

Fireworks Displays

406.1 PURPOSE AND SCOPE

The purpose of this policy is to establish general guidelines for the use of pyrotechnic devices in public fireworks displays to ensure that minimum life-safety procedures and practices are followed. The policy also outlines the Fresno County Fire Protection District standards for the storage and disposal of illegal fireworks.

406.2 POLICY

Fireworks are energetic materials that are inherently dangerous and should always be handled with caution. Heat, shock and friction may ignite them, and in all cases safety should be the primary concern.

It is the policy of the Fresno County Fire Protection District to observe the California fireworks law and follow the regulations prepared by the Office of the State Fire Marshal (OSFM) governing the use of fireworks in public displays when enforcing permitting requirements, plan review and inspections (Health and Safety Code § 12500 through Health and Safety Code § 12758; 19 CCR Chapter 6). The District shall observe the federal regulations governing the storage and disposal of explosives (27 CFR 555.201 et seq.).

406.3 PROCEDURE

Applications for permits for public fireworks displays shall be made in writing at least 10 days prior to the proposed display. Applications shall be submitted to the Fresno County Fire Protection District in a timely manner in order to ensure the appropriate allocation of resources and to allow adequate time to address any changes that may be required (Health and Safety Code § 12643).

When applying for a public fireworks display permit, an applicant shall submit information and evidence to the Fresno County Fire Protection District that includes (19 CCR 982):

- (a) The name of the organization sponsoring the display and the names and pyrotechnic operator license numbers of persons actually in charge of the display.
- (b) The date and time the display is to be held.
- (c) The exact location planned for the display.
- (d) The size and number of all fireworks to be discharged including the number of set pieces, shells and other items. Shells shall be designated by diameter specifying single, multiple break or salute.
- (e) The manner and place of storage of all fireworks prior to, during and after the display.
- (f) A diagram of the grounds on which the display is to be held showing:
 1. The point at which the fireworks are to be discharged.
 2. The location of all buildings, roads and other means of transportation.

Fresno County Fire Protection District

Policy Manual

Fireworks Displays

3. The lines behind which the audience will be restrained.
- (g) The location of all nearby trees, telegraph or telephone lines, or other overhead obstruction.
- (h) Proof that satisfactory workers' compensation insurance is carried for all employees (Labor Code § 3700).
- (i) Documentary proof of liability insurance (Health and Safety Code § 12610; Health and Safety Code § 12611).
- (j) That a California Office of the State Fire Marshal (OSFM) license in a general, special or limited category has been obtained from the OSFM (Health and Safety Code § 12575; Health and Safety Code § 12576; Health and Safety Code § 12577).
- (k) The name and resale license number of the wholesaler who supplied all items used in the display.

The permittee shall be responsible for compliance with the provisions under which a public fireworks display permit has been granted. A letter is required from the sponsor or pyrotechnic company acknowledging that any additional fees will be billed directly to the sponsor or company. Public displays fired on private property must also include a letter from the current property owner, approving the event and holding the Fresno County Fire Protection District, its officers and the District harmless for any damages or liability.

406.3.1 PLANS

A fully dimensioned plot plan shall be included with the application that shows:

- (a) The location of the display set-up and the location, including the distance of the firing box from the display.
- (b) All access roads, including road width, hydrant locations and ingress and egress points.
- (c) All structures located in or near the firing area and a fallout area based upon 100 feet per inch of shell size.

406.3.2 INSPECTIONS

- (a) All district personnel involved in the inspection of any public fireworks display set-up and firing should inspect for compliance with the provisions of 19 CCR 1003 and the following:
 1. A minimum of two currently serviced 2.5-gallon pressurized water extinguishers shall be available on the site.
 2. A water container for duds or misfired shells shall be available on the site.
 3. Barricades or barriers shall be used to keep unauthorized personnel out of the firing and fallout areas.

Fresno County Fire Protection District

Policy Manual

Fireworks Displays

4. Mortars are to be in good condition, with base plugs in place, no splits or bulges in the tubes or bent or frayed muzzles.
 5. Operators and assistants located within the fallout area are required to have proper safety gear and protective clothing on during the firing of the display and immediately after the display.
 6. If mortar racks are used, they shall be stable and secure.
 7. Mortars up to 5 inches in diameter and buried in earth or placed in troughs or drums shall be spaced 3 feet apart from the sides of the drum or trough.
 8. Mortars 6 inches or larger in diameter and buried in earth or placed in drums and troughs shall be spaced a minimum of 5 feet apart or from the sides of the drum or trough. When a mortar requiring 5 feet of space is placed adjacent to a mortar requiring only 3 feet of spacing, the larger shall apply.
 9. Electrically fired shows require that all mortars buried in earth or placed in drums and troughs shall be nominally spaced 2 feet apart from the sides of the drum or trough.
 10. No smoking is permitted in firing or display areas.
 11. During the electrical firing, no one is allowed to enter the firing area of the display.
 12. Electrically fired shows require that all technicians shall be positioned a minimum of 100 feet from any mortar and positioned so as to be protected from the direct line of fire.
 13. A continuity test shall be conducted prior to the test fire.
- (b) The inspection will include, but is not limited to:
1. Verification of proper pyrotechnics operator licensing of operator and pyrotechnics technician licensed assistants.
 2. Verification of identification and age of all unlicensed assistants.
 3. Inspection and inventory of fireworks shells to be discharged.
 4. Inspection of racks to determine proper spacing and bracing.
 5. Inspection of mortars used to fire aerial shells.
 6. Inspection of ready boxes.
 7. A test fire utilizing the largest non-salute type shell permitted in the display shall be conducted one hour prior to the display and shall be witnessed by an Fresno County Fire Protection District inspector.
 8. Inspection of any other components of the display as deemed appropriate by the inspector.

Fireworks Displays

406.4 STORAGE AND DISPOSAL OF ILLEGAL FIREWORKS

Any fireworks seized pursuant to Health and Safety Code § 12722 and Health and Safety Code § 12721 shall be stored in a manner approved by the Fresno County Fire Protection District Fire Marshal until relinquished to the OSFM for destruction.

The Fresno County Fire Protection District Fire Marshal or the authorized designee shall notify the OSFM not more than three days after the date of seizure of any fireworks and shall state the reason for the seizure and the quantity, type and location of the fireworks. Seized fireworks shall be held in trust for the OSFM. Seized fireworks shall be disposed of by the OSFM (Health and Safety Code § 12723; Health and Safety Code § 12726).

- (a) Routine seizures (quantities that are temporarily manageable):
 - 1. Inventory, randomly sample and photograph the seized fireworks.
 - 2. Complete a Fireworks Seizure [form](#) (also from the OSFM) and forward it as the form instructs.
 - 3. If the fireworks are in the original U.S. Department of Transportation (DOT) shipping cartons, do not remove.
 - 4. Loose fireworks must be placed in good quality cardboard boxes, such as banker boxes, the boxes that photocopy paper comes in or similarly sized moving boxes. The boxes must have functional lids.
 - 5. The boxes must be labeled with the following information: type of fireworks, seizing agency's name, person responsible for the sorting and the date.
 - 6. The following items should not be included:
 - (a) Improvised Explosive Devices (IED) and explosives (a bomb squad should handle these)
 - (b) Trash (including expended fireworks, lighters and matches)
 - (c) Any evidence or contraband that is not related to fireworks (e.g., weapons, drugs, paraphernalia)
 - (d) Friction-initiated fireworks (e.g., Snap Caps) should be packaged separately from any other items
- (b) Seizures that require immediate assistance (quantities that exceed the capability of the Fresno County Fire Protection District to manage):
 - 1. Call 888-FWX-ENFC (888-399-3632), a 24-hour direct number to a CAL FIRE OSFM investigator, who will assist with arranging for temporary storage.
 - 2. Inventory, randomly sample and photograph the seized fireworks.
 - 3. Complete a Fireworks Seizure [form](#) (also from the OSFM) and forward it as the form instructs.

Fresno County Fire Protection District

Policy Manual

Fireworks Displays

4. If the fireworks are in the original U.S. DOT shipping cartons, do not remove them.

The Fresno County Fire Protection District will remain as the lead agency responsible for prosecuting any case involving fireworks seized by the District.

406.4.1 FEES

If the District collects pursuant to a local ordinance that provides for administrative fines or penalties associated with the seizure of dangerous fireworks, the District shall forward 65 percent of the collected monies to the controller for deposit in the OSFM Fireworks Enforcement and Disposal Fund (Health and Safety Code § 12726).