



**BRAINERD FIRE DEPARTMENT**  
Fire Inspections  
23 Laurel Street  
Brainerd, MN 56401  
218-828-2312  
218-828-2331 (FAX)  
Web: [www.ci.brainerd.mn.us](http://www.ci.brainerd.mn.us)



## **Retail Sales of Consumer Fireworks Approval and Inspection Guide**

The information below is a summary of requirements from NFPA 1124, Chapter 7, Minnesota State Fire Code and Brainerd ordinance relating to consumer fireworks. Depending on the facility, there may be additional requirements that are not listed here. The requirements in NFPA 1124, Chapter 7 are applicable **only** when the weight of the fireworks exceed the weights noted below.

To determine requirements and to verify compliance for a retail sales license: **first**, identify from the definitions section below the type of facility and **second**, refer to the proper section below for the required provisions. The gross or net weight must be known to determine the requirements.

Where the weight of pyrotechnic composition is not known, 25% of gross weight of the packaged fireworks can be used to determine the weight of the pyrotechnic composition.

### **Definitions:**

***Small Facility.*** A temporary or permanent building or structure where retail consumer fireworks are sold to the public, but the quantity is below 125 lb. (net) in unsprinkled buildings or below 250 lb.(net) in a sprinklered building. These facilities are regulated by SBM Fire Regulation 6-02 and are not regulated by NFPA Standard 1124, Chapter 7.

**Consumer Fireworks Retail Sales “Facility.”** A temporary or permanent building or structure, consumer fireworks sales stand, tent, canopy, or membrane structure that is used primarily for the retail display and sale of consumer fireworks to the public.

**Consumer Fireworks Retail Sales “Store.”** A building that is classified as a mercantile occupancy containing a variety of merchandise and not used primarily for retail sales of consumer fireworks.

**Consumer Fireworks Retail Sales “Stand.”** A temporary or permanent structure that has a floor area not greater than 800 square feet, other than tents, canopies, or membrane structures, that is used primarily for the retail display and sale of consumer fireworks to the public.

**Consumer Fireworks Retail Sales “Area.”** The portion of a consumer fireworks retail sales facility or store, including the immediately adjacent aisle, where consumer fireworks are located for the purpose of retail display and sale to the public.

**Tent.** A temporary membrane structure, with or without sides, includes canopies.

**Flame Break.** *A solid material, without holes or openings, used to slow the spread of flame.*

*(Acceptable flame break material is sheet steel or aluminum.(010 in.), hardboard 1/8 in., gypsum 3/8 in., wood 1/8 in., plywood 1/4 in., particle board 1/4 in., plastic laminant 1/8 in., or other approved materials)*

*\*Flame breaks, where required by NFPA 1124, shall comply with NFPA 1124, Chapter 7.10.3.*

*(Note: Flame breaks are not required in facilities protected by an automatic sprinkler system)*

### **Plans and Permit Submittals**

For all facilities other than tents and stands, site plans must include locations and distances from public ways, buildings, aboveground flammable liquid tanks and dispensing stations. Plans shall also include locations of vehicle access, parking, exits, aisle locations and widths, portable fire extinguishers and a floor plan showing fireworks display and storage areas. An inventory of fireworks product including the gross packaged weight must be included.

For all tents and stands, site plans must show the locations of the tent or stand on the site and indicate the distances from other structures, parking, vehicle access, exits, aisle locations and widths, portable fire extinguishers, fireworks display and storage areas, electrical generators and fuel storage. An inventory of fireworks product including the gross packaged weight must be included. Also required for temporary tent sales is written documentation on letterhead of the company owning the property that only their own employees will be selling fireworks.

### **Consumer Fireworks Retail Sales – “Small Facility”**

The requirements for a small facility apply when the amount of fireworks **do not exceed**:

**Unsprinkled building:** 125 lb. pyrotechnic composition (net) or 500 lb. gross weight (gross) or

**Sprinkled building:** 250 lb. pyrotechnic composition (net) or 1000 lb. gross weight (gross)

1. Permit and plans required (see inspection fee schedule)
2. Fireworks must be packaged. No exposed fuses.
3. Minimum of 1-hour separation in multi-tenant buildings (Not required if sprinklered)
4. At least one 4A 20BC dry-chemical portable fire extinguisher.
5. Ignition devices are not accessible to juveniles.
6. Minimum of two exits with travel distance no more than 75 feet from any point.
7. No exterior displays or sales
8. Fireworks safety handouts readily available to customers purchasing fireworks
9. No smoking sign posted at entrances (No smoking within 50 feet of fireworks)

10. Sales and storage areas must be maintained clear of rubbish and debris.
11. Inventory list showing gross weight of consumer fireworks on site.
12. Fireworks must be under visual supervision by a store employee or other responsible person.
13. Fireworks permit must be posted near main entrance
14. Minimum age to sell fireworks is 16 years old.
15. Minimum age to purchase fireworks is 18 years old.

**Consumer Fireworks Retail Sales – “Store”**

The following requirements apply when the amount of consumer fireworks **exceed**:

**Unsprinkled building:** 125 lb. pyrotechnic composition (net) or 500 lb. gross weight (gross) or

**Sprinkled building:** 250 lb. pyrotechnic composition (net) or 1000 lb. gross weight (gross)

1. Permit and plans required (see inspection fee schedule)
2. Fireworks must be packaged. No exposed fuses.
3. Multi-tenant buildings: 2-hour fire separation between tenants (1-hour if sprinklered)
4. No smoking signs posted at entrances (No smoking within 50 ft. of fireworks)
5. Two portable fire extinguishers: one of which must be a pressurized water type
6. Aisles in a consumer fireworks retail sales “area” must be no less than 48-inches wide.
7. Minimum of two exits with travel distance of no more than 75 feet from any point.
8. Exit doors equipped with latching hardware shall be equipped with panic hardware.
9. Exit doors shall swing in the direction of exit travel.
10. Ignition devices are not accessible to juveniles
11. Inventory list with gross weight must be provided on site
12. No exterior displays or sales
13. Fireworks must be kept at least 50-feet from motor vehicle fuel dispensing and LP dispensing operations.
14. Fireworks safety handouts readily available to customers purchasing fireworks
15. Fireworks permit must be posted near main entrance
16. Fireworks must be under visual supervision of a store employee or other responsible person.
17. Fireworks must be secured or removed when the structure is not occupied.
18. Minimum age to sell fireworks is 16 years old.
19. Minimum age to purchase fireworks is 18 years old.

**Consumer Fireworks Retail Sales “Facility”**

The following requirements apply when the amount of consumer fireworks **exceed**:

**Unsprinkled building:** 125 lb. pyrotechnic composition (net) or 500 lb. gross weight (gross) or

**Sprinkled building:** 250 lb. pyrotechnic composition (net) or 1000 lb. gross weight (gross)

1. Permit, plans and \$100.00 inspection fee required
2. Fireworks must be packaged. No exposed fuses.
3. Multi-tenant buildings: 2-hour fire separation between tenants (1-hour if sprinklered)
4. No smoking signs posted at entrances (No smoking within 50 feet of fireworks)
5. Two portable fire extinguishers, one of which must be a pressurized water type.
6. Aisles must be no less than 48-inches wide.
7. Fireworks displays shall not exceed six feet in height.
8. Minimum of two exits with travel distance of no more than 75 feet from any point.
9. Exit doors equipped with latching hardware must be equipped with panic hardware.
10. Exit doors must swing in the direction of exit travel.
11. Exit openings from tents shall have a clear opening of not less than 44-inches.
12. Ignition devices are not accessible to juveniles
13. Inventory list with gross weight must be provided on site
14. No exterior displays or sales
15. Fireworks must be kept at least 50-feet from motor vehicle fuel dispensing and LP dispensing operations.
16. Fireworks safety handouts readily available to customers purchasing fireworks.
17. Fireworks permit must be posted near main entrance
18. Exterior signs posted on each side of structure: No Fireworks Discharge Within 300 Feet
19. Fireworks must be under visual supervision of a store employee or other responsible person.
20. Fireworks must be secured or removed when the structure is not occupied.
21. Minimum age to sell fireworks is 16 years old.
22. Minimum age to purchase fireworks is 18 years old.