number and street, city, state, and ZIP code)	

3. DESIGN PROFESSIONAL OF RECORD (If applicable)

Name of design professional N/A	License number
Name of organization	Telephone number ()
Address (number and street, city, state, and ZIP code)	

4. PROJECT IDENTIFICATION

Name of project The Lantern Fest	State project number	County Henry
Address of site (number and street, city, state, and ZIP code) 5816 S County Rd 125 W, New Castle, IN 47362		
Type of project <input checked="" type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/> Change of occupancy <input type="checkbox"/> Existing		

5. REQUIRED ADDITIONAL INFORMATION

The following required information has been included with this application (check as applicable):

A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)

One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.

Written documentation showing that the local fire official has received a copy of the variance application.

Written documentation showing that the local building official has received a copy of the variance application.

6. VIOLATION INFORMATION

Has the Plan Review Section of the Division of Fire and Building Safety issued a Correction Order?

Yes (If yes, attach a copy of the Correction Order.) No

Has a violation been issued?

Yes (If yes, attach a copy of the Violation and answer the following.) No

Violation issued by:

Local Building Department State Fire and Building Code Enforcement Section Local Fire Department

7. DESCRIPTION OF REQUESTED VARIANCEName of code or standard and edition involved
Indiana State Fire CodeSpecific code section
Section 308.1.6.3

Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.)

In the fall of 2016 The Lantern Fest conducted an event at The Newcastle Motor Sports Park that used a number of sky lanterns. The Lantern Fest believed they had received permission to use them at that event, and at an event scheduled for June 3. The Lantern Fest was informed several weeks ago they need a variance to use sky lanterns at the event.

8. DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED

Select one of the following statements:

- Non-compliance with the rule will not be adverse to the public health, safety or welfare; or
- Applicant will undertake alternative actions in lieu of compliance with the rule to ensure that granting of the variance will not be adverse to public health, safety, or welfare. Explain why alternative actions would be adequate (*be specific*).

Facts demonstrating that the above selected statement is true:

Please see attached document.

9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE

Select at least one of the following statements:

- Imposition of the rule would result in an undue hardship (*unusual difficulty*) because of physical limitations of the construction site or its utility services.
- Imposition of the rule would result in an undue hardship (*unusual difficulty*) because of major operational problems in the use of the building or structure.
- Imposition of the rule would result in an undue hardship (*unusual difficulty*) because of excessive costs of additional or altered construction elements.
- Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure.

Facts demonstrating that the above selected statement is true:

See Attached.

10. STATEMENT OF ACCURACY

I hereby certify under penalty of perjury that the information contained in this application is accurate.

Signature of applicant or person submitting application

Spencer Humiston

Please print name

Spencer Humiston

Date of signature (month, day, year)

5/15/17

Signature of design professional (if applicable)

Please print name

Date of signature (month, day, year)

11. STATEMENT OF AWARENESS (If the application is submitted on the applicant's behalf, the applicant must sign the following statement.)

I hereby certify under penalty of perjury that I am aware of this request for variance and that this application is being submitted on my behalf.

Signature of applicant

Please print name

Date of signature (month, day, year)

7. DESCRIPTION OF REQUESTED VARIANCE

Name of code or standard and edition involved Indiana State Fire Code	Specific code section Section 308.1.6.3
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 In the fall of 2016 The Lantern Fest conducted an event at The Newcastle Motor Sports Park that used a number of sky lanterns. The Lantern Fest believed they had received permission to use them at that event, and at an event scheduled for June 3. The Lantern Fest was informed several weeks ago they need a variance to use sky lanterns at the event.

8. DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED

Select one of the following statements:

Non-compliance with the rule will not be adverse to the public health, safety or welfare; or

Applicant will undertake alternative actions in lieu of compliance with the rule to ensure that granting of the variance will not be adverse to public health, safety, or welfare. Explain why alternative actions would be adequate (be specific).

Facts demonstrating that the above selected statement is true:
 Please see attached document.

9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE

Select at least one of the following statements:

Imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site or its utility services.

Imposition of the rule would result in an undue hardship (unusual difficulty) because of major operational problems in the use of the building or structure.

Imposition of the rule would result in an undue hardship (unusual difficulty) because of excessive costs of additional or altered construction elements.

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10. STATEMENT OF ACCURACY

I hereby certify under penalty of perjury that the information contained in this application is accurate.

Signature of applicant or person submitting application <i>Spencer Humiston</i>	Please print name Spencer Humiston	Date of signature (month, day, year) 5/15/17
Signature of design professional (if applicable)	Please print name	Date of signature (month, day, year)

11. STATEMENT OF AWARENESS (if the application is submitted on the applicant's behalf, the applicant must sign the following statement.)

I hereby certify under penalty of perjury that I am aware of this request for variance and that this application is being submitted on my behalf.

Signature of applicant <i>Donna K. Dismore</i>	Please print name Donna K. Dismore	Date of signature (month, day, year) 5/17/17
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Fire Official- Aaron Elsworth, 317-753-1841 aelsworth@dhs.in.gov

Building Official- Aaron Elsworth, 317-753-1841 aelsworth@dhs.in.gov

Non-compliance with the rule will not be adverse to the public health, safety, or welfare.

After extensive vetting by the local authorities, we received permission, marketed for four months, and held a very successful event in September 2016. Our event was not adverse to the public health, safety or welfare.

This year the following steps will be taken.

- The Lantern Fest will coordinate all of it's safety and fire procedures with jurisdictional authority and follow the guidance and expertise of city, county, and municipal officials in the weeks and days preceding the event.
- Coordinate with reaceway to ensure their standard fire/safety policies and procedures are in place and functioning.
- Coordinate with jurisdictional authority 3 days before the event, and then again on the day of the event, to ensure there are no burn bans, unforeseen fire hazards, or adverse weather conditions.
- Request final authorization from jurisdictional authority before the actual lantern launch.
- Ensure that all participants and spectators within the venue are accounted for and have signed waivers.
- Provide instruction to participants regarding the proper way to light and release lanterns. We send the participants an instructional video upon registration, and then provide several additional instructional opportunities during the event.
- Per the advice of fire authorities, no participants under the age of 16 are allowed to light or handle the lit lanterns. Participants under 16 years of age wear a separate wristband helping staff identify their age.
- Each event will be staffed with no less than the number of volunteers/personnel suggested by the local fire authority, but under no circumstances will The Lantern Fest have less than 40 volunteers and fulltime staff supervising the lantern launch.
- During the entirety of the event, each volunteer will be in the possession of an individual fire suppression device. A total of 100 fire suppression devices will be easily accessible to participants and volunteers.
- Use exclusively sourced, 100% biodegradable, flame retardant lanterns with a limited burn time of 4 to 5 minutes.
- Each volunteer will be responsible for a pre-assigned segment of the launch area and will have access to a dedicated walkie talkie in the event they need to call for assistance.
- Licensed paramedics will be on call at each event. They will have a privacy tent and ambulance on site.
- If required or suggested by jurisdictional authority, a licensed pyrotechnic expert will be at the event.

If requested by jurisdictional authority, a number of local fire professionals will be in attendance with either a brush or water truck. They will also be in possession of their own fire suppression units. (The Lantern Fest provides discounted/free

- attendance for local fire fighters).
- The Lantern Fest carries, at a minimum, a one million dollar per event insurance policy.

Imposition of the rule would result in undue hardship because of excess costs.

Because of the response to our 2016 event, we immediately began planning a 2017 event. After discussing dates with the fire department and venue, we settled on doing a June event. Shortly after Christmas we opened up ticket sales and began marketing. At this point we have sold over \$100,000 in tickets, spent close to \$20,000 on marketing, rentals, and nonrefundable entertainment, pledge roughly \$10,000 to a charity, and contracted with the venue to ensure they will receive a substantial amount of food and beverage sales.

We made these commitments and risks based on the good faith belief that we had received the proper permissions and permits to do the event. If we had known we needed a variance, we would have never opened the event for ticket sales before apply for, and receiving that variance. At this point, however, we have a contractual obligation to a number of companies as well as over 3,000 participants. If we are unable to hold our event in June, it is highly likely we will need to refund over \$100,00 in tickets, pay a substantial fee to the venue, and account for a number of other expenditures. This financial loss, and social media response, would seriously damage to our company and our ability to ever hold this type of event in Indiana or in the surrounding region. For these reasons we request a variance.



WHY PEOPLE COME

"I will be lighting lanterns in memory of my grandparents who have passed away within the last year."

▪ Nicole

"I'm lighting mine for anyone in this world that needs a reason to forge ahead! In work or personal, maybe they need to watch their pain float away with a hope that something will be better tomorrow than it was today!"

▪ Sally

"I'm lighting one each for my brother, grandma and aunt who were all killed in a car accident in the snow on our way to surprise my uncle for his 40th birthday. It's been a hard almost two years and it's been even harder for my mom losing 3 generations all at once. Hopefully this will help guide us through the next year"

▪ Hannah

"For my mother and me because it's been a hard year and we both have lost so much."

▪ Diamond

"For my Grandpa, my hero. [I] lost him in 2009. I continue to look for signs that he is around. Although I know he is always watching I would like to send a message telling him it is ok to get in touch."

▪ Shannon

"To remind myself to always be treated exactly as I deserve and to accept nothing less. and to remind all the princesses out there to do the same."

▪ Morgan

"I'm lighting a lantern for my dad who passed away six years ago due to cancer. He would have loved the lanterns and unfortunately they became popular after he passed. He always loved looking at the sky and how beautiful and wonderful it was and that's why I think he would love to see all the lanterns floating in the night sky!"

▪ Kayleen

Safety and Fire Procedures

Each event and individual venue will need it's own customized safety and fire procedures, but at a minimum the following procedures and precautions will be taken at each venue. The Lantern Fest coordinates all of it's safety and fire procedures with local fire authorities and follows the guidance and expertise of city, county, or municipality officials in the weeks and days preceding the event.

- Work closely with local fire authority to ensure all proper permitting and regulations requirements are correctly fulfilled.
- Coordinate with venue managers to ensure their standard fire/safety policies and procedures are in place and functioning.
- Coordinate with local fire authority 3 days before the event, and then again on the day of the event, to ensure there are no burn bans, unforeseen fire hazards, or adverse weather conditions.
- Request final authorization from fire authority before the actual lantern launch.
- Ensure that all participants and spectators within the venue are accounted for and have signed waivers.
- Provide instruction to participants regarding the proper way to light and release lanterns. We send the participants an instructional video upon registration, and then provide several additional instructional opportunities during the event.
- Ensure that all sources of flames at the event are properly and safely secured, protected, and accounted for by volunteers during the entirety of the event.
- Per the advice of fire authorities, no participants under the age of 16 are allowed to light or handle the lit lanterns. Participants under 16 years of age wear a separate wristband helping staff identify their age.
- Each event will be staffed with no less than the number of volunteers/personnel suggested by the local fire authority, but under no circumstances will The Lantern Fest have less than 40 volunteers and full-time staff supervising the lantern launch.
- During the entirety of the event, each volunteer will be in the possession of an individual fire suppression device. A total of 100 fire suppression devices will be easily accessible to participants and volunteers.

- Use exclusively sourced, 100% biodegradable, flame retardant lanterns with a limited burn time of 4 to 5 minutes.
- Each volunteer will be responsible for a pre-assigned segment of the launch area and will have access to a dedicated walkie talkie in the event they need to call for assistance.
- Licensed paramedics will be on call at each event. They will have a privacy tent and ambulance on site.
- If required or suggested by the local fire authority, a licensed pyrotechnic expert will be at the event.
- The Lantern Fest will ensure that a proper number of safety/security professional will be at each event.
- If requested by local fire authorities, a number of local fire professionals will be in attendance with either a brush or water truck. They will also be in possession of their own fire suppression units. (The Lantern Fest provides discounted/free attendance for local fire fighters).
- Entrances and Exits (including Emergency Exit) signs shall be posted.
- Every participant will sign a waiver and agree to all previously stated safety precautions.
- The Lantern Fest carries, at a minimum, a one million dollar per event insurance policy.
- The Lantern Fest receives a Letter of No Objection from the FAA for every scheduled event.

Recovery Procedures

Our recovery plan for this event consists of three separate phases: immediately after the lantern launch, two to three hours post launch, and the morning after the lantern launch.

DURING AND IMMEDIATELY AFTER THE LAUNCH

We will station a lantern spotter somewhere in the venue where they will have good visibility of the lantern landing area. As soon as the lanterns are launched, **will send a truck with at least 3 individuals equipped with fire extinguishers to the area where the lanterns are beginning to land.** They will be equipped with walkie talkies and will remain in that general area for the duration of the launch and will stay there for at least an hour after the launch.

TWO TO THREE HOURS POST LAUNCH

The crew will be at the speedway until at least midnight. From 9 pm to Midnight we will keep a spotter stationed while we clean up the track and surrounding area. **Before returning to the hotel at midnight, we will send a number of my crew through the lantern landing area to ensure none of the lanterns are still warm.**

MORNING AFTER THE LAUNCH

We will arrive back at the speedway at 6:30 am with a crew of about 50 volunteers. Over the next 5 hours we will scour the lantern landing area and **pick up all the lanterns that were released the evening before.**

To Whom It May Concern:

My name is Jen Cook and I am the director for El Dorado, Kansas' Conventions and Visitor's Bureau.

I am writing to highly recommend The Lantern Fest- both the event and the actual company that organizes and puts on the event.

On July 11, 2015 The Lantern Fest organized and executed an event at El Dorado State Park where over 2800 lanterns were launched. I have received incredibly positive feedback from the event and am extremely excited to host The Lantern Fest again next year.

The lanterns performed exactly as The Lantern Fest said they would perform- floating for 2-3 minutes before burning out and then landing no more than a half-mile from the venue. The morning after the event they sent out a large number of volunteers and had most of the lanterns picked up by noon.

I have been consistently impressed with The Lantern Fest's professionalism, commitment to fire safety, and willingness to work hand with my office and city officials to ensure their event is safe, successful, and family friendly. They have always responded quickly, and positively to requests I have made of them and have implemented, in a timely fashion, all fire and safety procedures our city believed were necessary for their events.

If you have any questions, please don't hesitate to contact me.

Thank you,

Jennifer Cook
City of El Dorado
Convention and Visitors Bureau Director
jcook@city.eldoks.com
316.321.9100- Office
ELDOKS.COM



EVENT SUMMARY

MISSION STATEMENT:

To illuminate the human spirit—bringing together family and friends through the joy of spectacle.

THE EVENT:

Historically lanterns were used to symbolize good fortune, request favorable weather, and to celebrate the life of a loved one. Regardless of the motivation for lighting a lantern, families and friends can dance to the music, roast marshmallows for their s'mores, munch on snacks provided by local vendors, and of course, send off their lanterns and watch them float away in a spectacular release.

CHARITY:

Part of the proceeds from The Lantern Fest will be donated to a local charity that partners with us in the event.

To Whom It May Concern;

My name is Mark Stanwood and I am the Fire Inspector/Investigator for the Fire Prevention Division of the city of Fountain, Colorado's Fire Department.

I am writing to recommend The Lanternfest LLC, their owners, event directors and the event they produce- The LanternFest.

In November of 2014 The Lanternfest put on a small event in our city, and after it's success I agreed to allow them to put on a much bigger event in April of 2015. **On April 25th, after working for months with our department, they hosted over 20,000 participants at our local race track and launched over 10,000 lanterns in a span of 30 minutes. Despite the fact that this was the largest lantern launch ever outside of Asia, we had no fire issues and no serious safety issues.** The lanterns performed exactly as The LanternFest said they would perform- floating for 2-3 minutes before burning out and then landing no more than a quarter mile from the venue. The morning after the event they sent out a large number of volunteers and had most of the lanterns picked up by noon.

I have been consistently impressed with The Lanternfest's professionalism, commitment to fire safety, and willingness to work hand with my department to ensure their event is safe, successful, and family friendly. They have always responded quickly, and positively to requests I have made of them and have implemented, in a timely fashion, all fire and safety procedures I believed were necessary for their events.

I can not speak to the professionalism of other companies that are looking to put on events like The Lanternfest, but I know The Lanternfest takes safety and fire precautions very seriously and I have welcomed them back for an even larger event in November of 2015.

If you have any questions, please don't hesitate to contact me.

Thanks,

Mark A. Stanwood
Fire Inspector/Investigator
Fire Prevention Division
City of Fountain Fire Department
Station – 719-382-7800
Office – 719-393-4974
Cell Ph – 719-351-2447
Fax – 719-382-1002
Email - mstanwood@fountainfire.org

PARTICIPANTS:

We anticipate 3,000-6,000 participants to attend this family friendly event. It's an all ages event, but only those 16 and older are allowed to participate in the lighting of the lanterns; all others can attend as spectators.

HOW IT'S DONE:

Marketing:

We market the event via our website, social media, and other forms of advertising for 2-3 months prior to the event.

Registration:

Participants may register on our website at www.thelanternfest.com or they may purchase tickets the day of the Event (if the event is not sold out). Pricing is based on the time of purchase and varies. Sometimes third party vendors (i.e. Groupon or Living Social) may be used.

Pre Check-in/Package Pickup:

- Available 1-2 days before the Event (select areas)
- On Site Check-in opens at 3pm and continues until the launch.

PRE-LAUNCH PREPARATION:

- Participants are assigned to a specific area, where they can roast marshmallows, enjoy on site festivities, and chat with family and friends.
- Launch times are determined by sunset and weather conditions, but lanterns are usually lit and set afloat between the hours of 6:30pm-9pm.

PRE-LAUNCH PREPARATION:

- Participants are assigned to a specific area, where they can roast marshmallows, enjoy on site festivities, and chat with family and friends.
- Launch times are determined by sunset and weather conditions, but lanterns are usually lit and set afloat between the hours of 6:30pm-9pm.

ENTERTAINMENT:

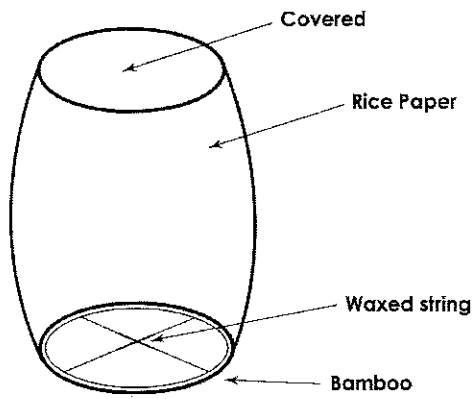


- *Food from local vendors or concessions*
- *Live Music or DJ*
- *Lantern decorating*
- *Making S'mores*
- *Face painting*
- *Balloon making*
- *Kids Favorite Character Impersonators*
- *Creating memories*
- *Kids Entertainment (including competitions)*

SAFETY:

Safety is our #1 one priority

- All staff and volunteers are trained on lantern assembly and launch;
- Trained staff are assigned specific areas and hold 2.5 gallon water class A fire extinguisher in case of emergency;
- Airports are contacted prior to the event to inform them of the time and location when the lanterns will be afloat (same as if it were a fireworks show);
- Lanterns are made from rice paper, bamboo, and string. Both the string and the rice paper are flame retardant;
- Lighting stations are approximately 20x20 feet apart;
- Instructional videos are emailed prior to the Event to pre-registered participants;
- Written instructions sheets and Waivers are provided at the Event;
- The Lantern Fest is a fully insured event;
- Fire Marshalls and/or their representatives are standing by with fire trucks and/or equipment
- Entrances and Exits are Clearly Marked
- The venue and Lantern Fest preplan evacuation procedures and create a site plan.



HOW LANTERNS WORK:

We use authentic Thai Lanterns used in the Yi Peng Lantern Festival in Thailand. They are 28in x 14in and are 100% biodegradable. Just as a hot air balloon rises when filled with hot air, lanterns float as their density decreases. Lanterns can reach about 3,000 ft, (though 1000ft is more common) and descend to the ground when the fuel cell has burnt out. In our experience, the majority of lanterns typically travel 0.25 miles to 0.50 miles and tend to collect in the same area—helping us isolate any impact.

THE LAUNCH:

Depending on the venue and weather conditions, we have 1-2 launches. These launches will last anywhere from 20-30 minutes. The participant readies their lantern (5-15 minutes), lights the lantern (2 minutes), launches their lantern (2 minutes) and watches it fly in the sky to a sea of stars (2-5 minutes).

POST LAUNCH:

Half of the participants typically leave after the initial launch. The other half will enjoy the entertainment listed above and trickle out until the last few groups are asked to leave at the end of designated event time.

ENVIRONMENT:

The Lantern Fest is a leave no trace event. Not only do we pick up the Lanterns, but we pick up all the trash we can find along the way. Lanterns are 100% biodegradable. They are made from rice paper, bamboo, and string. Trashcans and recycling bins will be dispersed throughout the venue. Staff are on trash duty throughout the event and will continue to gather garbage after participants have gone home for the evening. Lantern Chasers follow the lanterns and collect them at sunrise the day following the event.

ADDITIONAL QUESTIONS:

Please review our FAQs on our website at www.thelanternfest.com/faq/. The site is interactive and most questions can be answered with ease.

LANTERN FAQs

WHAT ARE LANTERNS MADE OF?

Our lanterns are 100% biodegradable. The base is made from bamboo and waxed string, the floating packet is a packet 2in x 2in square of wax paper and paraffin wax the rest is rice paper.

HOW DO LANTERNS FLY?

As the 2in x 2in floating packet burns the lantern fills with hot air and when the air density lowers the lantern floats upwards.

* Please note: Packets contain no combustible, dripping, or leaking materials.

HOW LONG DO THEY STAY AFLOAT?

The floating packet produces a small flame for less than 4 minutes. When it cools the lantern returns to earth and is collected by our lantern catchers.

HOW FAR DOES AN AVERAGE LANTERN TRAVEL?

Lanterns travel 1/4 to 1/2 mile and land in the same geographic area.

WHAT HAPPENS WHEN LANTERNS LAND?

Our team of lantern catchers is able to collect 90% - 99% of the lanterns. The small number of lanterns we are unable to collect disappear after a rain or two as they are 100% biodegradable.

ARE LANTERNS DANGEROUS?

We work closely with fire professionals before, during, and after the event to make everything is done safely and professionally. We pride ourselves on building long-term and successful relationships with the venues and cities we work with, and providing fun safe events for families.