



BRAINERD FIRE DEPARTMENT
Fire Inspections
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Brainerd, MN 56401
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FIRE REGULATION 2008-001 **FIREWORKS**

GOVERNING REGULATIONS:

Fireworks are regulated by Minnesota State Statute 624.2. In addition to these regulations all applicable section of NFPA 1124 shall apply. The display, sales, manufacturing or storage of fireworks shall comply with this Fire Regulation.

- 1.0 Acts prohibited without permit.
 - 1.1 No person, without securing a permit, shall do any of the following:
 - 1.2 Manufacture, store or sell any fireworks
 - 1.2.1 Exception: the sale of snappers and party poppers as defined in DOT 49 173.56(i) shall not be regulated by this regulation;
 - 1.3 Make a public display of fireworks;
- 2.0 Permit application.
 - 2.1 The application for the permit for the manufacturing, storage for commercial purposes, and sale of fireworks shall be made to the Fire Marshal a minimum of fifteen (15) days prior to operating.
 - 2.2 Permits shall be issued for a period of one calendar year.
 - 2.3 Prior to processing the application the Fire Marshal shall determine that the proposed location is code compliant.
 - 2.4 The application shall include approval or permission from the owner/manager of the property to utilize the facility for the sale, storage, or manufacturing of fireworks.
 - 2.5 The application shall include: proof of a policy of public general liability, bodily injury and property damage insurance in a company or companies approved by the city in the minimum amount of one million dollars (\$1,000,000); City of Brainerd shall be named as an additional insured.
 - 2.6 The application shall include: a floor plan designating the area of the sales display, storage for commercial purposes or display, along with a list documenting the name, weight, and quantity of the fireworks within the building, exits, extinguisher locations, sales counter and the material safety data sheets.
 - 2.7 Any permit granted hereunder shall be nontransferable.
 - 2.8 The annual fee for a permit for a retailer that is in business of selling only fireworks shall be seventy-five dollars (\$75.00).

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- 3.0 Terms and conditions for issuance of permit.
A permit for manufacturing, storage for commercial purposes, or retail sale of common fireworks shall be issued only upon the following terms and conditions:
- 3.1 Manufacturing, storage for commercial purposes, or retail sale may only occur in the appropriate industrial or commercial zoning districts and must comply with all applicable city ordinances. No manufacturing, sales or storage for commercial purposes shall occur on residentially zone property or properties used for educational purposes or assemblies.
 - 3.2 There shall be at least two (2) code compliant exits from all buildings from which fireworks are manufactured, stored for commercial purposes or sold.
 - 3.3 Where consumer fireworks retail sales facilities are located in a building containing other tenants, the consumer fireworks retail sales facility shall be separated from the other tenants by fire barriers having a fire resistance rating of not less than 1 hours without openings.
 - 3.4 Storage rooms containing consumer fireworks in a consumer fireworks retail sales facility or store shall be protected with an automatic sprinkler system installed in accordance with NFPA 13, *Standard for the Installation of Sprinkler Systems*, or separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 1 hour with a minimum of ¾ hour doors.
 - 3.5 Each permit holder shall have not less than two (2) portable fire extinguishers with a minimum rating of 4A20BC.
 - 3.6 Fireworks may not be ignited, discharged or otherwise used within 91.5m (300 feet) of a consumer fireworks retail sales store.
 - 3.7 Smoking shall not be permitted in any building or tenant space where fireworks are sold. Areas where fireworks are sold shall be provided with approved “no smoking” signs in red letters not less than two (2) inches in height on white background. All signs shall be maintained in legible condition.
 - 3.8 Fireworks permits shall be posted in a conspicuous location near the main entrance.
 - 3.9 A list of all consumer fireworks displayed and stored on the property shall be available at all times. The list shall document the name, weight, and quantity of the fireworks and be accompanied by the material safety data sheets.
 - 3.10 Upon request samples of the fireworks shall be made available to the fire chief for testing or firefighter training.
 - 3.11 No consumer fireworks shall be displayed or stored within five (5) feet of a public entrance.
 - 3.12 Fireworks shall be under the visual supervision of a store employee or other responsible party while the store is open to the public.
 - 3.13 A handout describing fireworks safety and the city ignition device ordinance shall be provided to each consumer purchasing fireworks.

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- 3.14 For a consumer fireworks retail sales facility or store, an approved fire safety and Evacuation plan shall be prepared in writing and maintained current.
 - 3.15 All personnel handling consumer fireworks shall receive safety training related to the performance of their duties.
- 4.0 Discharge rules and regulations.
- 4.1 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/industrial district.
 - 4.2 It is unlawful at any time to throw or toss any fireworks at any person, animal, vehicle or other thing or object or used in any manner that may threaten or cause possible harm to life or property.
 - 4.3 The discharge of fireworks shall be prohibited within twenty five (25) feet of any building.
 - 4.4 Fireworks may only be discharged in an area with a water source connected to a hose or where there is another approved means of extinguishing a fire.
 - 4.5 The Fire Chief may ban fireworks if dry or windy conditions occur.
 - 4.6 Juveniles may not possess fireworks unless under the direct supervision of a responsible adult.
 - 4.7 Fireworks may not be discharged in such a manner that may create a nuisance nor between the hours of 10:00p.m. to 7:00a.m.
- 5.0 Penalties
- 5.1 Materials which violate and/or pose a threat to public safety may be confiscated and destroyed. Costs associated with disposal shall be assessed back to the property.
 - 5.2 Violations of this regulation, city ordinance, or state statute may result in revocation of the permit.
 - 5.3 Violations of these fire rules are misdemeanor offenses punishable by fines up to \$1,000 and/or 90 days in jail.

Adopted: _____ Approved: _____
Fire Chief