



# The Southern Nevada Fire Chiefs Association Approved Guideline for Consumer Fireworks

Written by the Southern Nevada Consumer Fireworks Code Committee

Attachments:

1: Testing and Acceptance Procedures

## Southern Nevada Consumer Fireworks Code Committee Members:

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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:**

International Fire Code (IFC), Clark County Amendments to the IFC, NFPA 1124, Code for the Manufacture, Transportation, Storage, Retail Sales of Fireworks and Pyrotechnic Articles.

- The current Fire Code and / or amendments in effect for the specific jurisdiction.
- Testing procedures are labeled as Attachment #1 and are based on the requirements set forth in the APA (American Pyrotechnics Association) standard 87-1
  - This attachment is for the SNCFCC Only

**PURPOSE:**

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

### **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.

- All product being used for retail sales, transporting, possess, store or manufactured must be through a Nevada State licensed, federally licensed and SNCFCC approved wholesaler.
- A permit shall be obtained for the storage and sale of fireworks. The wholesaler shall submit an application for a storage site, and each retail site (fireworks retail sales stand / booth). Said application shall be made on a form supplied by the Authority Having Jurisdiction.
- The Authority Having Jurisdiction shall review the permit packets and either approve or disapprove them 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.

## **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 and shall be before May 25<sup>th</sup> of each year. Each retailer shall attend at least one meeting for the specific jurisdiction where the retail sales stand / booth is to be located.
2. Any representative can attend for all firework stands / booth locations for one organization. If there are more than 3 retail sales stand / booth per organization, 2 representatives shall attend the orientation and 1 person per every 3 retail sales stand / booth thereafter. Any representative can be available for the inspection of the fireworks retail sales stand / booth on the day and time listed on the orientation form.

## **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 / fire code official authorized fireworks retail sales stand / booth by recognizable local charitable and not for profit organizations. A permit shall be obtained by the local AHJ.
3. No person, firm or corporation shall offer fireworks for sale to the public before the 1<sup>st</sup> day of July or after the 4<sup>th</sup> day of July each year.
4. The possession, storage, and use of approved consumer fireworks accepted by the SNCFCC and the Authority having Jurisdiction is permitted only from July 1<sup>st</sup> through July 4<sup>th</sup>.

### **C. Permits**

To obtain an approval by the Authority Having Jurisdiction, the applicant shall:

- a) Submit a completed application form.
- b) Provide a site plan of the proposed location indicating all buildings, property lines, roadways, distances etc. Any deviation from the approved structure and/or site plan requires a submittal of the revised plan and must be approved.
  - An approved address is required.
- c) Certificate of Insurance
  - The permittee / applicant shall furnish a certificate of insurance for at least \$1,000,000 or greater as specified by Authority Having Jurisdiction.
  - 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
- e) Provide a copy of the contract for fireworks sales between the SNCFCC approved Wholesaler and the Retailers.
- f) Provide a copy of the agreement / contract between the SNCFCC approved wholesalers and the land owner to allow a sales stand / booth on their property.
  - The address where the stand / booth will be located must be on the agreement / contract.

### **Revocation of Permits**

- a) 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 occurred:
- b) A permit is used by an organization other than the organization for which the permit was issued.
- c) A permit is used for a location other than that for which it was issued.
- d) Any of the conditions or limitations set forth in the permit have been violated.
- e) The permittee fails, refuses, or neglects to comply with any order or notice duly served upon him or the organization under the provisions of jurisdictional requirements and / or this guideline within the time provided therein.
- 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 SNCFCC approved wholesaler.
- h) Any fireworks specifically not on the approved list that are found on the premises (to include vehicles and trailers) are grounds for revocation of permit.
- i) Any violations discovered by local authorities that is against this guideline, local laws or local jurisdiction requirements.

## **D. FIREWORKS RETAIL SALES STANDS / BOOTHS**

Wholesaler shall provide instruction / demonstration to the Retailers on the proper method of stand / booth setup prior to the fireworks retail sales stand / booth

### **1. Fireworks Stand / Booth Inspections:**

- a) Fireworks stands / booths shall be inspected and approved by the Authority Having Jurisdiction at any time starting July 1<sup>st</sup>.
- b) The Authority Having Jurisdiction has the right to re-inspect any previously inspected and / or approved fireworks retail sales stands / booths at any time between July 1<sup>st</sup> and July 4<sup>th</sup>.

### **2. Size of Stands / Booths**

- a) No fireworks retail sales stand / booth shall exceed 16 feet 6 inches in length or 8 feet in width.

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

### **Construction of Stand / Booths**

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

Non-combustible materials. Converted travel-type trailers may be permitted. The fireworks retail sales stand / booth construction must be structurally sound.

- b) Exiting for fireworks retail sales stand / booths shall comply with subsection “5” of this section.
- c) All fireworks retail sales stand / booth used for sales of fireworks must be approved by the Authority Having Jurisdiction.

### **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 stand / booth.
- f) Minimum height of electrical wiring when placed from a utility pole or a building to the fireworks retail sales stand / booth is 13 feet 6 inches above grade.

### **Exits**

- a) The fireworks retail sales stand / booth 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 stand / booths 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.

### **Location / Distances / Attachments**

- a) Tarps shall be allowed to be attached to the roof for protection from the elements.
  - Tarps shall be flame retardant and shall indicate this via certificate from the manufacture, on packaging (if indicated on packaging, the package shall remain with the tarp at all times) or on the tarp(s) itself.
  - Tarps shall be firmly secured in a manner that at no point shall any portion more than 1 foot of the tarp hangs over the edge of the roof edges of the stand / booth.
    - Tarp must not block the “No Smoking” symbol or signs
    - Type of tarps allowed to be used:
      - -----
    - Tarps must be removed by organization at end of sale season
    - Method(s) for securing tarps allowed:
      - Attach tarp using a screw and washer through each grommet
        - Provides secure attachment to booth
      - A minimum 1inch screw shall be used to secure tarp.
- b.) Fireworks retail sales stand / 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 to include but not be limited to what is outlined in the following table:

	Minimum separation distances from fireworks retail sales stand / booth			
5 feet	10 feet	20 feet	30 feet	50 feet
Metal or aluminum pop up canopies	Vehicle Parking Curb or edge of roadway, street, or driveway, etc.  Air / Water dispensers	Buildings Tents Fireworks Storage Other fireworks retail sales stand / booth Temp Generators and extra fuel Underground storage tank fuel fill ports	Combustibles (including empty product boxes, dry grass, dry brush and any combustible debris)	Motor vehicle fuel dispensers Propane dispensers Compressed natural gas dispensing facilities Aboveground storage tanks for flammable or combustible liquids, flammable compressed gasses including propane. Any cooking equipment (BBQ's) Ignition Sources (Matches, lighters etc.)

## WHOLESALE REQUIREMENTS

### GENERAL WHOLESALE 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 permit application and required documents for a permit for each proposed fireworks retail sales stand / booth location. These forms can be submitted to the Authority Having Jurisdiction at any time, once they have attended the required orientation 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 May 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 the authorized sales day (July 1<sup>st</sup>)
6. Wholesalers shall be required to present a copy of the guidelines and ensure the retailer understands the contents of the guideline; at time of application.
7. Wholesaler must inform the applicants of all requirements for sale of fireworks.

## **CERTIFICATE OF INSURANCE**

The wholesaler shall furnish, a certificate of insurance at the time of permit submittal 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.

The permittee / wholesaler 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.

## **TESTING AND ACCEPTANCE OF FIREWORKS**

1. Testing and acceptance procedures are according to the SNCFCC Guideline for Consumer Fireworks Testing and Acceptance Procedure; attachment #1. This document is available upon request from the SNCFCC, Wholesaler or any local fire department's Fire Prevention Division.
  - a. Handhelds shall be tested every year and other materials / products (fountains, spinners, smoke balls etc.) shall be tested every 5 years.
  - b. All fireworks must be labeled with a permanently affixed Safe and Sane seal / label. (Stickers are not acceptable.)
  - c. Product must be packaged and labeled the way it is to be sold.
  - d. The testing of materials / products will be conducted / witnessed by Authority Having Jurisdiction SNCFCC members and shall be completed by April 30<sup>th</sup> of each sales year.

## **RETAILER REQUIREMENTS**

### **GENERAL RETAILER REQUIREMENTS**

1. Retailers shall be limited to local charitable, fraternal, and nonprofit organizations and shall obtain a permit from the Authority Having Jurisdiction through the approved wholesaler, 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 fireworks retail sales stand / booth representative signed on the day of the orientation and will be required to be in a readily accessible location in the fireworks retail sales stand / booth prior to any permit being issued.
3. A copy of this guideline shall be at a readily **accessible** location in the fireworks retail sales stand / booth, and every worker in the booth shall have signed the signature sheet indicating that they have read and understand the guideline.
4. Retailers shall be permitted to sell approved consumer fireworks obtained from a SNCFCC approved Wholesaler.
5. Permits shall at all times be kept in the fireworks retail sales stand / 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.

### **FIREWORKS DISCHARGE**

1. Fireworks shall not be ignited, discharged, or otherwise used within 300 feet of a consumer fireworks retail sales stand / booth or store, gasoline service station buildings, gasoline dispensers, flammable or combustible liquid tank fill or vent lines, above ground flammable or combustible liquid tanks or any building, structure or vehicle containing unsealed flammable or combustible liquids, hazardous materials, or explosives.
  - At least one sign that reads as follows, in letters at least 4in high on a contrasting background, shall be conspicuously posted on the exterior of each side of the consumer



- fireworks stand / booth. "No fireworks discharge within 300 feet"
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 1<sup>st</sup> day of July or after the 4th day of July.

### **AGE AND NUMBER OF PERSONS IN THE FIREWORKS STAND / BOOTH**

1. No person under 16 years of age shall be allowed in a fireworks retail sales stand / booth
2. Booths must at all times have at least one adult and two people in the fireworks retail sales stand / booth at all times during operation. One of which must be 18 years or older.
  - a) Storing materials / products in fireworks retail sales stand / booths overnight require only one person to remain alert and awake at all times.
3. Limit the amount of people in the fireworks retail sales stand / booth to a max of 4 at one time.
  - a) Approx. 2 people per 8 feet panel / section of booth.
  - b) Bigger, approved custom booths will be addressed the same way

### **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.

### **TRAINING**

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

### **FIREWORKS BOOTHS**

#### **Fire Protection**

- a) An approved minimum rated 2A:10BC fire extinguisher(s)\* is required in each fireworks retail sales stand / booth. These are provided by the wholesaler when the Retailer picks up the product.
- b) The extinguisher must be installed prior to stocking of product.
  - Must be mounted to wall of booth. 4 inch off floor up to 5 ft. high
  - Must have current tag by a Nevada State Licensee\*

#### **"NO SMOKING" Requirements**

- a) Smoking shall not be permitted inside or within 50 feet of the consumer fireworks retail sales stand / booth
- b) "NO SMOKING" signs in English and Spanish shall be conspicuously and permanently posted on all 4 exterior sides of the fireworks retail sales stand / 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) The international symbol for "No Smoking" can be stenciled above the exit doors on the exterior of the fireworks retail sales stand / booth.

#### **Display of Fireworks in Booths**

- a) Only fireworks obtained from a SNCFCC approved Wholesaler, which appear on the

"approved" consumer fireworks product list of that calendar year as approved by the SNCFCC and/or the Authority Having Jurisdiction, shall be displayed in booths, for sale and on booth premises.

- b) Extra product storage shall be neat and orderly under the shelving.
- c) Matches, lighters and other sources of ignition shall not be located in the fireworks retail sales stand / booth or within 50 feet of booths.

## **PORTABLE GENERATORS**

1. Portable generators shall be located not less than 20 feet from the consumer fireworks retail sales stand / booth
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 Combustible Liquids*)
4. Generator fuels shall not be stored less than 20 feet from the consumer fireworks retail sales stand / booth, and shall be limited to not more than 5 3 gallons.
5. Where the generator fuel storage is located greater than 50 feet from the consumer fireworks retail sales stand / booth, the quantity of such fuel shall not be limited.

## **COOKING EQUIPMENT**

1. Cooking equipment of any type shall not be permitted within 50 feet of fireworks retail sales stand / booths, used for the storage or sale of consumer fireworks.

## **PARKING**

1. No motor vehicle or trailer parking within 10 feet of a [fireworks retail sales stand / booth](#).
2. No motor vehicle or trailer carrying or storing consumer fireworks shall be parked within 20 feet of a fireworks stand / booth, except when delivering, loading, or unloading fireworks or other merchandise and materials used, stored or displayed for sale in the fireworks retail sales stand / booth.

## **SECURITY**

1. Consumer fireworks retail sales stand / booth
  - a. Shall be manned at all times while product is on site for sale or storage.
  - b. Storing (not selling) materials / products in the fireworks retail sales stand / booths overnight require only one person to remain alert and awake at all times.
2. Storage Locations
  - c. There shall be no storage permitted at any location unless the location is approved for that use by the Authority having Jurisdiction.
  - d. In no case shall storage, for consumer fireworks, be permitted in residential neighborhoods, dwellings, garages, public ways or driveways.

## **RECORDS**

### **Inventory of Product**

- a. Available inventory records shall be maintained in the fireworks retail sales stand / booth when there is product on site.
- b. The approved consumer fireworks product list shall be maintained in the fireworks retail sales stand / booth at all times when there is product on site.
- c. Approved permit packet shall be maintained on site at all times when there is product on site.

### **Penalty for Violation(s):**

All penalties are subject to each jurisdictional requirements, codes and laws.

# FIREWORKS GUIDELINE SIGNATURE SHEET

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

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

<b>Printed Name</b>	<b>Signature</b>
	Date _____
	Date _____
	Date _____
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