



## **FIRE DEPARTMENT**

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### **Fireworks Sales Permit**

- 1. State law governs the types of fireworks that can be sold non-commercially. For detailed information, please refer to the State Fire Marshal's web site at <http://www.dps.state.mn.us/fmarshal/Fireworks/ConsumerFireworks.html>.**
- 2. A permit is required to sell fireworks within the City of Grand Rapids.**
- 3. Location of fireworks sales must be approved by the Fire Inspector.**
- 4. Fireworks will only be allowed to be sold where allowed by the zoning laws.**

5. Unlimited access for inspection of products being sold or those products in storage is required.

6. If the code official is uncertain whether a particular product meets the parameters of the state law, a demo of the product may be required.

7. For any reason the Fire Inspector deems the sales as being hazardous due to location, building type, proximity to other combustibles or general hazards the permit can be revoked.

8. This permit is an annual permit. It shall be valid from May 1st through April 30th. The fee shall not be pro-rated. Fire Works Fees for tents, etc... is & \$350 and for retail buildings (in store) is \$100.

### **Fireworks**

(a) *Purpose.* Due to the inherent risks of fire and injury to persons and property associated with the sale, possession and use of fireworks, the city council has determined that it is necessary and in the interest of public health, safety and welfare to establish reasonable regulations concerning fireworks .

(b) *Definition.* For purposes of this section, "consumer fireworks " means wire or wood sparklers of not more than 100 grams of mixture per item, other sparkling items which are nonexplosive and nonaerial and contain 75 grams or less of chemical mixture per tube or a total of 200 grams or less for multiple tubes, snakes, and glow worms, smoke devices, or trick noisemakers which include paper streamers, party poppers, string poppers, snappers, and drop pops, each consisting of not more than twenty-five hundredths grains of explosive mixture.

(c) *Sale of fireworks.* It is unlawful for any person to sell, offer for sale, expose for sale, sell at retail or wholesale, or make any public display of any consumer fireworks without a permit. The sale, use, and possession of all fireworks in violation of Minn. Stat. §§ 624.20--624.25 inclusive, which are adopted herein by reference, are prohibited.

**(d) *Permit application.*** The application for the permit for the storage and sale of fireworks shall be made to the city clerk and shall include and comply with the following:

**(1)** Bureau of criminal apprehension criminal records check and determination by the city clerk must be completed by the applicant before the application is granted. This includes the applicant's completion of a form authorizing the city to perform a bureau of criminal apprehension criminal background check using the National Crime Information Center (NCIC) database, along with full payment required by the bureau of criminal apprehension for processing.

**(2)** A determination by the fire inspector that the location where the fireworks are to be stored or sold is not hazardous to property or endangers any person as determined by the police and fire departments.

**(3)** The application for permit shall be accompanied by a letter from the person legally responsible for the property on which such sale is to take place. Such letter shall grant permission to the applicant for the use of said property. The application shall include a floor plan, or diagram, of the area designating the area for storage or display along with a list documenting the name, weight, and quantity of fireworks within the building and shall be accompanied by the material safety data sheets.

**(4)** Applications must be made a minimum of 30 days prior to operating. Any permit granted hereunder shall be nontransferable. Prior to the issuance of a permit, the premises must be inspected and approved by the city fire inspector.

**(e) *Permit fee.*** The fee for the permit shall be as established by resolution. In accordance with Minn. Stat. § 624.20, subd. (1)(c), the annual license fee of each retail seller that is in the business of selling only the items authorized under such statute may not exceed \$350.00, and the annual license of each other retail seller may not exceed \$100.00.

**(f) *Terms and conditions for issuance of permit.* A permit for storage or retail sale of common fireworks shall be issued only upon the following terms and conditions:**

**(1) The applicant must comply with all terms and provisions of the National Fire Protection Association (NFPA) Standard 1124. If the National Fire Protection Association (NFPA) Standard 1124 does not apply, then the applicant shall abide by the following provisions:**

- a. fireworks storage or sales areas shall provide approved "no smoking" signs in red letters not less than two inches in height on white background. All signs shall be maintained in legible condition.**
- b. Smoking and the discharge of fireworks shall be prohibited within 100 feet of any building or stand in which fireworks are stored or sold.**
- c. Each permit holder shall have not less than two water-type or equivalent extinguishers of not less than 2.5 gallons capacity.**
- d. There shall be at least two exits from all buildings from which fireworks are stored or sold.**
- e. In buildings without an approved automatic sprinkler system, retail consumer fireworks indoor sales displays shall be limited to 50 pounds net pyrotechnic composition or 200 pounds gross weight, if the pyrotechnic composition weight is not known.**
- f. Building protected throughout by an approved automatic sprinkler system shall be limited to one hundred (100) pounds net, or 400 pounds gross weight if the pyrotechnic composition weight is not known.**
- g. Warehouse buildings or retail in excess of the quantities listed above for retail consumer fireworks shall be classified as an "H" occupancy with explosives and aerosols.**
- h. The license must be publicly displayed on the licensed premises. The premises are subject to inspection by city**

employees including police officers during normal business hours.

i. Storage for consumer fireworks must be in compliance with the Uniform Fire Code. The premises must be in compliance with the Uniform Fire Code and Uniform Building Code.

j. Consumer fireworks shall not be sold to persons under the age of 18. Consumer fireworks shall not be used on public property.

(2) Regardless of the National Fire Protection Association (NFPA) Standard 1124 all applicants must abide by the following:

a. Neither the applicant nor the responsible party for the permit shall have been convicted of a felony unless the conviction was discharged pursuant to Minn. Stat. ch. 609A; or a fire/ fireworks - related misdemeanor within the last three years.

b. The applicant shall procure and maintain a policy or policies of public general liability, bodily injury and property damage insurance in a company or companies approved by the city. The limit of such insurance policy shall not be less than \$500,000.00 for bodily injuries to or death of any one person and an aggregate of \$1,000,000.00 on account of any one accident resulting in injuries and/or death of more than one person and a total of \$50,000.00 liability for damages to property of others arising out of any one accident. Certificates of coverage shall be filed with the city clerk upon application for a retail sales permit.

c. The applicant's location or place of business shall be only in those areas or zones within the city wherein commercial or industrial activities are authorized under the zoning ordinance. No sales or storage for commercial use shall occur on residentially zoned property or properties used for educational purposes or assemblies.

(g) fireworks discharge rules and regulations.

- (1) It is unlawful to use, fire, or discharge any fireworks along the route of and during any parade or at any place of public assembly or in any commercial use district.**
- (2) It is unlawful at any time to throw or toss any fireworks at any person, animal, vehicle or other thing or object.**
- (3) Smoking and the discharge of fireworks shall be prohibited within 100 feet of any building or stand in which fireworks are sold at retail or stored after hours.**
- (4) Fireworks may only be discharged in an area with a water source connected to a hose or other acceptable means of putting out a fire.**
- (5) The fire chief may ban fireworks or shorten the season of the fireworks discharge if a drought is evident or any equitable need for safety arises.**
- (6) Juveniles may not possess fireworks unless under the direct supervision of a responsible adult.**
- (h) Miscellaneous. Materials which violate this section or state statute pose a threat to public safety may be confiscated and destroyed. Costs associated with disposal shall be back to the property.**
- (i) Permit denial, suspension and revocation. The fire inspector and/or chief of police or designee may suspend or revoke any permit granted herein for a violation of any term of this section. Any person whose permit has been suspended or revoked or any person whose permit application has been denied may request a review of that determination by the city council. Said request for review shall be in writing and filed with the city clerk. The city clerk shall place the review request on the agenda for the next regularly scheduled council meeting. Upon review, the city council shall affirm or overrule the initial determination to deny, suspend or revoke.**

(Ord. No. 04-04-07, 4-12-2004)  
Secs. 42-8--42-40. Reserved.