



Bennett-Watkins Fire Rescue

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"Striving to Preserve Life and Property"

Firework Sales – Storage, Use and Handling 2020 REQUIREMENTS TO OBTAIN PERMIT FOR THE OUTSIDE SALE OF FIREWORKS Effective Date: April 1, 2016

Storage, use, and handling of fireworks, including "Fireworks Stands" and "Fireworks Sales Outlets", shall be in accordance with these rules and regulations; the Colorado Revised Statutes (CRS); the International Fire Code (IFC); the International Building Code (IBC); and applicable National Fire Protection Association (NFPA) standards, as well as any other applicable municipal or county requirements.

THE FIRE CODE OFFICIAL IS AUTHORIZED TO REVOKE A PERMIT ISSUED WHEN IT IS FOUND BY INSPECTION OR OTHERWISE THAT THERE HAS BEEN A FALSE STATEMENT OR MISREPRESENTATION AS TO THE MATERIAL FACTS IN THE APPLICATION OR DOCUMENTS ON WHICH THE PERMIT OR APPROVAL WAS BASED; OR CONDITIONS AND LIMITATIONS SET FORTH IN THE PERMIT HAVE BEEN VIOLATED. (SECTION 105.5 OF THE 2012 IFC)

SPECIFICATIONS AND REQUIREMENTS TO OBTAIN PERMIT FOR OUTSIDE SALES

The following are requirements of the **2012 IFC** as adopted and amended by the Bennett Fire Protection District and the Town of Bennett to obtain a permit to store and display for sale fireworks allowed under Title 12, Article 28 of the Colorado Revised Statutes. The applicant must complete an application and address all the information requested in this document. The permit fee of **\$750.00** must accompany application. The acceptable forms of payment are cashier's check or cash; the Fire District does not accept credit cards or personal checks. A technical assistance fee may be required if additional expertise or personnel are required to evaluate, inspect or monitor fireworks sales operations. **A minimum of ten (10) business days is required for preliminary review and conditional approval. Failure, to submit all information requested at the time of application will cause the issuance of the permit to be delayed– incomplete submittals will not be accepted.**

GENERAL REQUIREMENTS

- ❑ **LICENSES: PROVIDE COPIES OF THE FOLLOWING**
 - ❑ A copy of the applicant's *Retailer of Fireworks License*, issued by the State Division of Fire Prevention & Control, for each sales location. This license shall indicate the exact address of the sales location.
 - ❑ A copy of the supplier's *Wholesaler of Fireworks License* issued by the State Division of Fire Prevention & Control.
- ❑ **APPLICATION FOR PERMIT:** A completed application for permit.
- ❑ **BUILDING / ZONING DEPARTMENT PERMIT:** Submit documentation of application to the Town of Bennett Building Department and Zoning Division for permits authorizing the use and location.
- ❑ **WRITTEN PERMISSION:** Landowner must grant use of the property for the sale of fireworks. This document must include the name, address, and phone number of the landowner.

- ❑ **INSURANCE:** Provide a copy of valid bond or certificate of insurance. Minimum coverage for property damage and/or bodily injury is \$1,000,000.00. Coverage to include BENNETT FIRE PROTECTION DISTRICT as additional insured.

GENERAL REQUIREMENTS CONTINUED

- ❑ **FIREWORKS:** Submit a copy of supplier's invoice (include supplier's name and address), listing type, quantity of all products purchased for each facility. Fireworks that are not allowed for sale under CRS 12-28-101 shall not be stored, displayed, or sold. Any product that has a "report" leaves the ground, or acts like a roman candle is not allowed. It is the responsibility of the applicant to know the products offered, how they behave, and to remove from sale any products that do not meet state requirements. All products are subject to inspection and testing by the Fire District at any time.
- ❑ **REPORTING AN EMERGENCY:** An approved means to notify the fire department in the event of a fire shall be readily available. All employees shall be trained to report an emergency by immediately dialing **911 or the designated emergency number**. All fires and emergencies, regardless of size must be reported immediately.

SITE PLAN

A detailed site plan shall be submitted indicating the location and separation distances in feet between all of the following:

- Fireworks sales area relative to streets, property lines, parking area, buildings, and other nearby structures.
- Storage magazine placement relative to streets, property lines, parking area, buildings, and sales area.
- Description of weed, vegetation, and combustible material control.
- Location and description of power supply.
- Fire department access road.

SITE REQUIREMENTS

- ❑ **FIREWORKS SALES AREA:** Sales area must be located a minimum of **20 feet** from property line; and **50 feet** from flammable liquids or fuel dispensing operations. Show location of barrier (rope, fencing, etc.) to be erected to prevent parking or any vehicle, including employee's vehicles within **20 feet** of sales area. For the purposes of determining required distances, support ropes and guy wires shall be considered as part of the tent. Site plan shall indicate weeds, vegetation and combustible materials in the area and the removal of combustible material within **30 feet** of any sales, storage and parking area. (INDICATE ALL REQUIRED SEPARATION DISTANCES ON THE SITE PLAN IN FEET.)
- ❑ **MAXIMUM ALLOWABLE QUANTITIES:** The maximum allowable quantity of fireworks allowed inside the sales area (tent) is limited to **125 pounds net weight** of pyrotechnical material. Fireworks exceeding 125 pounds net weight of pyrotechnical material or **500 pounds gross weight** including packaging shall be stored in an approved magazine. The applicant must provide either the net weight of pyrotechnical material or gross weight for the products being sold and quantities of products being stored on-site as part of the permit application. The weights must be verifiable. It is the responsibility of the applicant to know and monitor the aggregate weight of the fireworks in the sales area at all time and to maintain the amounts under the maximum allowable quantities.

- ❑ **FIREWORKS STORAGE MAGAZINE:** The magazine must be located a minimum of **50 feet** from tent; 20 feet from property line; **50 feet** from flammable liquids or fuel dispensing operations; and **30 feet** from vehicle parking areas. PROVIDE DOCUMENTATION OF THE CONSTRUCTION OF THE MAGAZINE TO BE USED AND INDICATE ALL REQUIRED SEPARATION DISTANCES ON THE SITE PLAN IN FEET.
- ❑ **FIRE DEPARTMENT ACCESS ROAD:** EMERGENCY vehicle access roads shall be provided when any portion of the facility is located more than **150 feet** from an approved access route, such as a public street. Fire department access roads shall be **20 feet** wide with a minimum of **6 inches** of compacted class 6 road base and be designated with approved sign stating “Emergency Access Only”. This access road cannot be used for parking or any other purpose other than for emergency access.
- ❑ **POWER SUPPLY:** Installation of temporary wiring must comply with the National Electrical Code and the International Fire Code. All wiring must be free from defects, protected from damage and protected against over load. Portable generators must be placed on a non-combustible surface a minimum of **20 feet** from the sales area and **30 feet** from the storage magazine. (INDICATE LOCATION OF GENERATOR AND STORAGE OF FUEL ON SITE PLAN.)
- ❑ **TRASH:** A dumpster or other approved means will be required to be placed on site to contain combustible waste at all times. Site will be maintained trash free at all times during the permit period. (INDICATE DUMPSTER LOCATION ON SITE PLAN – MINIMUM OF 30 FEET FROM SALES, STORAGE AND PARKING AREA.)

SALES AREA REQUIREMENTS

The applicant shall provide the following information along with an accurate floor plan (separate drawing from the site plan) demonstrating the following information for each tent or temporary structure used for the sale of fireworks.

- ❑ **TENT:** Submit a certificate from an approved testing laboratory that the tent and its appurtenances are composed of a flame-resistant material or has been treated with a flame retardant and that such flame resistance is effective for the duration of the permit. The certificate shall indicate the size and fabric type; date that the tent was last treated; trade name; type of solution; name of person/firm who treated fabric; and name and address of tent manufacture. **Indication of flame resistance compliance shall be affixed to the tent and all side panels.** (LOCATION OF THE TENT SHALL BE INDICATED ON THE SITE PLAN.)
- ❑ **DETERMINE OCCUPANT LOAD FOR EACH TENT:** The occupant load is determined by dividing the square foot of the entire tent area by 60. (Example: 60 X 40 tent equals 2400 square feet, divided by 60 gives an occupant load of 40.) Occupant load signs shall be posted at all times.
- ❑ **FLOOR PLAN:** Indicate the location of tables for product display, cash register and show minimum aisle widths of **44 inches**.
- ❑ **FIRE EXTINGUISHERS:** A minimum of three dry-chemical fire extinguishers with a rating of 4A10BC and one pressurized water extinguisher with a minimum rating of 2A shall be provided. The maximum travel distance to an extinguisher from any point in the tent shall not exceed **35-feet**. Additional extinguishers may be required to satisfy the maximum travel distance requirement. Indicate the type, size, number and location of fire extinguishers provided. Fire extinguishers shall be mounted at a height of three to five feet above the ground on an approved bracket. A current annual inspection tag is required for each extinguisher.
- ❑ **SHOW EXIT LOCATIONS AND EXIT WIDTH:** Tents with an occupant load over **10** shall have a minimum of **two 6-foot wide exits**. Exits shall be spaced at approximately equal intervals around the perimeter of

the tent, canopy or membrane structure, and shall be located such that all points are **100 feet** or less from an exit.

- ❑ **EXIT OPENINGS:** from tents shall be open during business hours unless covered by a flame-retardant curtain. Curtains shall be of contrasting color on a free sliding metal support a minimum of **8 feet** above floor level. Guy wires, guy ropes and other support members shall not cross an exit opening at a height less than 8 feet. The required width of exits, aisles and passageways shall be maintained unobstructed, with minimal change in grade, at all times to a public way.
- ❑ **EXIT SIGNS** Exit signs are required for tents with occupant loads **over 50**. If sales will be conducted after dark exit signs shall be illuminated or an approved self-luminous type. Fixtures required for exit identification shall be supplied from a separate circuit or source of power.
- ❑ **EXIT ILLUMINATION:** Means of egress shall be illuminated if sales will be conducted after dark. Fixtures required for means of egress illumination shall be supplied from a separate circuit or source of power.
- ❑ **WOOD FRAME STANDS:** may be permitted subject to Fire District approval. Stands must be completely enclosed on three sides. The front of the stand must have an open sales counter. Other openings are allowed for ventilation, but must be covered with screen to eliminate all gaps. Booth construction may be of wood or metal but must be securable to prevent unauthorized entry. A modular trailer may be permitted subject to authority having jurisdiction approval regarding other restrictions, which may apply.

HAZARDOUS MATERIAL INVENTORY STATEMENT AND MANAGEMENT PLAN

The Applicant shall provide documentation of inventory of all fireworks stored on site; name and address of the shipper transporting fireworks from supplier; and document training provided to employees handling fireworks. Persons responsible for the operation of areas in which fireworks are stored dispensed or handled shall be familiar with the nature of fireworks and shall be trained on the actions necessary in the event of a fire. A Hazardous Material Inventory Statement, including the Employee Training Documentation and all Material Safety Data Sheets, shall be placed in a notebook and kept on site and available to employees and emergency responders. INDICATE ON SITE PLAN OR FLOOR PLAN WHERE THE HAZARDOUS MATERIALS INVENTORY STATEMENT WILL BE KEPT.

PLACARDS AND LABELING

Proper labeling and placarding of all fireworks whether in storage or transportation shall be provided. All transportation of fireworks, which exceeds **1001 lbs.**, must be placarded as per DOT guidelines. Storage of fireworks in a magazine or other container must be neat and orderly at all times. Storage areas are required to be placarded on **FOUR SIDES** of the container with approved 12" X 12" NFPA 704 Placards with contrasting numbers. Numbering of placards shall be as follows – Health (blue) = 1, Fire (red) = 3 and Reactive (yellow) = 3. There shall be no number or symbol in the white field.

SIGNAGE

See attached for approved copies of required signage, which may be reproduced by the applicant. **HANDMADE SIGNS WILL NOT BE ACCEPTABLE.**

The following signs are required. Signs must be in large clearly legible block letters and weather resistant.

- **OCCUPANT LOAD** Signs shall be posted at the cash register. Lettering shall be a minimum of 3" in height with a 1/8-inch stroke on a contrasting background.
- **NO SMOKING** Signs shall be posted in plain sight, on all sides of the enclosure and on all vehicle barrier(s). Standard black background with orange lettering on a minimum 8.5" X 11 material.
- **NO SALES TO ANYONE UNDER THE AGE OF 16 YEARS SIGNS** shall be posted on all sides of stands and tents as well as at the cash register and each entrance of tents. Signs must be on minimum 8.5" x 11" material and read as follows:
- **WARNING "IT IS ILLEGAL FOR ANY PERSON UNDER SIXTEEN YEARS OF AGE TO PURCHASE ANY FIREWORKS. VIOLATORS MAY BE PUNISHED BY A FINE OF UP TO \$750.00, BY IMPRISONMENT FOR UP TO SIX MONTHS, OR BY BOTH SUCH FINE AND IMPRISONMENT."**
- **NO LIGHTING OF FIREWORKS WITHIN 300 FEET** - Signs shall be posted on all sides of tents or stands and on parking barrier(s). Signs must be on minimum 8.5" x 11" material.
- **CHILDREN UNDER THE AGE OF 16 MUST BE UNDER THE DIRECT SUPERVISION OF AN ADULT WHEN USING PERMISSIBLE FIREWORKS.** Signs shall be posted on the front of tents or stands and at the cash register of tents. Signs must be on minimum 8.5" x 11" material.

IT IS THE APPLICANTS RESPONSIBILITY TO ENSURE THAT ALL SIGNAGE REQUIREMENTS ARE MET THROUGHOUT THE ENTIRE SALES PERIOD

Each sales operation must visibly display, behind the cash register, original copies of the:
Bennett Fire Protection District Permit
State of Colorado Fireworks Retailer License

FAILURE, TO SUBMIT ALL INFORMATION REQUESTED AT THE TIME OF APPLICATION WILL CAUSE THE ISSUANCE OF THE PERMIT TO BE DELAYED.

NO FIREWORKS ARE TO BE MOVED ONTO THE SITE UNTIL A SUCCESSFUL SITE INSPECTION HAS BEEN CONDUCTED.

NO SALES OF FIREWORKS IS ALLOWED UNTIL A PRODUCT INSPECTION HAS BEEN CONDUCTED BY THE LIFE SAFETY DIVISION AND THE FIRE DISTRICT PERMIT IS ISSUED.

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If you have questions or concerns, immediately contact the Bennett Fire Protection District Life Safety Division at (303) 644-3572