

NEVADA

NRS 244.367. Fireworks: Regulation and control.

1. The board of county commissioners shall have power and jurisdiction in their respective counties to pass ordinances prohibiting, restricting, suppressing or otherwise regulating the sale, use, storage and possession of fireworks, and providing penalties for the violation thereof.

2. An ordinance passed pursuant to subsection 1 must provide that any license or permit that may be required for the sale of fireworks must be issued by the licensing authority for:

- (a) The county, if the fireworks are sold within the unincorporated areas of the county; or
- (b) A city located within the county, if the fireworks are sold within the jurisdiction of that city.

CLARK COUNTY (For other counties see local ordinances)

3301.1.3. Fireworks.

The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited.

Exceptions:

1. Storage and handling of fireworks as allowed in Section 3304.
2. Manufacturer, assembly and testing of fireworks as allowed in Section 3305.
3. The use of fireworks for fireworks displays as allowed in Section 3308.
4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided such fireworks comply with CPSC 16 CFR Parts 1500 and 1507, and DOTn 49 CFR, Parts 100-185, for consumer fireworks.
5. The possession, storage, use, handling, and sale of consumer safe and sane fireworks in accordance with the current "Southern Nevada Fire Chiefs Association Approved Guideline for Fireworks".

3301.2.2. Sale and retail display.

Explosives, explosive materials, or fireworks sales shall be conducted according to federal law and only by those licensed and approved to conduct such operations. All sales and retail displays of fireworks and explosives are prohibited.

Exception:

Consumer fireworks (safe and sane) offered for sale at portable retail fireworks stands that are in accordance with the current "Fire Prevention Association of Nevada Guidelines for Fireworks".

3301.2.4. Financial Responsibility.

Before a permit is issued, as required by Section 3301.2, the applicant shall file with the jurisdiction a valid certificate of insurance complying with Section 105.1.4.1 in the amount of \$2,000,000.00, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The *fire code official* is authorized to specify a greater amount when, in his or her opinion, conditions at the location of use indicate a greater amount is required.

Exception: The *fire code official* is authorized to reduce the liability limits to \$1,000,000 for small private party blasting operations such as personal mining claims or agricultural uses. Under no circumstance will this include development related blasting activities, quarry blasting, construction blasting, or other similar large scale blasting operations.

3301.5. Supervision.

The *fire code official* is authorized to require operations permitted under the provisions of Section 3301.2 to be supervised at any time by the *fire code official* in order to determine compliance with all safety and fire regulations.

Exception:

Where the pyrotechnic special effects are used in an approved set show that is repeated continuously, the *fire code official* may waive the requirement for attendance to all productions, provided the fire code official has successfully witnessed product demonstration and at least one performance.

SECTION 3309 CONSUMER FIREWORKS

3309.1. General.

Storage, distribution and sales of consumer fireworks shall be in accordance Section 3309 and The Southern Nevada Fire Chiefs Association Approved Guideline for Fireworks.

3309.1.1. Permit required.

Permit shall be required in accordance with 105.6.14 and the Southern Nevada Fire Chiefs Association Approved Guideline for Fireworks.

3309.2. Storage.

Where the temporary storage of consumer fireworks, 1.4G is allowed by Section 3301.1.3, Exception 4, such storage shall comply with applicable requirements of NFPA 1124.

3309.2.1. Storage for Wholesale Consumer Fireworks.

The storage building shall comply with the currently adopted building and fire codes and Chapter 6 of NFPA 1124. It shall be inaccessible to the public. Wholesale storage locations shall be approved by the fire code official.

3309.2.2. Storage for Retail Consumer Fireworks.

Retail consumer fireworks shall be stored in an approved wholesale location or sales stand or stand premises when supervised by an adult. Storage locations shall be approved by the fire code official. Fireworks shall be returned to an approved wholesalers storage location at the end of each sales day and there shall be no storage in other locations including, but not limited to residential neighborhoods, dwellings, garages, public ways, driveways, trailers, or vehicles.

3309.2.3. No Smoking signs.

No smoking signs shall be posted at all storage locations. No smoking signs with 3-inch tall letters shall be posted on all four sides of the storage container or fireworks stand.

3309.3. Safe and Sane consumer fireworks.

All fireworks items for consumer sale shall be tested per Section 3309.3 within 12 months prior to the date of sale.

3309.3.1. Labels.

All fireworks for consumer sales shall bear the California State Fire Marshal's safe and sane seal. Each item or case of small items or item box shall bear the seal.

3309.3.2. Packaging.

Retailers shall display and sell consumer fireworks in their original packages only.

3309.3.3. Fireworks Construction.

The construction and composition of consumer fireworks shall comply with the American Pyrotechnics Association Standard 87-1, Standard for Construction and Approval for Transportation of Fireworks, Novelties and Theatrical Pyrotechnics, 2001 edition. See Annex C of NFPA 1124.

3309.4. Fire Department Testing and Approval.

All consumer fireworks shall be tested and certified by an approved, independent third party testing agency for compliance with the regulation of the Consumer Products Safety Commission (CPSC) as set forth in 16 CFR 1500 and 1505. Wholesalers shall have copies of the test reports shall be available for review.

3309.4.1. Fire Department Testing.

Each applicant shall provide the Clark County Fire Department with a complete inventory statement for each device for sale to consumers at least 90-days in advance of the first day of sale. Testing shall be accordance with the Southern Nevada Fire Chiefs Association Approved Guideline for Fireworks. Items not listed on the inventory statement will not be permitted for sale.

3309.4.2. Test Method.

Each device selected for testing shall be fired and tested according to 16 CFR 1500 and 1505. The pass/fail criteria will be according to these documents. Additionally, no product shall exhibit re-ignition, burn-out or prolonged burning within five (5) minutes after the termination of the primary effect produced by the device.

3309.5. Dangerous fireworks.

It shall be unlawful for any person to possess, store, to offer for sale, expose for sale, sell at wholesale or retail, or use or explode any dangerous fireworks in the unincorporated towns of Clark County, Nevada. "Dangerous fireworks" include, but are not limited to, the following:

1. Fireworks that contain prohibited chemicals per NFPA 1124;
2. Firecrackers, salutes and other articles which explode;
3. Fireworks that fire an aerial display;
4. Skyrockets and rockets, including all devices which employ any combustible or explosive material and which rise in the air during discharge;
5. Roman candles, including all devices which discharge balls of fire into the air;
6. Sparklers more than ten inches in length or one-fourth inch in diameter;
7. All fireworks designed and intended by the manufacturer to create the element of surprise upon the user. These items include but are not limited to auto foolers, cigarette loads, exploding balls, trick matches;
8. Fireworks known as devil-on-the-walk, or any other fireworks which explode through means of friction;
9. Torpedoes of all kinds which explode on impact;
10. Fireworks kits;
11. Devices that travel a distance exceeding a 10 feet radius.
12. Such other fireworks examined and tested by the chief and determined to possess characteristics of design or construction which make such fireworks unsafe for use by any person not specially qualified or trained in the use of fireworks.

3309.6. Fireworks Stands.

Fireworks stands (booths) shall be constructed, arranged and have the following construction and operational features.

3309.6.1. Operations.

Fireworks stands shall be operated from June 28 to July 4 of every calendar year.

3309.6.1.1.

Fireworks shall be returned to an approved wholesalers storage location at the end of each sales day and there shall be no storage in other locations including, but not limited to residential neighborhoods, dwellings, garages, public ways, driveways, trailers, or vehicles.

3309.6.2. Certificate of Insurance.

The permitted shall furnish a certificate of insurance for hazard coverage of up to \$1,000,000 or greater as specified by CCFD.

3309.6.3 Personnel.

Fireworks stands shall be operated by at least one adult, 18 years or older, and not be occupied by anyone under the age of 14.

3309.6.4. Construction of Stands.

Each fireworks stand shall be constructed as follows:

1. No stand (booth) shall exceed 16 feet 6 inches in length or 8 feet in width.
2. All stands shall have no less than two unobstructed exits measuring a minimum of 6 feet tall and 2 feet in width. The counter shall not be considered an exit.
3. The siding and roof of the booths shall be made of a minimum of ¼-inch plywood or comparable material or of noncombustible materials.
4. Fireworks stands shall not have an attached canopy. Canopies shall be separated from stands by at least five (5) feet.

5. All wiring and appliances shall meet the requirements of the National Electrical Code and be protected from damage.
6. Overhead wiring powering fireworks stand shall be a minimum of 13 feet, 6 inches above grade.
7. Trailers used as fireworks stands may be used when approved.

3309.6.5. Fire safety features.

Each fireworks stand shall the following fire safety features;

1. A fully-charged fire extinguisher rated at least 2A 10BC.
2. "No Smoking" signs with 3-inch tall letters posted on all four sides of the stand.
3. Clear space between the stand and exposures as noted in Table 3309.5.5:

Table 3309.6.5

Minimum Separation Distance from sales stand		
10 feet	20 feet	50 feet
Combustibles	Buildings	Motor vehicle fuel dispensing
Vehicle Parking	Tents	Propane dispensers
Curb of edge of roadway, street or driveway	Fireworks storage	Compressed natural gas dispensing
	Other fireworks stands	Aboveground storage tanks for flammable or combustible liquids, flammable compressed gases including propane.

3309.7. Ignition of fireworks-Hazardous locations.

Ignition of fireworks shall not take place within one hundred feet of a fireworks booth, gasoline service station buildings, gasoline dispensers, flammable or combustible liquid tank fill or vent lines, aboveground flammable or combustible liquid tanks, or any building, structure or vehicle containing unsealed flammable or combustible liquids, hazardous materials or explosives.

3309.7.1. Ignition of Fireworks-General Prohibition.

Ignition of fireworks shall take place so as to not endanger persons, buildings, structures, property, brush, automotive vehicles and/or equipment, etc.

3309.7.2. Ignition of Fireworks-Prohibited dates.

Ignition of fireworks shall not take place before the 28th day of June or after the 4th day of July of each sales year.

3309.8. Orientation Meetings.

The fire code official shall hold at least two (2) orientation meetings. These meetings shall be to review applicable code requirements and The Southern Nevada Fire Chiefs Association Approved Guideline for Fireworks. Each retailer shall attend at least one meeting.

3309.8.1. Attendee.

The representative selected can only attend for a single booth location and this same representative must be available for the inspection of the booth on the day of the permit inspection.