



POST OFFICE BOX 850 • COWETA, OKLAHOMA 74429 • PH. (918) 486-2189 • FAX (918) 486-5366

FIREWORKS SALES POLICY

1. A \$100.00 CITY PERMIT FEE IS REQUIRED FOR ALL FIREWORKS SALES. A \$20.00 INSPECTION FEE IS REQUIRED FOR ALL ELECTRICAL INSPECTIONS; A \$20.00 FEE WILL ALSO BE CHARGED FOR EACH TIME THE INSPECTOR HAS TO REINSPECT THE ELECTRICAL SYSTEM IF NOT APPROVED THE FIRST TIME.
2. ALL LOCATIONS FOR FIREWORKS SALES MUST BE APPROVED BY THE CITY MANAGER BEFORE A PERMIT WILL BE ISSUED.
3. APPLICATIONS FOR PERMITS ARE ACCEPTED BETWEEN JUNE 1 AND JUNE 20 OF EACH YEAR.
4. APPLICANTS FOR LICENSE MUST BE 21 YEARS OF AGE OR OLDER.
5. FIREWORKS SALES ARE PROHIBITED IN THE CENTRAL BUSINESS DISTRICT (OAK TO ASH STREET ALONG BROADWAY) AND MUST CONFORM TO ALL OTHER SETBACK REQUIREMENTS FOR THE DESIRED LOCATION.
6. FIREWORKS SALES ARE PROHIBITED WITHIN 150 FEET OF ANY GAS STATION.
7. ADEQUATE PARKING SPACE MUST BE PROVIDED AT ALL FIREWORKS STANDS.
8. FIREWORKS STAND MUST BE ATTENDED BY PERSONS 16 YEARS OF AGE OR OLDER.
9. SHOOTING OF FIREWORKS IS PROHIBITED WITHIN 500 FEET OF SALES AREA. SIGNS STATING SUCH MUST BE POSTED AT SALES LOCATION.
10. SMOKING IS PROHIBITED WITHIN 50 FEET OF FIREWORKS SALES LOCATION. SIGNS STATING SUCH MUST BE POSTED AT SALES LOCATION.
11. SALE OF FIREWORKS WILL BE ALLOWED FROM JUNE 15 THROUGH JULY 4.
12. AS PRESCRIBED BY THE OKLAHOMA STATE FIRE MARSHALL, COMPLIANCE WITH ALL STATE STATUTES IS REQUIRED; INCLUDING ALL ELECTRICAL WIRING WHICH MUST COMPLY WITH THE 1999 NATIONAL ELECTRIC CODE.
13. FIREWORKS STANDS MUST BE REMOVED FROM LOCATION BY JULY 18.
14. ATTACHED IS A COPY OF THE STATE STATUTES AND THE STATE FIRE MARSHALL INSPECTION FORM. THE CITY OF COWETA FIRE DEPARTMENT WILL CONDUCT THE INSPECTION, USING THE CRITERIA PROVIDED BY THE STATE FIRE MARSHALL.
15. A DETAILED SITE PLAN MUST ACCOMPANY EACH APPLICATION.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED!



POST OFFICE BOX 850 • COWETA, OKLAHOMA 74429 • PH. (918) 486-2189 • FAX (918) 486-5366

APPLICATION FOR FIREWORKS STAND

FIREWORKS STAND LICENSE FEE: \$100.00
INSPECTION/REINSPECTION FEE: \$20.00 EACH

NAME _____

MAILING ADDRESS _____

CITY/STATE/ZIP _____

HOME # () _____ WORK # () _____ CELL # () _____

LOCATION OF STAND _____

DO YOU OWN OR LEASE SITE? _____

IF LEASED, OWNERS NAME _____

OWNERS ADDRESS _____

OWNERS CITY/STATE/ZIP _____

OWNERS DAYTIME PHONE# () _____

OWNERS APPROVAL SIGNATURE _____

(MUST BE NOTARIZED)

APPLICANT SIGNATURE _____ DATE _____

FOR OFFICE USE ONLY

PLANNING DEPARTMENT _____ DATE _____

CITY MANAGER _____ DATE _____

APPROVED _____ DENIED _____

DATE PAID _____ RECEIPT NUMBER _____

BUILDING INSPECTOR _____ DATE _____

FIRE CHIEF _____ DATE _____



POST OFFICE BOX 850 • COWETA, OKLAHOMA 74429 • PH. (918) 486-2189 • FAX (918) 486-5368

PROPOSED LOCATION FOR FIREWORKS STAND DIAGRAM

APPLICANT: _____

STAND LOCATION ADDRESS: _____

LENGTH OF STAND: _____ STAND FACES _____



INDICATE NORTH!

MUST SHOW EXACT DISTANCES FROM ADJACENT BUILDINGS AND STREETS
ALONG WITH ANY GAS LINES/PUMPS OR PROPANE TANKS WITHIN 500 FEET.



SIGN PERMIT

Application

P.O.Box 850, Coweta, OK. 74429

Phone 918-486-2189* Fax 486-5366

PERMANENT SIGN FEE: \$50.00 includes inspections (Non-lighted Signs/Permanent Banners/A Frame)
PERMANENT LIGHTED SIGNS \$100.00
TEMPORARY SIGNS \$25.00

PLEASE PRINT

Submittal Requirements: 3 sets of plans , including site plans

Business Name _____	Address of Sign _____	Phone _____
Property Owner's Name _____	Address, City, State, Zip _____	Phone _____
Applicant/Contact _____	Address, City, State, Zip _____	Phone _____
Contractor _____	Address, City, State, Zip _____	Phone _____

SIGN DESCRIPTION

- Change of copy
 Internally lighted
 New
 Renewal
 Externally Lighted
 Non-Lighted

Type of Construction

WALL SIGN

Total wall area (length x height) where the sign is to be mounted _____ SqFt
 Wall Sign Size _____ SqFt
 Freestanding Letters? Yes _____ No _____

Special (Pennants, Balloons, Lights)

Cloth (banner) A-Board

Total Number of Temporary signs to be displayed _____
 Sign Height _____ Feet
 Temporary Sign Size: _____ Square Feet
 Number of Face: _____
 Setback from Property Line _____

FREESTANDING/MONUMENT SIGN

Street frontage for entire lot where sign will be located _____ Feet
 Height of Building _____ Feet
 Size of Sign face _____ Feet
 Number of Faces _____ Feet
 Sign Height _____ Feet _____ Inches
 Setback from property line: _____ Feet
 Number of Tenants on property _____

Time Frame for temporary signs (check 1)

- One 30 day period
 List dates of time periods: _____
 Number of Temporary sign permits issued _____
 Date display is to start _____
 Permit Expiration Date _____

It is the responsibility of the applicant or installer to call The City of Coweta 918-486-2189 to obtain the inspection request. **I hereby Certify** that the above information furnished by me is true and correct, and the application requirements of the *City of Coweta* will be met. (Note **Permanent** sign approval is valid for 180 days)

Date _____ Signature of Business Owner _____ Signature of the Property Owner _____

Zoning

- Denied
 Issued

Reviewed by _____ Date _____

Comments or Conditions: _____

Please show a drawing of sign including dimensions,copy, materials and support if any

Draw Site Plan including lot lines, structures access, adjacent streets and dimensions



STATE OF OKLAHOMA
OFFICE OF THE STATE FIRE MARSHAL

NOTICE NOTICE NOTICE

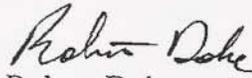
TO: ALL FIREWORKS MANUFACTURERS, DEALERS,
WHOLESALEERS AND RETAILERS.

Through the mandated Oklahoma Statutes as noted on the attached document, the Oklahoma State Fire Marshal is issuing guidance for all Class "C" consumer fireworks sales facilities.

Effective with the fireworks sales season of 2006, the criteria as outlined in the attached document, will be the minimum criteria for retail sales facilities to meet.

Request you provide a copy of the attached document to each individual who purchases a retail permit for a fireworks retail facility per O.S. 68§1623(d) and O.S. 68§1627(a).

If you have any questions, feel free to contact this office at 405-522-5005.


Robert Doke

Fire Marshal



STATE OF OKLAHOMA
OFFICE OF THE STATE FIRE MARSHAL

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 commonly referred to as Class "C." 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 fireworks is only authorized between June 15 and July 6 and from December 15th through January 2 per O.S. 68§1623(a).

General Operational Requirements:

1. Retail license must be posted and visible in sales area. Address must be the physical address of the facility. [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(d)]
3. A sales clerk must be on duty to serve the customer at time of purchase. [O.S. 68§1623(b)]
4. Signs stating "FIREWORKS – NO SMOKING WITHIN 50 FEET" must be posted on all sides of the entire facility. [O.S. 68§1623(a) & NFPA 1124 para. 7.6.5.1]
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 – 7.12.5.3 & 7.12.5.4]
7. Prohibited fireworks: Bottle rockets, stick rockets, cherry bombs, M-80's or any combination thereof or any fireworks not properly labeled as: Division 1.4, UN0336 or Class "C". Any prohibited fireworks found can and will be confiscated and turned over to the county Sheriff. [O.S. 68§1624(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)]

12. A retail sale location inside a structure (building) must comply with all the requirements of the *International Building Code (IBC)*, 2003 edition, *International Fire Code (IFC)*, 2003 edition and the National Fire Protection Association Standard NFPA 1124 *Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles*, 2003 edition and be approved in writing by the State Fire Marshal. [O.S. 68§1623(c)]

13. Tents, canopies, or temporary membrane structures must have a flame resistance meeting the requirements of NFPA 701, *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 – 7.4.1(2) & NFPA 102 – 8.4.1 thru 8.4.3]

14. Customers cannot be under any part of tents, canopies or other membrane structure. [O.S. 68§1623(c)]

Fire Extinguishers:

15. 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 – 7.5.2]

16. 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 – 7.5.2.3]

Separation/Area Requirements:

17. 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 – 7.7.3.1]

18. Fireworks retail and 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 liquefied gas. [NFPA 1124 – 7.7.3.2]

19. Temporary fireworks retail sales facilities cannot be any closer than 30 feet from any other building, combustibles, tents or fireworks storage areas. [NFPA 1124 – Table 7.7.2 & IFC Table 3304.5.2(4)]

20. Temporary fireworks retail sales facilities cannot be any closer than 100 feet from any public railroad or highway and upon highways, sidewalks, and public property or in assembly or educational occupancies. [IFC 3301.2.2 & Table 3304.5.2(4)]

21. Vehicle parking cannot be within 10 feet of a temporary fireworks retail sales facility or fireworks storage facility. [NFPA 1124 – 7.6.3 & IFC Table 3304.5.2(4)]

Heating Devices:

22. Temporary heating sources shall be listed and used in accordance with their listing. These heating sources must also have a tip-over and temperature-overheat protection. [NFPA 1124 – 7.11.2.1 & 7.11.2.2]
23. Open-flame and exposed-element heating devices shall be prohibited. [NFPA 1124 – 7.11.2.3]

Portable Generators:

24. Portable generators and storage of excess fuel must be at least 20 feet from the fireworks retail sales facility and storage areas. [NFPA 1124 – 7.11.3]

Cooking Equipment:

25. 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 – 7.11.4.1]
26. 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 1124 – 7.11.4.1]

Housekeeping:

27. 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 – 7.6.2]
28. Consumer fireworks retail sales and storage areas shall be kept free of accumulation of debris and rubbish at all times. [NFPA 1124 – 7.12.5.1]
29. 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 – 7.12.5.3 & 7.12.5.4]
30. 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 – 7.12.5.5 & 7.12.5.6]

Electrical:

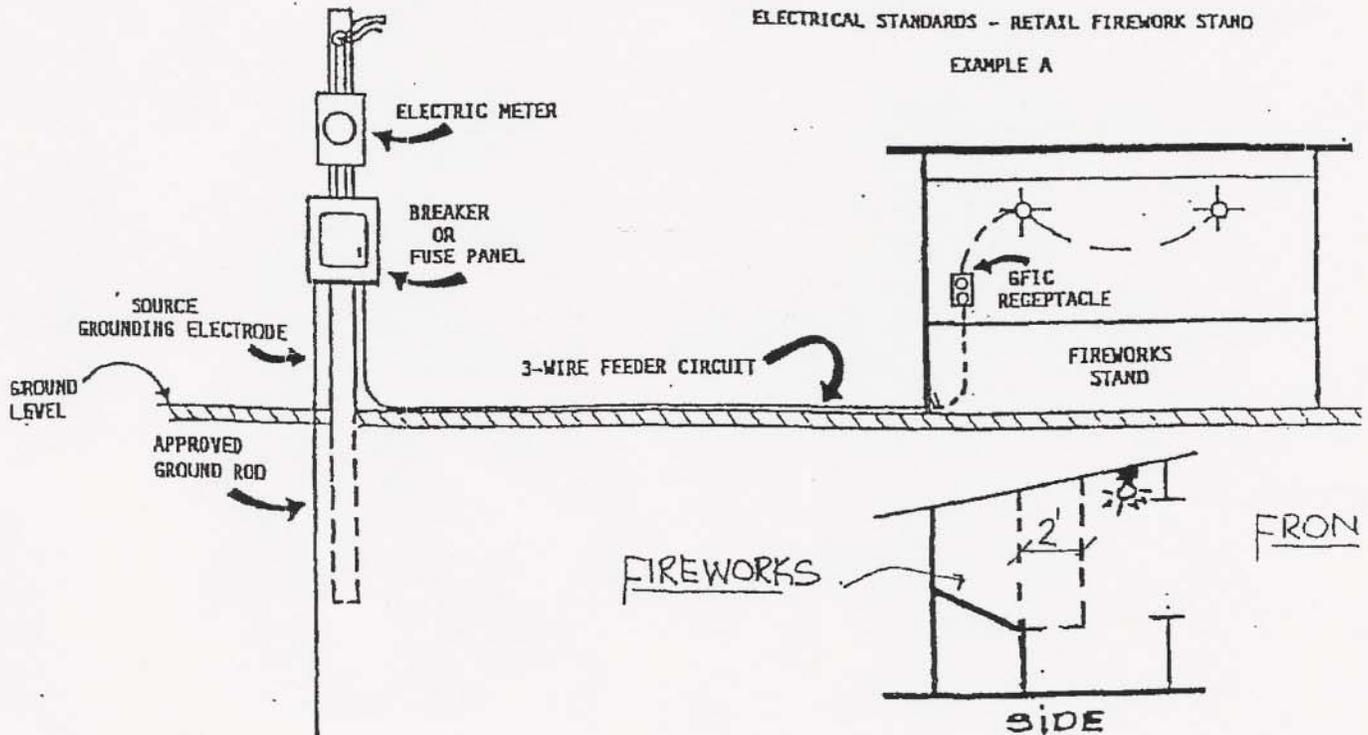
31. All electrical wiring shall be in accordance with NFPA 70, *National Electric Code*® (NEC) [NFPA 1124 – 7.11.1]
32. Battery powered equipment, electrical equipment, and electrical cords that are used in conjunction with a consumer fireworks retail sales facility area shall be listed and shall be used in accordance with their listing. [NFPA 1124 – 7.11.1.1]
33. Temporary wiring installed in a temporary structure including tents and canopies shall comply with Article 305 of NFPA 70, *National Electric Code*® [NFPA 1124 – 7.11.1.2]

34. 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 - 7.11.1.3]

35. As feeder line to fireworks stand 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]

36. 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. (SEE EXAMPLE BELOW) [NEC]

37. All electrical power supply must be properly grounded. A grounding rod is mandatory if a construction type pole is used to supply power. (SEE EXAMPLE BELOW) [NEC]



**FIREWORKS LAWS
STATE OF OKLAHOMA
TITLE 68, ARTICLE 16
SECTION 1621-1634**

§ 1621. Purpose and intent of act

The purpose and intent of this act is to establish orderly sales, use and storage of fireworks, to specify conditions of sales and licensing provisions, to prohibit certain fireworks, to provide for seizure, and disposition of illegal fireworks and to establish penalties for violations.

§ 1622. Definitions

As used in this act the following terms shall have the meaning specified below.

(a) The term "fireworks" shall mean and include any composition or device for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and which is defined as common or special fireworks by the United States Department of Transportation (DOT). Fireworks are further classified in this law as Class C or Class B. The term "fireworks" shall not include toy cap pistols and caps, blank cartridges, railroad flares and model rockets.

1. Class C Fireworks (DOT Common Fireworks) shall mean any devices suitable for use by the public that conform with requirements of the United States Consumer Products Safety Commission (CPSC) and are designed primarily to produce visible effects by combustion, and some small devices designed to produce an audible effect.

2. Class B Display fireworks (DOT Special Fireworks) shall mean all articles of larger fireworks designed primarily to produce visible or audible effects by combustion or explosion. Class B Fireworks include, but are not limited to, firecrackers and salutes containing more than two (2) grains (130mg) of explosive composition and other exhibition display items that exceed the limits for Classification of Class C Fireworks according to the Department of Transportation.

(b) The term "manufacturer" shall mean any person engaged in the making or construction of fireworks.

(c) The term "distributor" shall mean any person who sells fireworks to other distributors, wholesalers or retailers for resale.

(d) The term "wholesaler" shall mean any person who purchases fireworks for resale only to retailers and consumers.

(e) The term "retailer" shall mean any person who purchases fireworks for resale to consumers only. A retailer who sells to consumers buys only an Oklahoma Retail License and may purchase merchandise in or out of the state as long as the retailer buys from a person that has a legal license to do business in the State of Oklahoma.

(f) The term "person" shall include any corporation, association, partnership or one or more individuals.

§ 1623. Conditions for storage, sale and use

Class "C" Common Fireworks may be legally stored, sold and used in this state with the exceptions and conditions specified under the provisions of this act.

(a) All fireworks storage and sales areas shall be conspicuously posted with signs reading "FIREWORKS-NO SMOKING".

(b) Fireworks offered for retail sale must be protected from direct contact and handling by the public at all times. Self-serve or marketing where retail customers are allowed to move among the stocks of fireworks or serve themselves from fireworks stocks or displays is strictly prohibited. Mail-order sales to consumers are prohibited through any medium or either interstate or intrastate commerce. Sales of fireworks may only be made at properly licensed retail locations within the State of Oklahoma. A sales clerk must be on duty to serve the consumer at the time of purchase.

(c) Fireworks shall not be sold or displayed to the public within any building or portion thereof or any vehicle which allows entry by any persons other than employees within such building or vehicle unless the fireworks are kept where they cannot be reached or handled by those persons. An enclosed building used for sale of fireworks to the public shall have adequate exits as determined by the State Fire Marshal. The use of tents or other non-rigid shelters for the sale or storage of fireworks where the public may move about under or within the confines of a shelter is prohibited.

(d) The retail license holder shall be responsible for the safe operation of retail sales to the public. The retail license holder shall be at least sixteen (16) years of age.

(e) No person shall offer fireworks for sale to residents of the State of Oklahoma at retail before the 15th day of June or after the 6th day of July and before the 15th day of December or after the 2nd day of January in each year.

§ 1624. Certain fireworks prohibited-Labeling of fireworks

(a) From and after July 5, 1981, the sale, gift, distribution or use of skyrocketes with sticks as defined by the United States Department of Transportation is hereby prohibited within the State of Oklahoma. This prohibition shall include, but is not limited to, explosive devices commonly known as "bottlerockets" or "stickrockets". Distribution, gift or sale from Oklahoma to person outside of the State of Oklahoma shall not be considered as occurring within the State of Oklahoma.

(b) Any and all items of Class "C" Common Fireworks not properly labeled according to the United States Consumer Product Safety Commission and identified with the "Dot Class 'C' Common Fireworks" marking on each retail sale unit is prohibited under the provisions of this act.

§ 1625. License fees

The following license fees shall be due and payable on or before March 1, of each and every year beginning March 1, 1981, to the Oklahoma Tax Commission.

(a) A license fee of One Thousand Dollars (\$1,000.00) annually shall be charged for the license to do business within this state as a manufacturer. Provided no manufacturer's license shall be issued without: (1) proof of inspection by the State Fire Marshal pursuant to Section 1633 of this title; and (2) without proof of workers' compensation coverage pursuant to the provisions of Title 85 of the Oklahoma Statutes.

(b) A license fee of One Thousand Dollars (\$1,000.00) annually shall be charged for the license to do business within this state as a distributor.

(c) A license fee of Five Hundred Dollars (\$500.00) annually shall be charged for the license to do business within this state as a wholesaler.

(d) Any person operating a retail location where fireworks are sold directly to the consumer shall be required to purchase a retail fireworks license. The retail license fee shall be Ten Dollars (\$10.00) annually and may be purchased from any licensed wholesaler, manufacturer or distributor. These serially numbered licenses shall be made available at any time to the licensed wholesalers, manufacturers or distributors in books of twenty (20) licenses to a book. Retail licenses which are unsold may be exchanged for new licenses. Any person purchasing a retail fireworks

license pursuant to this paragraph shall, at the time of purchasing such license, sign an affidavit attesting to the fact that the name, mailing address and telephone number of the purchaser as it appears on such license is correct and that the purchaser operates a retail location where fireworks are sold directly to the consumer. Said affidavit shall be an integral but easily detachable part of the application form for a retail fireworks license. Any person who signs said affidavit as required by this paragraph when such person knows that it is not true, upon conviction, shall be guilty of the felony of perjury and shall be punished as provided by law.

§ 1625.1 Certain persons to deliver license copies to Tax Commission

A. Any wholesaler, manufacturer or distributor who sells retail fireworks licenses, pursuant to paragraph (d) of Section 1625 of Title 68 of the Oklahoma Statutes, shall deliver to the Tax Commission on January 31 and July 31 of each calendar year all copies of retail fireworks licenses which such wholesaler, manufacturer or distributor has issued during the preceding six-month period.

B. If the license copies are not delivered to the Tax Commission on January 31 and July 31 of each calendar year, an additional penalty of Five Dollars (\$5.00) shall accrue for each day thereafter that said license copies are not delivered pursuant to the provisions of this section.

§ 1626. Collection and disposition of fees

All license fees specified in Section 1625 of this title shall be collected by the Oklahoma Tax Commission and shall be paid to the State Treasurer of the State of Oklahoma, to be placed to the credit of the General Revenue Fund of the State Treasury.

§ 1627. Necessity for licenses-Unlawful sales-Unlawful discharging

(a) No person shall knowingly sell, purchase or deliver, or cause to be sold, purchased or delivered, fireworks for resale to any person who does not possess a valid license under this act. It shall be unlawful for a distributor, wholesaler or retailer, licensed under this act, to purchase fireworks from any person, unless the distributor, wholesaler or retailer determines that the person holds a valid distributor's, wholesaler's or manufacturer's license under this act. All retail sales outlets shall have a current retail license. The license shall be conspicuously posted in the immediate vicinity of the sales operation and shall be immediately available for examination by the public or any enforcement officer. No license provided for herein shall be transferable nor shall any person be permitted to operate under a license granted to another person.

(b) It shall be unlawful to offer for retail sale or to sell any fireworks to children under the age of twelve (12) years, unless accompanied by an adult, or to any intoxicated or irresponsible person.

(c) It shall be unlawful to explode or ignite fireworks within five hundred (500) feet of any church, hospital, asylum, unharvested, flammable agricultural crop, public school, or where fireworks are stored, sold or offered for sale. No person shall ignite or discharge any permissible articles of fireworks within or throw the same from a motor vehicle; nor shall any person place or throw any ignited article of fireworks into or at such vehicle or at or near any group of people.

§ 1628. Violations and penalties-Contraband-Enforcement

Violation of any provision of this act is a misdemeanor punishable as follows:

(a) Discharging fireworks in violation of this act shall be punishable by a fine not to exceed One Hundred Dollars (\$100.00).

(b) Illegal sale, violation of licensing provision, false labeling, or any other violation of this act shall be punishable by a fine not to exceed One Thousand Dollars (\$1,000.00), ninety (90) day's imprisonment in the county jail, or both. In the event of a second conviction the license shall be revoked for a period of eighteen (18) months. Each violation of this act shall constitute a separate offense. No other person shall be granted a license to operate in the same location during the period of a revoked license.

(c) The State Fire Marshal, his deputies, or any authorized police or peace officer of this state shall seize as contraband any illegal fireworks as defined under the terms of this act. Fireworks seized in the enforcement of this act shall be held in custody of the county sheriff in which county the fireworks were seized. The party surrendering the fireworks, if aggrieved by the action, may file an appeal in writing to the district court in the county where fireworks were seized. Upon hearing the appeal, the district court may authorize the return of part or all of the confiscated fireworks; otherwise, the court shall authorize and direct that such contraband fireworks be destroyed.

(d) The provisions of this act shall be enforced by the State Fire Marshal and local fire marshals, the sheriff, the police or any peace officer licensed or authorized by this state or their respective deputies.

§ 1629. Public displays

Nothing in this act shall be construed as applying to shipping, sale, possession or use of fireworks for Class B displays by holders of a permit for a public display to be conducted in accordance with the rules and regulations of the State Fire Marshal Commission.

Applications for permits for Class B displays must be submitted in writing five (5) days prior to date of display to the clerk of the city or town where display is to occur. If the display is in an area outside the jurisdiction of a city or town, application for permit shall be made to the State Fire Marshal. Every display shall be under the direction of a competent responsible operator of legal age and the person or organization making application for permit must show financial liability coverage in minimum amounts of Five Thousand Dollars (\$5,000.00) per person, Ten Thousand Dollars (\$10,000.00) personal injuries from any single accident, and Five Thousand Dollars (\$5,000.00) property damage, or in the amount set forth by ordinance. Before a permit is granted, a local fire inspector or an agent of the State Fire Marshal shall inspect and approve or reject the site of the display. No permit so granted shall be transferable.

§ 1630. Sale or possession of display fireworks-Definition-Interstate transportation

It shall be unlawful for any person to sell display fireworks to any holder of a permit unless the seller possesses a valid manufacturer's, distributor's or wholesaler's license under this act.

Those items that may be used for public display as herein specified shall include display shells designed to be fired from mortars and display set pieces of fireworks classified by the regulations of the Department of Transportation as "Class A and B Public Display Special Fireworks", and shall not include such items as Class B Commercial Fireworks as cherry bombs, tubular salutes, repeating bombs, aerial bombs, M-80's and torpedoes. No person shall ship Class B Commercial Fireworks into the State of Oklahoma except in the course of continuous interstate transportation. It shall be unlawful for any person to sell or possess Class B Commercial Fireworks in the State of Oklahoma.

§ 1631 Minimum requirements-Additional regulation by city ordinance

The provisions of this act shall be construed as imposing minimum requirements and shall not be construed as prohibiting any city or town within the State of Oklahoma from passing such ordinances as may be deemed necessary to properly regulate or prohibit the sale and use of fireworks within its corporate limits.

§ 1633. Inspection and certification of Class B Display Fireworks facilities

No person shall engage in the business of manufacturing Class B Display Fireworks without first requesting the State Fire Marshal to conduct a fire and safety inspection and receiving certification that a satisfactory inspection was conducted. All manufacturers of Class B Display Fireworks shall be required to comply with the standards promulgated by the National Fire Protection Agency, Section 1124-Code for Manufacture, Transportation and Storage of Fireworks.

Upon written request of Class B Display Fireworks manufacturer, the State Fire Marshal shall, within ten (10) days, conduct a fire and safety inspection and shall, upon satisfactory inspection, issue a certification of the inspection. Thereafter, the State Fire Marshal shall conduct a fire and safety inspection of at least once every six (6) months.

Whenever the State Fire Marshal shall find any violation of NFPA-1124 which would endanger persons or property, the State Fire Marshal shall immediately order the manufacturing facility closed until such time as the violations are remedied and a new inspection and certification takes place.

Any person engaging in the business of manufacturing Class B Display Fireworks without current certification of a satisfactory fire and safety inspection or any person refusing to comply with the State Fire Marshal's order to close a Class B Display Fireworks manufacturing facility shall, upon conviction, be guilty of a misdemeanor and be punished by imprisonment in the county jail not exceeding one (1) year or by fine not exceeding Ten Thousand Dollars (\$10,000.00) or both such fine and imprisonment.

Any person manufacturing Class B Display Fireworks on the effective date of this act shall, within ninety (90) days, be licensed and inspected pursuant to this act.

§ 1634. Sales tax on fireworks

Any sale of fireworks to a consumer by a wholesaler or a retailer shall be subject to the levy and collection of sales tax pursuant to the provisions of the Oklahoma State Tax Code.

...So, You Want to Sell Fireworks in Oklahoma?

A "how to guide" for retailers to keep you and your customers safe.

What is a retailer?

- The term retailer shall mean any person who purchases fireworks for resale to consumers only. A retailer who sells to consumers buys only an Oklahoma Retail License and may purchase merchandise in or out of the state as long as the retailer buys from a person that has a legal license to do business in the State of Oklahoma. (OSS 68, Article 16, Section 1622(e).
- The retail license holder shall be responsible for the safe operation of retail sales to the public. The retail license holder shall be at least sixteen (16) years of age. (OSS 68, Article 16, Section 1623(d).
- Any person operating a retail location where fireworks are sold directly to the consumer shall be required to purchase a retail fireworks license. The retail license fee shall be Ten Dollars (\$10.00) annually and may be purchased from any licensed wholesaler, manufacturer or distributor. Any person purchasing a retail fireworks license pursuant to this paragraph shall, at time of purchasing such license, sign an affidavit attesting to the fact that the name, mailing address and telephone number of the purchaser as it appears on the license is correct and that the purchaser operates a retail location where fireworks are sold directly to the consumer. (OSS 68, Article 16, Section 1625(d).

Once I Have My License, What Can I Sell?

- Class "C" Fireworks (1.4 G) (DOT Common Fireworks) shall mean any devices suitable for use by the public that conform to requirements of the United State Consumer Products Safety Commission and are designed primarily to produce visible effects by combustion, and some small devices designed to produce an audible effect. (OSS 68, Article 16, Section 1622(a).
- From and after July 5, 1981, the sale, gift, distribution or use of skyrockets with sticks as defined by the United State Department of Transportation is hereby prohibited within the State of Oklahoma. This prohibition shall include, but is not limited to, explosive devices commonly known as "bottlerockets" or "stickrockets". Distribution, gift or sale from Oklahoma to persons outside the State of Oklahoma shall not be considered as occurring within the State of Oklahoma. (OSS 68, Article 16, Section 1624(a).
- Any and all items of Class "C" Common Fireworks not properly labeled according to the United States Consumer Product Safety Commission and identified with the "DOT Class 'C' Common Fireworks" marking on each retail sale unit is prohibited. (OSS 68, Article 16, Section 1624(b).

When Can I Sell It?

- No person shall offer fireworks for sale to residents of the State of Oklahoma at retail before the 15th day of June or after the 6th day of July and before the 15th day of December or after the 2nd day of January in each year. (OSS 68, Article 16, Section 1623(e).

How Do I Make the Storage and Sale of My Fireworks Safe and Legal?

- All storage of Class "C" Common Fireworks must be stored in a weather resistant and theft-resistant structure, box, trailer, semi-trailer or other mobile facility. Class "C" Common Fireworks shall not be stored in residential areas without the approval of the local fire authority or the Oklahoma State Fire Marshal.
- Storage and/or sales of fireworks inside a building require the protection of automatic fire suppression and fire

alarm systems as an H3 Occupancy.

- NO SMOKING signs must be posted.
- Fireworks stand must be on private property and located a minimum of 30 feet from any structure or has adequate structural fire resistance, and adequate spacing for emergencies from any side of the property line.
- Electrical feeder line to fireworks stand must be protected from harm or damage. Use UF cable or SO cord. SO cord may be laid on ground if no foot or vehicle traffic will come in contact with it.
- No use of keyless or any other light fixture will 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.
- All conductors inside of fireworks stand must be GFIC protected. This can be done through GFIC breaker at the power source or have a feeder enter GFIC receptacle inside stand and feed circuit to any other receptacles and lighting.
- All electrical power must be properly grounded. Must have grounding rod if a construction type pole is used to supply power.
- All fireworks offered for retail sale must be protected from direct contact and handling by the public. Self-serve or marketing where retail customers are allowed to move among the stock is strictly prohibited. A sales clerk must be on duty to serve the consumer at the time of purchase (OSS 68, Article 16, Section 1623(b)).
- It shall be unlawful to offer for retail sale or to sell any fireworks to children under the age of twelve (12) years, unless accompanied by an adult, or to any intoxicated or irresponsible person. (OSS 68, Article 16, Section 1627(b)).
- It shall be unlawful to explode or ignite fireworks within five hundred (500) feet of any church, hospital, asylum, unharvested, flammable agricultural crop, public school, or where fireworks are stored, sold or offered for sale. No person shall ignite or discharge any permissible articles of fireworks from within or throw the same from a motor vehicle; nor shall any person place or throw any ignited article of fireworks into or at such vehicle or at or near any group of people.

What Happens if I Don't Follow the Law?

- Discharging fireworks in violation of the law shall be punishable by a fine not to exceed One Hundred Dollars (\$100.00). (OSS 68, Article 16, Section 1628(a))
- Illegal sale, violation of licensing provisions, false labeling, or any other violation of this act shall be punishable by a fine not to exceed One Thousand Dollars (\$1,000.00), ninety (90) days imprisonment in the county jail, or both. In the even of a second conviction, the license shall be revoked for a period of eighteen (18) months. (OSS 68, Article 16, Section 1628(b)).

AGENT: _____

FILE #: _____

OKLAHOMA STATE FIRE MARSHAL AGENCY
2401 N.W. 23rd Street, Suite 4
Oklahoma City, OK 73107
(405) 522-5005 Fax: (405) 522-5028

RETAIL FIREWORKS INSPECTION FORM

CITY: _____ COUNTY: _____ DATE: _____

LOCATION: _____

OPERATOR NAME: _____ LICENSE #: _____ PHONE: (____) _____

OKLA. LICENSED DISTRIBUTOR: _____

LICENSE #: _____ PHONE: (____) _____

STORAGE OF 1.4 EXPLOSIVES, OR UN0336, OR CLASS 'C' COMMON FIREWORKS:

All storage of class C common fireworks must be store in a weather resistant and theft-resistant structure, box, trailer, semi-trailer or other mobile facility. Class C common fireworks shall not be stored in residential areas without approval by local fire authority or the State Fire Marshal.

Comply Non-Complying

- | | | | |
|--------------------------|--------------------------|--|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Retail license posted in sales area. | [O.S. 68§ 1627(A)] |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. NO SMOKING sign posted | [O.S.68 § 1623(A)] |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. FW stand is either minimum of 30 feet from any structure or has adequate structural fire resistance, and adequate spacing for emergencies from any side property line | [2003 IBC Table 602] |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. The FW stand is located on private property | |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. All FW must be invoiced from a distributor or wholesaler licensed to do business in Oklahoma. | [O.S. 68 § 1627] |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. A responsible person of sixteen (16) years of age or older must be in charge of the stand. | [O.S. 68 § 1623(d)] |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. PROHIBITED FW: Bottle rockets, stick rockets, bottleless rockets, or any combination of items renamed. | [O.S. 68 § 1624(a)] |
| | | FW not property labeled as Div. 1.4 Explosive, UN0336, or Class C . | [O.S. 68 §1624(b)] |
| | | Class B Public Display Special Fireworks such as cherry bombs, tubular salutes, repeating bombs, aerial bombs, M-80's and torpedoes. | |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. If the retail location is inside a building the structure must meet Building Code. | [2003 IBC 307.5 (H-3) & 903.2.4.1] |

*** ELECTRICAL MUST MEET NATIONAL ELECTRICAL CODE ARTICLE 305 AND ARTICLE 110, SECTION 1-14, (SEE EXAMPLE).

Comply Non-Complying

- 1. No use of keyless or any other light fixture will 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.
- 2. Feeder line to fireworks stand must be protected from harm or damage. Use UI' cable or SO cord. SO cord can be laid on ground if no foot or vehicle traffic will come in contact.
- 3. All conductors inside of fireworks stand must be GFIC protected. This can be done through GFIC breaker at power source or have feeder enter GFIC receptacle inside stand and feed circuit to any other receptacles and lighting.
- 4. All electrical power supply must be properly grounded. Must have grounding rod if a construction type pole is used to supply power. (If power is from a building, comply to NEC.)

