THE SOUTHERN NEVADA FIRE CHIEFS ASSOCIATION

APPROVED GUIDELINE FOR FIREWORKS

FIREWORKS COMMITTEE:

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TITLE:

CONSUMER FIREWORKS

SCOPE:

To provide for the issuance of permits for the sale and storage of fireworks classified as U.N. explosive class 1.4G "consumer fireworks" (formerly class C fireworks).

REFERENCE:

NFPA 1124, Code for the Manufacture, Transportation, Storage, Retail Sales of Fireworks and Pyrotechnic Articles, 2003 Edition

The current Fire Code in effect for the specific jurisdiction.

PURPOSE:

To standardize Authority Having Jurisdiction requirements throughout Southern Nevada regarding the issuance of permits for the sale, storage and use of U.N. explosive class 1.4G "consumer fireworks."

- A permit shall be obtained for the storage and sale of fireworks. The wholesaler shall make application for a storage site, and each retail site (fireworks booth). Said application shall be made on a form supplied by the Authority Having Jurisdiction.

- The Authority Having Jurisdiction shall review the application(s) and either approve or disapprove the same within a reasonable time frame.

- The issuance of a permit for the sale and storage of fireworks shall not preclude the Authority Having Jurisdiction from subsequently revoking the permit, imposing additional requirements, or supplementing any existing requirement whenever, in the opinion of the above, later information or newly discovered conditions justify such actions.

I - GENERAL REQUIREMENTS

This handout is a guideline provided as a public service and is not intended to be a reprint of every code section which addresses this issue. The user of this document is required to comply with all code requirements, laws, ordinances, etc., Authority Having Jurisdiction or otherwise which apply to the sales, storage and use of fireworks.

The Authority Having Jurisdiction may require more stringent conditions than noted in this document.

A. ORIENTATION MEETING FOR WHOLESALERS AND RETAILERS

1. The Fire Prevention Division for each Authority Having Jurisdiction (or in combination) shall hold at least two (2) orientation meetings. These meetings shall be to review this Guideline and specific jurisdictional requirements. Each retailer shall attend at least one meeting for the specific jurisdiction where the booth is to be located.
2. The representative selected can only attend for a single booth location and this same representative must be available for the inspection of the booth on the day of the permit inspection.

B. REGULATIONS FOR FIREWORKS

1. Except as hereinafter provided, it shall be unlawful for any person to possess, store, offer for sale, expose for sale, sell at retail, or use or explode any consumer fireworks, provided that the Authority Having Jurisdiction shall have power to adopt reasonable rules and regulations for the granting of permits for supervised public display of fireworks by persons, corporations, associations, or other organizations.
2. The retail sale of fireworks shall only take place in fire department authorized booths by recognizable local charitable and not for profit organizations who shall first make application for a permit to the Authority Having Jurisdiction.
3. No person, firm or corporation shall offer fireworks for sale to the public before **the 28th day of June or after the 4th day of July** each year.
4. The possession, storage, and use of approved fireworks accepted by the SNFCC and the Authority Having Jurisdiction is permitted only from **June 28th through July 4th.**

C. PERMITS

1. Issuance of Permit

The applicant, at the time of making application to the Authority Having Jurisdiction shall:

a) Submit a completed application form.

b) Provide a site plan of the proposed location indicating all buildings, property lines, roadways, etc. An approved address is required. Any deviation from the approved structure and/or site plan requires a submittal of the revised plan and must be approved.

c) **Certificate of Insurance**

   i. The permittee shall furnish at the time of inspection, certificate of insurance for at least $1,000,000 or greater as specified by Authority Having Jurisdiction.

ii. The insurance policy shall be for the payment of damages, which could be caused either to a person or persons or to property arising from acts of the permittee, agents, employees or subcontractors.

d) Provide proof of attendance at an orientation meeting in order to address questions and concerns of the Authority Having Jurisdiction.

e) Provide a copy of the contract for fireworks sales between the SNFCC approved Wholesaler and the Retailers.

2. Revocation of Permits

The sale of fireworks is a privilege, which may be suspended or revoked by the Authority Having Jurisdiction when it is determined that any of the following have occurred:

a) A permit is used by a person or organization other than the person or organization to which the permit was issued.

b) A permit is used for a location other than that for which it was issued.

c) Any of the conditions or limitations set forth in the permit have been violated.

d) The permittee fails, refuses, or neglects to comply with any order or notice duly served upon him or the organization under the provisions of this regulation within the time provided therein.

e) There has been any false statement or misrepresentation as to a material fact in the application on which the permit or application was based.

f) Fireworks are discovered to be stored at a location other than indicated on the application for permit.

g) The permittee sells any fireworks which were not obtained from a SNFCC approved wholesaler.

h) Any fireworks specifically not on the approved list (i.e. cherry bombs, etc..) that are found on the premises (to include vehicles and trailers) are grounds for revocation of permit.

D. Fireworks Booths

Wholesaler shall provide instruction/demonstration to the Retailers on the proper method of booth setup prior to the Retailer's booth inspection.

1. Fireworks Booth Inspections:

a) Fireworks booths shall be inspected and approved by the Authority Having Jurisdiction.

b) The AHJ has the right to inspect a fireworks booth at any time while in operation.

2. Size of Booths

No booth shall exceed 16 feet 6 inches in length or 8 feet in width.

Exception: *Any booth exceeding these dimensions must be approved by the Authority Having Jurisdiction prior to construction.*

3. Construction of Booths

a) Siding and roof shall be made of ¼-inch or thicker plywood (or comparable material) or

of noncombustible materials. Converted travel-type trailers may be permitted. Booth construction must be structurally sound.

b) Exiting for trailers shall comply with subsection "5" of this section.

c) All trailers used for sales of fireworks must be approved by the Authority Having Jurisdiction.

4. Electrical Wiring and Appliances

a) All electrical wiring and appliances shall meet the requirements of the National Electrical Code.

b) Electrical wiring and lighting shall be "U.L." listed for outside use when exposed to the elements.

c) Electrical wiring shall be properly sized for its use.

d) All electrical wiring shall be protected from physical injury.

e) Portable electric generator locations shall be at least 20 feet away from the booth or as designated by the Authority Having Jurisdiction upon inspection.

f) Minimum height of electrical wiring when placed from a utility pole or a building to the sales booth is 13 feet 6 inches above grade.

5. Exits

a) Booths shall have no less than 2 exits (minimum of 6 feet in height and 2 feet in width).

b) The counter shall **not** be considered an exit.

c) Exit path shall be free and clear of all obstructions at all times.

d) **Aisles:** In temporary consumer fireworks retail sales stands where the interior is not accessible to the public, the minimum clear width of the aisle shall be permitted to be not less than 28 inches.

6. Location

Booths shall be so located as to not endanger persons, buildings, structures, property, brush, automotive vehicles and/or equipment, etc. Booths shall be located away from other hazards as outlined in the following table:

Minimum separation distances from sales booth/stand		
10 feet	20 feet	50 feet
Combustibles	Buildings	Motor vehicle fuel dispensers
Vehicle Parking	Tents	Propane dispensers
Curb or edge of roadway, street, or driveway, etc.	Fireworks Storage	Compressed natural gas dispensing facilities
	Other Fireworks booths/stands	Aboveground storage tanks for flammable or combustible liquids, flammable compressed gasses including propane.

II - WHOLESALER REQUIREMENTS

A. GENERAL WHOLESALER REQUIREMENTS

1. Wholesalers shall obtain a permit from Authority Having Jurisdiction and/or other permits or licenses required for the possession and storage of fireworks prior to possession, storage, and/or transportation of fireworks.
2. The wholesaler shall ensure that each charitable or not for profit organization submits one completed Retailer Application for Permit for each proposed booth location. These forms can be submitted at the orientation meeting or can be sent to the Authority Having Jurisdiction at any time after March 1st and prior to June 1st of the current sales year.
3. Permits shall at all times be kept on the storage premises and said premises shall at all times be subject to inspection by an officer of the fire or police department or other authorized persons.
4. Wholesalers are to inform the Authority Having Jurisdiction, in writing, by the 1st of June as to where they are proposing to store their products.
5. Wholesalers shall not permit fireworks from leaving storage yards until the first day of authorized sales (June 28th).
6. Wholesalers shall be required to read and understand Retailers Guidelines and present a copy of the Guidelines to the Retailer at time of application.
7. Wholesaler must inform the applicants of all requirements for sale of fireworks.

B. CERTIFICATE OF INSURANCE.

1. The permittee shall furnish at the time of inspection, a certificate of insurance in the amount deemed adequate by the Authority Having Jurisdiction for the payment of damages which could be caused either to a person or persons or to property arising from acts of the permittee, agents, employees or subcontractors.
2. The permittee shall provide the name of the insurance company to furnish the policy at the time of the application. The amount of coverage shall be at least $1,000,000 or greater as specified by Authority Having Jurisdiction public liability & property damage. The insurance policy shall designate the Authority Having Jurisdiction as an additional insured there under.

C. TESTING AND ACCEPTANCE OF FIREWORKS

Testing and acceptance procedures are according to the SNFCC Uniform Guideline for Fireworks. This document is available upon request from the SNFCC or any local fire department's Fire Prevention Division.

1. Materials have to be tested every 5 years.
2. All fireworks must be labeled with a permanently affixed Safe and Sane label. (Stickers are not acceptable.)
3. Product must be packaged and labeled the way it is to be sold.
4. Testing of products will be conducted by Authority Having Jurisdiction members under SNFCC Guidelines.

III - RETAILER REQUIREMENTS

A. GENERAL RETAILER REQUIREMENTS

1. Retailers shall be limited to local charitable, fraternal, and not for profit organizations and shall obtain a permit from the Authority Having Jurisdiction for possession, storage, transportation, sales, and/or use of fireworks prior to storage or sale of fireworks.
2. A proof of orientation attendance certificate will be given to the booth representative and will be required to be posted in a readily visible location in the booth prior to any permit being issued.
3. A copy of this guideline shall be posted at a readily visible location in the booth, and every worker in the booth shall have signed the signature sheet indicating that they have read and understand the guideline.
4. Retailers may only sell fireworks obtained from a SNFCC approved Wholesaler.
5. Permits shall at all times be kept in the booth and said premises and shall at all times be subject to inspection by an officer of the fire or police department or other authorized persons.

B. FIREWORKS DISCHARGE

1. Fireworks shall not be ignited, discharged, or otherwise used within 300 feet of a consumer fireworks retail sales facility or store, gasoline service station buildings, gasoline dispensers, flammable or combustible liquid tank fill or vent lines, aboveground flammable or combustible liquid tanks or any building, structure or vehicle containing unsealed flammable or combustible liquids, hazardous materials, or explosives.
2. Ignition of fireworks shall take place so as to not endanger persons, buildings, structures, property, brush, automotive vehicles and/or equipment, etc.
3. Ignition of fireworks shall not take place before **the 28th day of June or after the 4th day of July.**

C. AGE AND NUMBER OF PERSONS IN THE FIREWORKS BOOTH

1. No person under 14 years of age shall be allowed in a fireworks booth.
2. Booths must have at least one adult and one other person (adult or teenager*) in the booth at all times.

*"teenager" refers to a person 14 through 17 years of age and "adult" refers to a person 18 years of age or older.

D. CONDITIONS OF PURCHASE

1. Consumer must be at least 16 years of age in order to purchase any type of fireworks.
2. Any person selling consumer fireworks shall not knowingly sell consumer fireworks to any person who is obviously under the influence of alcohol or drugs.

E. TRAINING

All personnel handling consumer fireworks shall receive safety training related to the performance of their duties.

F. Fireworks Booths

Firework booths shall be inspected and approved by the Authority Having Jurisdiction prior to opening for business.

1. Fire Protection:

a) An approved minimum rated 2Al0-B:C fire extinguisher(s)* is required in each booth. **This equipment must be installed prior to stocking of booths.**

*Must have current tag by a Nevada State Licensee

2. "NO SMOKING" Requirements:

a) Smoking shall not be permitted inside or within 50 feet of the consumer fireworks retail sales area.

b) "NO SMOKING" signs shall be conspicuously posted on all 4 exterior sides of the booth. The lettering shall be at least 3 inches in height, and be against a color contrasting surface so it can be easily seen.

c) All signage must be securely attached to the booth. (Tape is not acceptable).

3. Display of Fireworks in Booths.

a) Only fireworks obtained from a SNFCC approved Wholesaler, which appear on the "approved" list of that calendar year as approved by the SNFCC and/or the Authority Having Jurisdiction, shall be displayed in booths and on booth premises.

b) Storage shall be neat and orderly.

c) Matches, lighters and other sources of ignition shall not be located in booths or on booth premises.

G. Portable Generators

1. Portable generators shall be located not less than 20 feet from the consumer fireworks retail sales facility.
2. Portable "gasoline" generators shall be permitted provided the fuel tank quantity is limited to 2 gallons. (*Class I Flammable Liquids*)
3. Portable "diesel or kerosene" generators shall be permitted provided the fuel tank quantity is limited to 5 gallons. (*Class II and Class III CombustibleLiquids*)
4. Generator fuels shall not be stored less than 20 feet from the consumer fireworks booth, and shall be limited to not more than 5 gallons.
5. Where the generator fuel storage is located greater than 50 feet from the consumer fireworks booth, the quantity of such fuel shall not be limited.
6. Only approved gasoline containers shall be used for filling generators and shall not be left on the premises.

H. Cooking Equipment

1. Cooking equipment of any type shall not be permitted within 20 feet of booths, used for the storage or sale of consumer fireworks.

2. Open flame cooking equipment of any type shall not be allowed within 50 feet of booths used for the storage or sale of consumer fireworks.

I. Parking

No motor vehicle or trailer parking within 10 feet of a fireworks retail booth. No motor vehicle or trailer used for the storage or transportation of consumer fireworks shall be parked within 20 feet of a fireworks retail booth, except when delivering, loading, or unloading fireworks or other merchandise and materials used, stored, or displayed for sale in the booth.

J. Security

1. Consumer fireworks retail sales facilities and stores shall be secured when unoccupied and not open for business, unless fireworks are not kept in the facility during such times.
2. The fireworks displayed or stored in the facility shall be permitted to be removed and transferred to a temporary storage structure or location.
3. Storage Location:
   a) At the end of each sales day, merchandise shall be returned to the wholesaler's approved storage facility.
   b) There shall be **NO STORAGE PERMITTED** at any location unless the location is approved for that use.
   c) **IN NO CASE SHALL STORAGE BE PERMITTED IN RESIDENTIAL NEIGHBORHOODS, DWELLINGS, GARAGES, PUBLIC WAYS OR DRIVEWAYS.**

   Exception: *On-site storage is permitted when approved by the authority having jurisdiction; and when a representative of the permittee remains on-site overnight. The representative must remain awake and alert.*

K. Records

1. Records shall be maintained on available inventory on the premise.
2. Records shall be made available to the authority having jurisdiction upon request.

FIREWORKS GUIDELINE SIGNATURE SHEET

Each person who works in the fireworks booth must read the attached guideline and then sign below.

Each signature is an acknowledgement that **YOU** have read the guidelines and are willing to comply with all the rules and regulations set forth therein:

Printed Name	Signature