



104 W. 3<sup>rd</sup> Street Grove, Oklahoma 74344

(918) 786-6107 Fax (918) 786-8939

[www.cityofgroveok.gov](http://www.cityofgroveok.gov)

## **FIREWORK STAND INFORMATION & CITY CODE**

1. Obtain Occupation License at a fee of \$50.00 from City Clerk's office,
  - Name of Owner
  - Name of Business
  - Mailing Address
  - Location of Stand

This permit will be given on a conditional basis, if the stand is not in the proper location or does not meet the requirements herein, the City can and will shut down the business.

### **10-304: FIREWORKS REGULATED:**

- A. It is unlawful for any person or persons to shoot or explode any fireworks, except as allowed by state law within the city limits except on private property within the residential district owned or controlled by the person or person shooting or exploding the fireworks. Any fireworks prohibited by state law are also prohibited by city ordinance. "Fireworks" shall have the meaning prescribed by state law, 68 Oklahoma Statutes section 1622.
- B. Shooting or sale of fireworks is permitted only on the dates of June 15 through July 6 between the hours of ten o'clock (10:00) A.M. and ten o'clock (10:00) P.M. and only in accordance with any applicable rules set by council.
- C. Selling places shall be only in approved structures as approved by the fire chief or his designated agent. No sales will be permitted within one hundred feet (100') of any gasoline dispensing service agency. (Prior coded §§ 8-9, 8-10 as amended)
- D. Every retail sale of fireworks by a wholesaler, distributor, manufacturer, or retailer is subject to the levy and collection of sales tax. Vendors who fail to collect the sales tax are subject to penalties outlined in the Oklahoma state statutes section 1361 of title 68. Every retail fireworks location must possess a valid and current sales tax permit and have it conspicuously posted in the immediate vicinity of the sales operation and have it immediately available for examination by the public or enforcement officer.
- E. All individuals or entities shall meet the requirements of the state fire marshal and shall obtain the appropriate Oklahoma license or permit to conduct outdoor fireworks displays. The state fire marshal has the authority to grant, suspend, revoke, or refuse to renew a license or certification. (Ord. 625, 9-6-2011)



**OKLAHOMA STATE FIRE MARSHAL**  
2401 NW 23<sup>rd</sup>, St., Suite 4, Oklahoma City, OK 73107,  
Phone (405) 522-5005 Fax (405) 522-5028

## REQUIREMENTS FOR CONSUMER FIREWORKS RETAIL SALES FACILITIES

The following are the minimum requirements mandated through Oklahoma Statute Title 68, Article 16 Section 1621-1634 and the Oklahoma State Fire Marshal Commission rules established in accordance with O.S. Title 68§1633, for any facility selling consumer fireworks. Counties, cities or towns may impose more stringent criteria to include prohibiting the sale and use of fireworks within its corporate limits.

The sale of consumer fireworks is only authorized between June 15 and July 6 from December 15<sup>th</sup> through January 2 per O.S. 68§1623(a).

### General Operational Requirements:

1. Retail license must be posted and visible in sales area. [O.S. 68§1627(a)]
2. A responsible person of sixteen (16) years of age or older must be in charge of the stand. [O.S. 68§1623(e)]
3. A sales clerk must be on duty to serve the customer at time of purchase. [O.S. 68§1623(c)]
4. Signs stating “**FIREWORKS – NO SMOKING WITHIN 50 FEET**” must be posted on all sides of the entire facility. [O.S. 68§1623(b) & NFPA 1124 Para, 7.3.11.1]
5. All fireworks must be invoiced from a distributor, wholesaler or other retailer licensed by the State Tax Commission to do business in Oklahoma. [O.S. 68§1627(a)]
6. Records shall be maintained on available inventory and shall be made available to the authority having jurisdiction upon request. [NFPA 1124 – 7.3.24.1 & 7.3.24.2]
7. Prohibited fireworks: Bottle rockets, stick rockets, cherry bombs, M-80’s aerial luminaries, or any combination thereof or any fireworks not properly labeled as: Division 1.4. Prohibited fireworks found can be confiscated and turned over to the county Sheriff. [O.S. 68§1624(a) & (b); O.S. 68§1624.1 (a) & (b)]
8. It is illegal to offer, or to sell fireworks to children under the age of twelve (12) years, unless accompanied by an adult. [O.S. 68§1627(b)]

9. A retail sale location inside a structure (building) must comply with all the requirements of the *International Building Code (IBC)*, 2006 edition, *International Fire code (IFC)*, 2006 edition and/or the codes and standards adopted by the Oklahoma Uniform Building Code Commission and the National Fire Protection Association Standard NFPA 1124 *Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles*, 2006 edition. [O.S. 68§1623(c) & (d)]
10. Tents, canopies, or temporary membrane structures must have a flame resistance meeting the requirements of NFPA701, *Standard Methods of Fire Tests for Flame-Resistant Textiles and Films*. A certificate or other evidence of approval by a recognized laboratory must be available for inspection authorities to verify the materials meet the required flame resistance. [NFPA 1124-7. 3. 5]

#### **Fire Extinguishers:**

11. Every retail sales facility must have a minimum of one (1) portable fire extinguisher with a minimum 2A/1BC rating. If the facility exceeds 200 square feet two (2) portable fire extinguishers are required with at least one being a multi-purpose dry chemical type. [NFPA 1124 – 7.6.2.1]
12. In temporary fireworks retail sales facilities, the travel distance to any fire extinguisher cannot exceed 35 feet travel distance. In permanent fireworks retail sales facilities the travel distance to any fire extinguisher cannot exceed 75 feet travel distance. [NFPA 1124 – 7.4.5.2]

#### **Separation/Area Requirements:**

13. Consumer fireworks retail sales facilities shall not be located within 50 feet of the following: motor vehicle fuel-dispensing station dispensers; retail propane-dispensing station dispensers; aboveground storage tanks for flammable or combustible liquids, flammable gas, or flammable liquefied gas; and compressed natural gas dispensing facilities. [NFPA 1124 – 7.3.12.1]
14. Fireworks retail and/or storage areas shall be not located within 300 feet of any aboveground bulk storage or bulk dispensing areas for flammable or combustible liquids, flammable gas, and flammable liquid gas. [NFPA 1124 – 7.3.12.6]
15. Temporary fireworks retails sales facilities cannot be any closer than 20 feet from any other building, combustibles, tents or fireworks storage areas. [NFPA 1124 – 7.4.7.2]

16. Temporary fireworks retail sales facilities cannot be located upon any public railroad, highway, sidewalk, or public property or in assembly or educational occupancies. [IFC 5601.2.2]

17. Vehicle parking cannot be within 10 feet of a temporary fireworks retail sales facility or fireworks storage facility. [1124-7.4.6.2]

#### **Heating Devices:**

18. Temporary heating sources shall be listed and used in accordance with their listing. These heating sources must also have a tip-over and temperature-overheated protection. [NFPA 1124 – 7.3.17.1 & 7.3.17.2]

19. Open-flame and exposed-element heating devices shall be prohibited. [NFPA 1124 – 7.3.17.3]

#### **Portable Generators:**

20. Portable generators and storage of excess fuel must be at least 20 feet from the fireworks retail sales facility and storage areas. [NFPA 7.4.9.2.2 & 7.4.9.2.3]

#### **Cooking Equipment:**

21. Cooking equipment of any type shall not be permitted within 20 feet of tents, canopies, or membrane structures used for the storage or sale of consumer fireworks. [NFPA 1124 – 7.4.9.3.1]

22. Open flame cooking equipment of any type shall not be allowed within 50 feet of tents, canopies, or membrane structures used for the storage or sale of consumer fireworks. [NFPA – 7.4.9.3.1 & 7.4.9.3.2]

#### **Housekeeping:**

23. The area located within 30 feet of a consumer fireworks retail sales facility shall be kept free of accumulated dry grass, dry brush, and combustible debris. [NFPA 1124 – 7.4.6.1]

24. Consumer fireworks retail sales and storage areas shall be kept free of accumulation of debris and rubbish at all times. [NFPA 1124 – 7.3.21.1]

25. Vacuum cleaners or other mechanical cleaning devices shall not be used. Brooms, brushes, dustpans used to sweep up loose powder or dust shall be made of non-sparking materials. [NFPA 1124 7.3.21.3 & 4]

26. Consumer fireworks devices that are damaged shall be removed and not offered for sale. Devices that are damaged shall be returned to the dealer or shall be disposed of properly. **NFPA 1124 – 7.3.21.5 & 6]**

**Electrical:**

27. All electrical wiring shall be in accordance with NFPA 70, *National Electric Code* (NEC) **[NFPA 1124 – 7.3.16]**
28. Battery powered equipment, electrical equipment, and electrical cords that are used in conjunction with a consumer fireworks retail sales facility area shall be listed and shall be used in accordance with their listing. **[NFPA 1124 – 7.4.9.1]**
29. Temporary wiring installed in a temporary structure including tents and canopies shall comply with Article 305 of NFPA 70, *National Electric Code*. **[NFPA 1124 – 7.4.9.1.1]**
30. Where temporary electrical conductors are placed on top of an outdoor surface to connect the permanent power source to the temporary consumer fireworks retail sales facility's temporary electrical system, the conductors shall be provided with physical protection against damage caused by pedestrian or vehicular traffic. **[NFPA 1124 – 7.4.9.1.2]**
31. Feeder line to fireworks stands are required to be protected. The use of **UF** cable or **SO** cord is permitted. The **SO** cable can be laid on the ground if no foot or vehicle traffic will come in contact. **[NEC]**
32. The use of keyless or any other light fixture will not be permitted directly over or within two (2) feet of a line drawn vertically from the front edge of the fireworks stock without an approved protective cover over the light bulb. **[NEC]**
33. All electrical power supply must be properly grounded. A grounding rod is mandatory if a construction type pole is used to supply power. **[NEC]**

# RETAIL FIREWORKS STAND INSPECTION CHECK LIST

Date: \_\_\_\_\_

Inspector: \_\_\_\_\_

Retail License No: \_\_\_\_\_ Nearest City: \_\_\_\_\_ County: \_\_\_\_\_

Retail Fireworks Stand Location: \_\_\_\_\_

State Sales Tax Permit No: \_\_\_\_\_ Stand Operator's Name: \_\_\_\_\_

**VIOLATIONS:**

**EXTERIOR**

- 1. Selling within 50 ft. of storage & dispensing of FLAMMABLES
- 2. No off highway PARKING provided.
- 3. "NO SMOKING" signs not posted (all 4 sides, 4 inch letters)
- 4. Free of combustible debris, dry grass or brush within 30 ft.
- 5. LOCKS unsuitable to prevent unauthorized entry at night. storage
- 6. Electrical feeder (SO cable) line NOT protected from traffic.
- 7. All electrical wiring SHALL be in accordance with NFPA 70.
- 8. All electrical power supply must be properly grounded.
- 9. All electrical equipment shall be UL listed and used in accordance.

**INTERIOR**

- 10. Item(s) block pathway of FREE EGRESS to door(s)
- 11. Stand 16 ft. or over doesn't have TWO EXIT DOORS.
- 12. Exit door(s) don't OPEN OUTWARD.
- 13. Door(s) LOCKED when occupied

**GENERAL**

- 14. Stand operator must be 16 years of age
- 15. Sales facility must have one portable fire extinguisher with a minimum 2A/1BC rating. If area exceeds 200 sq. ft. two are required
- 16. No Cooking equipment within 20 ft., Open flame cooking equipment shall not be allowed within 50 ft.
- 17. Stand with an excess of 50 lbs of 1.4 explosives cannot be any closer than 100 ft. from any public railroad or highway and upon highways, sidewalks, and public property or in assembly or educational occupancies. (Distance is measured from the edge of the highway).
- 18. Vehicle parking cannot be within 10 ft. of a temporary fireworks retail sales facility or fireworks storage facility.
- 19. All fireworks must be invoiced from a distributor, wholesaler or other retailer licensed by the State Tax Commission to do business in Oklahoma.

**GENERAL**

- 20. SMOKING inside or within 50 ft. of retail sales area.
- 21. Stand operator consuming or under influence of ALCOHOL.
- 22. Fireworks sold or offered to CHILDREN under 12 years old.

**GENERATOR**

- 23. Generators and Fuel NOT permitted within 20 ft. of sales and

**STRUCTURE**

- 24. Selling fireworks from a single or multi-family structure.
- 25. Selling fireworks from a motor vehicle

**.OTHER**

- 26. ILLEGAL FIREWORKS e.g. Bottle or Pop Rockets, M-80's
- 27. Fireworks NOT properly labeled as Division 1.4 UN0336 or Class C
- 28. Retail License must be posted and visible in sales area.
- 29. Does not have State of Oklahoma sales tax permit.

TYPE	Action required by operator
A.	None at this time.
B.	Correct Violations immediately
C.	Correct all Violations within 24 hours or sooner
D.	Close stand until required action is completed

**ITEM      ACTION      REQUIRED CORRECTIVE ACTION**

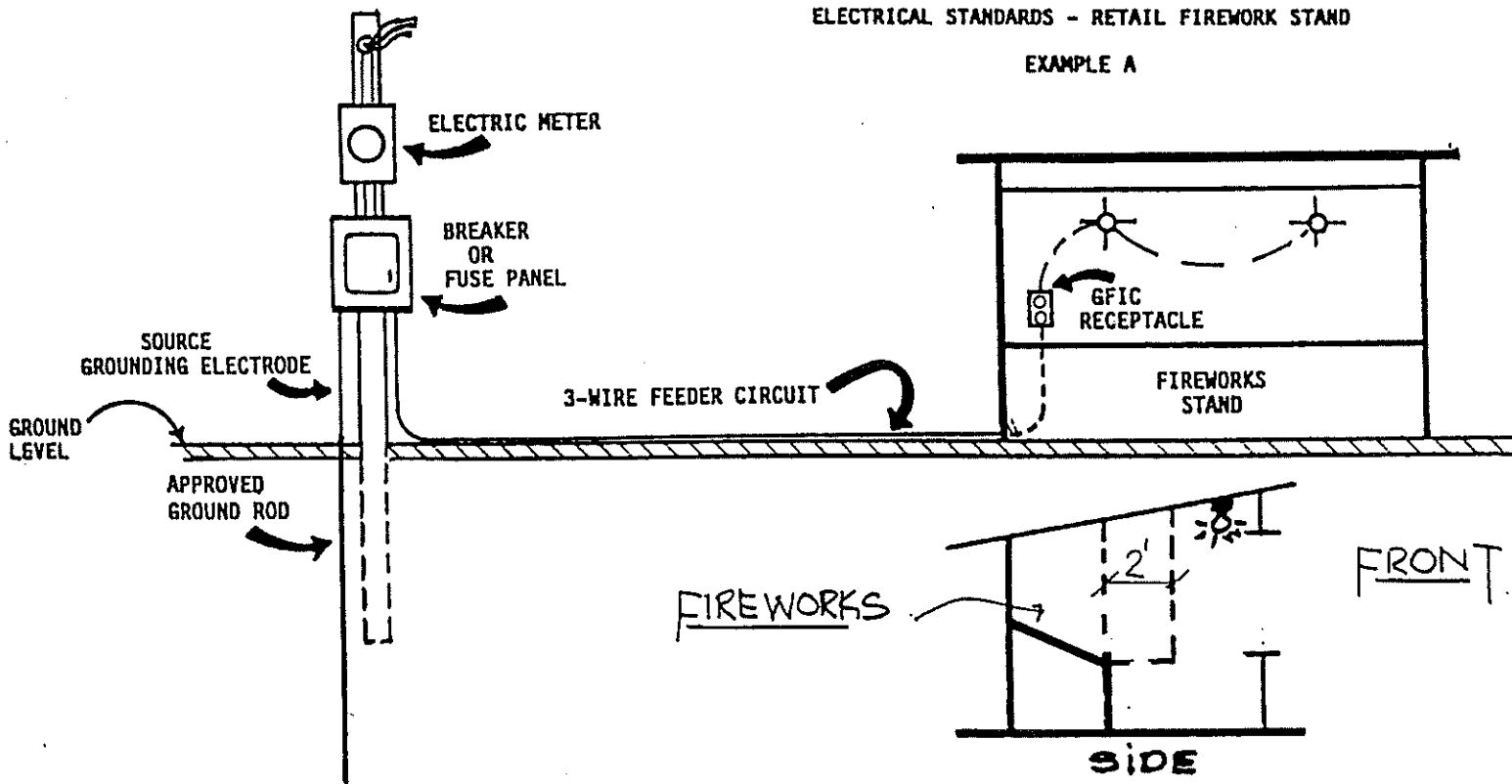
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Signature of Operator \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Inspector \_\_\_\_\_ Date: \_\_\_\_\_

ELECTRICAL STANDARDS - RETAIL FIREWORK STAND

EXAMPLE A





**APPLICATION FOR  
OCCUPATION LICENSE**

**Business Name:** \_\_\_\_\_

**Owner's Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Physical Address:** \_\_\_\_\_

**Federal I.D. Number** \_\_\_\_\_

**State I.D. Number** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**Fax Number:** \_\_\_\_\_

**Any Remodeling/Construction to current facility:**

\_\_\_\_\_ **Yes** (If yes give detail of description)

\_\_\_\_\_ **No**

**Are you going to install a sign:** \_\_\_\_\_ **Yes** \_\_\_\_\_ **No**

**FOR OFFICE USE ONLY**

**Is the property zoning correct:** \_\_\_\_\_ **Yes** \_\_\_\_\_ **No**

**Permit requirements complete:** \_\_\_\_\_ **Yes** \_\_\_\_\_ **No**

**Cleared by the Grove Fire Marshal:**

\_\_\_\_\_

**Cleared by the Building Inspector:**

\_\_\_\_\_

**\$50.00 Per Year**

**Renewal July 1<sup>st</sup> of each year**

**City of Grove – 104 W 3<sup>rd</sup> St, Grove, OK 74344 (918)786-6107**