



**A Pocket Guide to
FIREWORKS
ENFORCEMENT
FOR
FIRE AND LAW
ENFORCEMENT
OFFICIALS**

INTRODUCTION

Enforcing fireworks statutes and administrative rules requires the cooperative and coordinated efforts of the Office of State Fire Marshal (OSFM) and local fire and law enforcement officials. The OSFM encourages fire and law enforcement agencies and members of the fireworks industry to take an active role in reducing fireworks related fires and injuries in Oregon by increasing public awareness of fireworks safety through education and information dissemination and by enforcing statutes and rules.

This Pocket Guide to Fireworks Enforcement is intended as a quick reference to provide fire and law enforcement officials with knowledge of the policies, guidelines, and procedures used by OSFM and others when enforcing fireworks statutes and rules to assist in making legally defensible decisions.

This guide is not a substitute for comprehensive, detailed enforcement procedures; therefore, review of related statutes, codes, and rules is essential. Assistance may be obtained by contacting the OSFM at 503-934-8264 or by visiting OSFM'S web site at www.oregon.gov/OSP/SFM/Pages/Licensing_Fireworks_Home.aspx

Information in this guide should not conflict with federal or local ordinances and regulations, which must be observed and followed at all times. To access information on federal laws, visit the Bureau of Alcohol, Tobacco, Firearms and Explosives web site at www.atf.gov.

This guide is dedicated to those who work to provide fire protection and law enforcement services to the citizens of Oregon.

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FIREWORKS CONTACTS

OFFICE OF STATE FIRE MARSHAL (OSFM)

Daytime.....(503) 934-8264
Evenings/Weekends – Pager(503) 373-6138

Bureau of Alcohol, Tobacco, Firearms & Explosives

(BATFE).....(503) 331-7830
Consumer Products Safety Commission (CPSC)....(360) 949-6851
Department of Transportation (DOT)(503) 378-3667
Dispatch Oregon State Police (Salem).....(503) 375-3555
Dispatch Oregon State Police (Portland).....(503) 731-3030
Dispatch Oregon State Police (Statewide)1-(800) 452-7888

**FOR ADDITIONAL INFORMATION, CONTACT THE
OFFICE OF STATE FIRE MARSHAL
(503) 934-8264**

NOTIFICATION AND COORDINATION

Numerous situations arise when the OSFM or local fire and law enforcement authorities engage in enforcement activity.

It is OSFM policy that all fireworks involved in illegal activities be confiscated, including those which might otherwise be allowed to be sold, possessed, or used. Confiscations are necessary to ensure illegal fireworks are not sold, possessed, or used.

The OSFM assists and supports local authorities with fireworks issues, and is available to arrange for pick-up/delivery of confiscated fireworks.

The general procedures for notification and coordination are:

1. OSFM will forward complaints or notifications of illegal fireworks sales, use, transportation, storage or possession to local agencies for investigation and coordination of enforcement activities.
2. OSFM will provide technical support and guidance to assist local authorities to determine actions they may take in confiscation, seizure, and pursuit of violations.
3. Local authorities will notify the OSFM concerning transportation, sales, storage, possession, or use of fireworks, especially in regard to whether involved parties are operating within state laws and rules.
4. In some instances, the OSFM may provide on-scene assistance or guidance to local authorities.

**STORAGE AND DISPOSAL OF
CONFISCATED FIREWORKS**

*Fireworks should never be taken
into occupied buildings*

Fireworks, or their components, should never be taken into occupied buildings. All fireworks should be transported, using necessary safety requirements, as soon as possible to an approved storage location.

If assistance is needed for storage or destruction of consumer (1.4G) fireworks, contact the OSFM at:

(503) 934-8264
Pager (503) 373-6138

In the case of (1.3G) fireworks, explosives or illegally manufactured devices, only qualified bomb technicians are authorized to handle these devices. A bomb technician should be contacted immediately for assistance. Refer to page 1 for additional information on contacting Oregon State Police Bomb Units through OSP Dispatch Centers.

RETAIL SALES FIREWORKS
1.4G (CLASS C) CONSUMER FIREWORKS

Retail sales fireworks (legal fireworks) are those 1.4G (Class C) consumer fireworks that do not explode, fly into the air, travel more than six feet horizontally or 12 inches vertically from the point of ignition. These include cone fountains, cylindrical fountains, flitter sparklers, ground spinners, illuminating torches, wheels, etc. Legal fireworks can be sold from June 23 through July 6 of each year and require a retail sales permit issued by the OSFM.



Cone Fountain and Base Fountain



Wheel



Flitter Sparkler



Novelty Device



Ground Spinner

DESCRIPTION OF RETAIL FIREWORKS (1.4G)
FOUND AT RETAIL OUTLETS

CONE FOUNTAIN:

A cardboard or heavy paper cone that:

- (a) Contains 50 grams or less of pyrotechnic composition;
- (b) If mounted on a common base with other cones having less than one-half inch of separation, results, when measured in combination with all other cones on the base, in a total pyrotechnic composition of not more than 200 grams;
- (c) If mounted on a common base with other cones having at least one-half inch of separation, results, when measured in combination with all other cones on the base, in a total pyrotechnic composition of not more than 500 grams; and
- (d) Upon ignition has the same effect as a cylindrical fountain.

CYLINDRICAL FOUNTAIN: A cylindrical tube that:

- (a) Contains 75 grams or less of pyrotechnic composition;
- (b) If mounted on a common base with other tubes having less than one-half inch of separation, results, when measured in combination with all other tubes on the base, in a total pyrotechnic composition of not more than 200 grams;
- (c) If mounted on a common base with other tubes having at least one-half inch of separation, results, when measured in combination with all other tubes on the base, in a total pyrotechnic composition of not more than 500 grams;
- (d) Upon ignition produces a shower of colored sparks and may produce a whistling effect; and
- (e) Is provided with a means for restraining the behavior of the item, such as a spike for insertion into the ground, a wood or plastic base

for placing on the ground or, if designed to be handheld, a wood or cardboard handle.

FLITTER SPARKLER: A narrow paper tube that:

- (a) Contains five grams or less of pyrotechnic composition;
- (b) Produces colored sparks upon ignition; and
- (c) Is activated by igniting paper located at one end of the tube.

GROUND SPINNER: A small device similar to a wheel in design and effect that:

- (a) Contains 20 grams or less of pyrotechnic composition;
- (b) Vents from an orifice located on the side of the tube or elsewhere on the device; and
- (c) When placed on the ground and ignited, spins rapidly and produces a shower of colored sparks.

Ground Spinner does not include “Crazy Jacks,” “Jumping Jacks” and similar spinning devices that do not have a means to prevent uncontrolled and unpredictable behavior during discharge. Uncontrolled and unpredictable behavior presents a severe hazard of fire and injury. The sale of such devices is therefore prohibited.

ILLUMINATING TORCH: A cylindrical tube that:

- (a) Contains 100 grams or less of pyrotechnic composition; and
- (b) Is provided with a means for restraining the behavior of the item, such as a spike for insertion into the ground, a wood or plastic base for placing on the ground or, if designed to be handheld, a wood or cardboard handle.

WHEEL: A pyrotechnic device that:

- (a) Is designed to be attached to a post or tree by means of a nail or string;
- (b) Has one or more driver units or tubes, each containing not more than 60 grams of pyrotechnic composition;
- (c) Contains a total of not more than 200 grams of pyrotechnic composition; and
- (d) Upon ignition revolves and produces a shower of colored sparks and may produce a whistling effect.

DISPLAY FIREWORKS

General Display Fireworks are those 1.3G (Class B) Display Fireworks and Limited 1.4G (Class C) Consumer Fireworks that do not meet the definition of novelties and trick noisemakers and cannot be sold as retail fireworks. They include any firework which explodes, flies into the air, or travels more than 6 feet on the ground or 12 inches into the air. They are legal for use only with a Display Fireworks Permit issued by the OSFM.

1.4G (CLASS C)(LIMITED) CONSUMER FIREWORKS



Small or Regular Firecrackers and "Crazy Jack" or "Jumping Jack"



Sky and Missile Rockets



Bottle Rocket



Roman Candle



Aerial Shell with Mortar

LIMITED DISPLAY FIREWORKS
(Illegal Without a Display Permit)

Limited Display Fireworks are aerial 1.4G (Class C) Consumer Fireworks (UN0336) that do not meet the definition of novelties and trick noisemakers and cannot be sold as retail fireworks. They include any firework which explodes, flies into the air, or travels more than 6 feet on the ground or 12 inches into the air. They are legal for use only with a Limited Display Fireworks Permit issued by the OSFM. Examples include bottle rockets, roman candles, and firecrackers.

CHASER: Small paper or cardboard tube that travels along the ground upon ignition. A whistling effect, or other noise is often produced.

FIRECRACKERS/SALUTES: Small, paper-wrapped or cardboard tube containing pyrotechnic composition. Upon ignition, noise and a flash of light are produced.

HELICOPTER/AERIAL SPINNER: A tube containing pyrotechnic composition. Upon ignition, an attached propeller or blade lifts the rapidly spinning device into the air. A visible or audible effect is produced at the height of the flight.

MISSILE-TYPE ROCKET: A device similar to a sky rocket in size, composition, and effect, using fins rather than a stick for guidance.

ROMAN CANDLE: Heavy paper or cardboard tube containing pyrotechnic composition. Upon ignition, up to ten “stars” (pellets of pressed pyrotechnic composition that burn with bright color) are individually expelled at several second intervals.

SKY ROCKET: Tubes that contain pyrotechnic composition. Sky rockets utilize a wooden stick for guidance and stability and rise into the air upon ignition. A burst of color, noise or both is produced at the height of flight.

NOVELTIES AND TRICK NOISEMAKERS

(Unclassified Fireworks)

Any item which produces only smoke or ash, or makes a small noise is not considered fireworks. These items are legal for sale and use throughout the year without a permit.



Smoke Bomb
(Not Explosive)



Party Popper



10 Inch Sparkler
(Wire Core Only)



Snake

ILLEGALLY MANUFACTURED EXPLOSIVE DEVICES

Illegally manufactured explosive devices are frequently referred to as fireworks because they look like large firecrackers. The tubes can be red, silver, or brown. The manufacture, sale, possession or use of these or other items which contain two or more grains of pyrotechnic charge without complying with Chapter 10, Title 18 of the United States Code is illegal.

The following names, sizes, and grams are estimates only. They will vary from device to device. AVOID HANDLING.

Numerical Name	Color	Size in Inches (Diameter x Length)	Amount of Explosive
M-3500	Red	2 1/2 x 4 1/2	96.75 grams
M-1300	Red	1 1/2 x 4	32.00 grams
M-1000	Brown	1 3/8 x 3	28.25 grams
M-1000	Red	1 x 6	20.00 grams
M-600	Red	1 x 3 1/2	17.00 grams
M-500	Red	1 x 3	13.50 grams
M-200	Silver	1 x 2	10.50 grams
M-150	Red	3/4 x 2 1/2	7.00 grams
M-80	Red	5/8 x 1 1/2	4.25 grams

STORAGE AND DISPOSAL OF ILLEGALLY MANUFACTURED EXPLOSIVES DEVICES

See page 1, contact Oregon State Police dispatch.
Always contact a bomb unit for proper retrieval and disposal of illegally manufactured devices.

SELECTED LAWS AND RULES FOR FIREWORKS

Oregon Revised Statutes (ORS) 480.111 through 480.165 and Oregon Administrative Rules (OAR) Chapter 837, Division 12, provide the foundation for fireworks regulation and enforcement, including civil penalty violations. Authority has been granted to the OSFM for regulating fireworks in Oregon.

A complete set of Oregon's fireworks laws and rules may be obtained from the OSFM by visiting the web site at www.oregon.gov/OSP/SFM/Pages/Licensing_Fireworks_Home.aspx or by calling (503) 934-8264. The following laws and rules are most likely of immediate interest when at a scene where illegal fireworks are being used, transported, sold, or stored.

AUTHORITY OF LOCAL OFFICIALS

The following are statutes giving law enforcement and fire official's enforcement authority regarding fireworks related offenses:

ORS 480.120(2) Law enforcement officers of the state, county or municipality shall enforce the provisions of ORS 480.111 to 480.165.

ORS 480.160(2) For the purposes of enforcing ORS 480.111 to 480.165 in an area exempt under ORS 476.030(3) within a rural fire protection district, the fire marshal, if there is one, or the fire chief of that rural fire protection district has the same enforcement authority as the State Fire Marshal.

ORS 480.140(2) Every such display held outside the boundaries of any municipality or fire protection district shall be under the supervision of the county court of the county in which the display is to be held and shall be of such character, and so located, discharged or fired as, in the opinion of the county court or of a county official duly authorized by the county court, after proper inspection, shall not be hazardous to property or endanger any person.

ORS 163.208(2) Assaulting a public safety officer is a Class C Felony. **(3)(a)** Except as otherwise provided in paragraph (b) of this subsection, a person convicted under this section shall be sentenced to not less than seven days of imprisonment and shall not be granted bench parole or suspension of sentence nor released on a sentence of probation before serving at least seven days of the sentence of confinement.

ORS 166.384 Unlawful manufacture of a destructive device. (1) A person commits the crime of unlawful manufacture of a destructive device if the person assembles, produces or otherwise manufactures: (a) A destructive device, as defined in ORS 166.382; or (b) A pyrotechnic device containing two or more grains of pyrotechnic charge in violation of chapter 10, Title 18 of the United States Code. (2) Unlawful manufacture of a destructive device is a Class C felony.

* See page 24 for fines and penalty information.

CONFISCATION AND SEIZURE OF FIREWORKS

ORS 480.154(2) All shipments of fireworks coming into this state must show the appropriate permit number of the addressee on the outside of the package. If the permit number is not shown, such shipment may be confiscated by a law enforcement officer or fire protection enforcement authority having jurisdiction. Contact the OSFM for assistance.

OAR 837-012-0635 (4, 5, 6) (4) Prior to acceptance of Retail Fireworks from a Wholesaler, the Retail Permit holder shall confirm that the outside of all Cartons, Containers, or Cases of Retail Fireworks, and any accompanying documentation are imprinted or affixed with the wholesale permit number pursuant to OAR 837-012-0525 (13). (5) Prior to acceptance of Retail Fireworks from a Wholesaler, the Retail Permit holder shall confirm that the outside of all Cartons, Containers, or Cases of Retail Fireworks and any accompanying documentation are imprinted or affixed with the full name and Retail Permit number of the Retail Permit holder. (6) Retail Permit holders shall not accept any Cartons, Containers, or Cases of Retail Fireworks or accompanying documentation that does not show the information required pursuant to subsections (4) and (5) of this rule.

OAR 837-012-0560(1) The Office of State Fire Marshal, Local Fire Authority, or law enforcement authority may confiscate, remove or have removed any Fireworks, Consumer (Retail) Fireworks, Display Fireworks or Agricultural Fireworks offered for sale, sold, provided, transported, purchased or otherwise obtained, stored, possessed, used or discharged in violation of ORS 480.111 through 480.165 or OAR chapter 837, division 12.

OAR 837-012-0675(1) The Office of State Fire Marshal, Local Fire Authority or law enforcement officials may confiscate, remove or have removed any Fireworks offered for sale, sold, provided, transported,

purchased or otherwise obtained, stored, used, discharged or possessed in violation of ORS 480.111 through 480.165 of these rules.

CONFISCATION AND SEIZURE OF VEHICLES

NOTE: CHECK LOCAL ORDINANCES FOR VEHICLE SEIZURE RULES.

ORS 133.535 Permissible objects of search and seizure. The following are subject to search and seizure under ORS 133.525 to 133.703:

- (1) Evidence of or information concerning the commission of a criminal offense;
- (2) Contraband, the fruits of crime, or things otherwise criminally possessed;
- (3) Property that has been used, or is possessed for the purpose of being used, to commit or conceal the commission of an offense; and
- (4) A person for whose arrest there is probable cause or who is unlawfully held in concealment.

MANUFACTURING OF FIREWORKS

The manufacture or assembly of fireworks without a Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) permit is illegal. Manufacturers must also be in compliance with National Fire Protection Association (NFPA) 1124 codes.

BATFE P 5400.7 (09/00) establishes Bureau of Alcohol, Tobacco, Firearms and Explosives regulations for permits to manufacture, assemble and store fireworks.

NOTE: Immediately notify the BATFE in Portland at (503) 331-7830 and the OSFM at (503) 934-8264, of any unpermitted fireworks manufacturing operations.

FIREWORKS SALES AND POSSESSION

ORS 480.120(1) No person shall sell, keep or offer for sale, expose for sale, possess, use, explode or have exploded any fireworks within Oregon, except as follows:

- (a) Sales by manufacturers and wholesalers to customers residing outside this state in accordance with ORS 480.156;
- (b) Sales to persons or organizations having obtained a permit from the State Fire Marshal for supervised public display;
- (c) Sales to railroads, boats, motor vehicle or other transportation agencies, to be used for signal, warning or illumination purposes in connection with such business;
- (d) Sale or use of blank cartridges for licensed shows or theatres or for signal or ceremonial purposes in athletics or sports;
- (e) Experimental purposes by a manufacturer of explosives at such places where such experiments are normally conducted;
- (f) Sale of blank cartridges for use by the militia or any organization of war veterans or other organization authorized by law to parade in public a color guard armed with firearms;
- (g) Sale of shells, cartridges, gunpowder or explosives for use in legally permitted firearms;
- (h) Sales of items described in ORS 480.127 to persons who possess the retail sales permit required by ORS 480.127 by a person who holds a manufacturer or wholesaler license issued pursuant to ORS 480.111 to 480.165; or

(i) Sales of items described in ORS 480.127 to individual members of the general public for personal use by taking direct delivery of those items at the time of sale from the holder of a retail sale permit issued pursuant to ORS 480.127.

***(2) Law enforcement officers of the state, county or municipality shall enforce the provisions of ORS 480.111 to 480.165.**

***Fireworks violations are Class B Misdemeanors. The ORS to cite for the possession of illegal fireworks: ORS 480.120.**

ORS 480.150(1) The State Fire Marshal may adopt reasonable rules for granting permits for supervised fireworks displays or sales of fireworks by municipalities, fair associations, amusement parks, and other persons, organizations or groups of individuals. The governing body of any municipality, or of any county, may require liability insurance or an irrevocable letter of credit issued by a commercial bank as defined in ORS 706.005 or other form of indemnity deemed adequate by the municipality, or the county, from any person, in a sum not less than \$500, conditioned for payment of all damages which may be caused either to a person or property by reason of the authorized display or sale and arising from any acts of any person or agents, employees or subcontractors of the person. At the time a permit is revoked, the State Fire Marshal or approving authority may include in the revocation order a provision prohibiting the holder of the revoked permit from applying for or obtaining another such permit, for a period not to exceed three years from the revocation date, if the State Fire Marshal or approving authority finds that the circumstances of the permit holder's failure to comply with applicable sale or display statutes and regulations presented a significant fire hazard or other public safety danger.

SHIPPER COOPERATION

OAR 837-012-0565(4) Common carriers are requested to immediately notify, verbally or in writing, the Local Fire Authority or the Office of State Fire Marshal of all shipments of Fireworks to be delivered within or into Oregon. The purpose of this notification is to ensure all fireworks shipped into Oregon are legally imported by an Oregon permitted wholesaler.

ORS 480.154(2) All shipments of fireworks coming into this state must show the appropriate permit number of the addressee on the outside of the package. If the permit number is not so shown, such shipment may be confiscated by a law enforcement officer or fire protection enforcement authority having jurisdiction.

REIMBURSEMENT OF SUPPRESSION COSTS

ORS 480.158 Parents of minor liable for costs incurred in suppressing fires caused by use of fireworks by minor; exception.

(1) In addition to any other remedy provided by law, the parent or parents of an unemancipated minor child shall be liable for costs incurred by a public fire agency in suppressing fires caused by use of fireworks by such minor child. However, a parent who is not entitled to legal custody of the minor child at the time of the fire shall not be liable for such damages.

(2) The legal obligation of the parent or parents of an unemancipated minor child to pay damages under this section shall be limited to not more than \$5,000 payable to the same claimant, for one or more acts.

(3) When an action is brought under this section on parental responsibility for acts of their children, the parents shall be named as defendants therein and, in addition, the minor child shall be named as a defendant. The filing of an answer by the parents shall remove any requirement that a guardian ad litem be required.

(4) Nothing in subsections (1) to (3) of this section applies to foster parents.

ARSON AND RECKLESS BURNING CITATIONS

ORS 164.315 Arson in the second degree.

(1) A person commits the crime of arson in the second degree if, by starting a fire or causing an explosion, the person intentionally damages;

- (a) Any building of another that is not protected property; or
- (b) Any property of another and the damages to the property exceed \$750.

(2) Arson in the second degree is a Class C felony.

ORS 164.325 Arson in the first degree.

(1) A person commits the crime of arson in the first degree if, by starting a fire or causing an explosion, the person intentionally damages:

- (a) Protected property of another;
- (b) Any property, whether the property of the person or the property of another person, and such act recklessly places another person in danger of physical injury or protected property of another in danger of damage; or
- (c) Any property, whether the property of the person or the property of another person, and recklessly causes serious physical injury to a firefighter or peace officer acting in the line of duty relating to the fire.

(2) Arson in the first degree is a Class A felony.

ORS 164.335 Reckless burning.

(1) A person commits the crime of reckless burning if the person recklessly damages property of another by fire or explosion.

(2) Reckless burning is a Class A misdemeanor.

FINES AND PENALTIES

ORS 480.165 Civil penalty for fireworks law violations. (1) In addition to any other penalty provided by law, any person who violates any provision of ORS 480.111 to 480.165, or any rule adopted by the State Fire Marshal pursuant thereto, is subject to a civil penalty imposed by the State Fire Marshal in an amount not to exceed \$500 per violation. However, an individual member of the general public who possesses fireworks of a retail value less than \$50 is not subject to a civil penalty. Each day a violation continues shall be considered a separate offense.

(2) All moneys recovered pursuant to this section shall be paid into the State Fire Marshal Fund.

ORS 480.990 Penalties

(5) Violation of any provision of ORS 480.111 to 480.165 is a Class B misdemeanor. Violations thereof may be prosecuted in state or municipal courts when violations occur within the municipality served thereby. Justice courts shall have concurrent jurisdiction with circuit courts in all proceedings arising within ORS 480.111 to 480.165.

RETAIL STAND INSPECTION GUIDELINES

PERMITS

- YES NO Have all required local and state permits been obtained?
OAR 837-012-0620 (9a&b)
 State Fire Marshal Local Fire
 Building Electrical Other: _____
- YES NO Is the State Fire Marshal “General Requirements for Retail Sales of Fireworks at Stands/Tents” form posted in the stand? **(Recommended – not required)**
- YES NO Is the retail sales permit or a copy of the permit, posted in the stand/tent? **OAR 837-012-0660 (1&2)**
- YES NO Is the individual responsible for sales the same person listed on the permit? **OAR 837-012-0620 (12)**

In addition to permit requirements, stand/tent locations require:

- YES NO Is the area within 20 feet of the stand/tent kept clean and orderly? **OAR 837-012-0650 (16)**
- YES NO Is the stand/tent at least 50 feet from any flammable liquid/gas dispensing location? **OAR 837-012-0650 (9a)**
- YES NO Is the stand/tent at least 15 feet from right of ways?
OAR 837-012-0650 (9b)
- YES NO Is the stand/tent at least 10 feet from combustible structures and openings? **OAR 837-012-0650 (9c&d)**
- YES NO Is the stand/tent at least 20 feet from any source of ignition?
OAR 837-012-0650 (9e)
- YES NO Does the address of the stand/tent match the address listed on the permit? **OAR 837-012-0630 (11)**

- YES NO Does the size of the stand/tent match the size listed on the permit? (Size may be reduced but not increased.)
OAR 837-012-0645 (14)

In addition to permit requirements, indoor locations require:

- YES NO Are displays located so they do not hinder or block exits?
OAR 837-012-0655 (3)
- YES NO Are the sales and display areas kept clean and orderly?
OAR 837-012-0655 (4)

PURCHASES AND RECORDKEEPING

- YES NO Have fireworks only been purchased only from the wholesaler listed on the permit? **OAR 837-012-0635 (2)**
- YES NO Has the permit holder maintained a record of all shipments of retail fireworks that have been received?
OAR 837-012-0660 (3)
- YES NO Do all cartons, containers, or cases containing fireworks and any accompanying documentation have the wholesalers permit number and the full name and retail permit number of the retail permit holder affixed to them?
OAR 837-012-0635 (4&5) AND ORS 480.154 (1&2)
- YES NO Does the permit holder have a list of all employees or volunteers and their names, addresses, ages, and phone numbers? **OAR 837-012-0660 (6)**
- YES NO Are all records listed above clear, legible, accurate, and readily available for review and inspection by the local fire authority or State Fire Marshal? **OAR 837-012-0660 (4)**

FIRE SAFETY

- YES NO Are all tent fabrics, canopy fabrics, and flooring materials fire retardant? **OAR 837-012-0650 (4)**
- YES NO Are "NO SMOKING" signs posted on the outside of all enclosing sides of an outdoor sales outlet and readily visible in both outdoor/indoor stands/tents?
OAR 837-012-0650 (11) AND OAR 837-012-0655 (7)
- YES NO Smoking, open flames, or lighting fireworks are not allowed within 100 feet of the retail sales stand/tent.
OAR 837-012-0650 (12)
- YES NO Heaters having exposed electrical elements or open flames are not present within the retail sales stand/tent.
OAR 837-012-0650 (14)
- YES NO Is a minimum 2A water type extinguisher or an equivalent water type extinguishing system provided in the stand/tent at all times when the stand/tent is open?
OAR 837-012-0650 (6)
- YES NO Outside structures have at least one exit for every 1000 square feet or 20 feet of length, exits are not blocked or locked, exit signs are displayed. **OAR 837-012-0650 (2)**

For Tents: Required Exits: (OFC Table 2403.12.2)

Up to 199 occupants = 2 exits/6 ft in width.

200-499 occupants = 3 exits/6 ft. in width.

500-999 occupants = 4 exits/8 ft in width.

Lighted Exit signs for more than 100 occupants

Required Fire Extinguishers: (NFPA 10)

200-500 sq. ft. tent = 1 - 2:A/10:BC.

501-1000 sq. ft. tent = 2 - 2:A/10:BC.

Each additional 2000 sq. ft. = 1 - 2:A/10:BC.

Indoor: OSSC & OFC Section 906.

PROHIBITED ACTS

- YES NO Is there evidence of sales to children less than 16 years of age? **OAR 837-012-0670 (2a)**
- YES NO Is there evidence of sales of illegal or altered fireworks? **OAR 837-012-0670 (2b&c)**
- YES NO Is there evidence of sales of fireworks obtained from anyone other than the wholesaler listed on the retail sales permit? **OAR 837-012-0670 (2d)**
- YES NO Is at least one person 18 years of age or older in charge of sales at all times? **OAR 837-012-0645 (3)**

ADDITIONAL NON-COMPLIANCE ITEMS

- YES NO Address additional compliance items in the Comments section below.

Comments: _____

ORS/OAR REFERENCE _____

Inspection Comments: _____

*****NOTE*****

The Retail Stand Inspection Guidelines include excerpts from the retail sales of fireworks rules OAR 837-012-0600 through 837-012-0675. The Guidelines are intended to be used by local fire authorities when making inspections at fireworks retail sales locations in their jurisdiction. All rules covering retail sales of fireworks must be adhered to by all permit holders. These rules can be found on the OSFM web site by using the following web address:
www.oregon.gov/OSP/SFM/Pages/Licensing_Fireworks_Home.aspx

EDUCATIONAL/ENFORCEMENT TOOLKITS

The OSFM has fireworks educational and enforcement toolkits available. To access these, please visit the website at http://www.oregon.gov/osp/SFM/pages/fireworks_2007.aspx and select the appropriate toolkit from the four categories: Public Education, Retail Sales, Displays or Illegal Fireworks.

This pocket guide was originally developed in collaboration with the Oregon Fireworks Task Force. We appreciate their input and assistance on this project.

ADDITIONAL COPIES

Additional copies of "A Pocket Guide to Fireworks Enforcement for Fire and Law Enforcement Officials" may be ordered by contacting:

Office of State Fire Marshal
Attention: License & Permits
4760 Portland Road NE
Salem, OR 97305
503-934-8272 or 503-934-8264
SFM.LP@state.or.us

or copies may be downloaded from the OSFM website at
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