

Title: Regulatory Policy Sale of Fireworks	Policy No. Part 7, Planning and Land Use Chapter 3, Permits Section 3
	Effective Date May 21, 2019
Policy Custodian Planning and Zoning Division	Adoption/Revision Date May 21, 2019 / March 30, 2020

Adopting Resolution(s): CC19-190

References (Statutes/Resos/Policies): 30-15-401 C.R.S; International Building Code, CC06-459, CC12-239, CC16-177

Purpose: To provide an explanation of permit requirements for the sale of fireworks.

Policy: Sale of Fireworks

A. Permits

1. A Miscellaneous Zoning Permit shall be obtained from the Planning and Zoning Division prior to the sale of fireworks from a fireworks stand.
2. Applications shall be submitted to the County at least 30 days prior to the actual operation of the stand to allow for appropriate review by staff and input from the applicable Fire District and/or Sheriff's Department Official.
3. The permit shall be valid for a maximum of sixty (60) days. Permits shall not be transferable.
4. Applicants shall pay an application fee as specified by the Board of County Commissioners and the Community Mailing fee for the notification postcards which will be sent out by Staff.
5. The following items shall be submitted as the application:
 - a. A copy of the lease agreement or written permission of the property owners to use the land for the sale of fireworks.
 - b. Certificate of general liability insurance in the amount of at least \$1,000,000.
 - c. A copy of Colorado Public Utility Commission Hazardous Material Transportation Permit used by the transporter of the fireworks, or statement indicating that less than 1,000 pounds of fireworks will be transported.
 - d. A scaled site plan that shows the following:
 - 1) The location of the sales stand showing the setbacks to all property lines and all other buildings.

- 2) The location of any on-site storage of fireworks and the on-site trash receptacle.
- 3) The location of all exits from the stand.
- 4) The location of fire extinguishers within the stand.
- 5) The location of any other fuel or heat sources such as auxiliary generators, gasoline storage, etc.
- 6) The location of the phone to be used for sales staff to call for emergency assistance during the hours of operation.
- 7) The distance between the stand and the closest residence.
- 8) A parking plan for the site drawn to scale which shows access, parking spaces and parking barriers to be used around the stand. Parking spaces shall be numbered and drawn to scale.
- 9) The location of all proposed temporary exterior lighting fixtures.

e. Proof of available potable water and sanitation facilities.

6. Application must be signed by the applicable Fire Protection District prior to issuance of a permit.

B. Notification

Community notification of the proposed stand is required in accordance with the Level 1 Community Notification Requirements listed in the Administrative Provisions Section of the Zoning Resolution.

C. Standards

1. Selling illegal fireworks, failing to comply with any order of a Fire District or Sheriff's Department official, failing to submit any required document, falsifying or withholding any information on this application, or failing to obtain required documents, shall result in the immediate revocation of the permit and closure of the sales facility. A summons and/or confiscation of products may also result.
2. Firework stands may be permitted as part of events leading up to the following holidays:
 - a. Fourth of July
 - b. Christmas
 - c. New Year's Eve
3. The Permittee shall immediately comply with applicable Fire District and Sheriff's orders.

4. Sales Personnel

- a. All sales employees may be subjected to a personal criminal history review before being permitted to work as sales personnel.
- b. Fireworks shall not be sold or dispensed by any person under the age of 16. A person 18 years of age or older shall be present during all hours of operation.

5. Location

- a. The site shall be located in a Commercial Zone District or Planned Development Zone District which permits retail sales.
- b. There shall be a minimum of 150 feet between the location of the stand and any residence.
- c. The location of the stand shall adhere to all applicable setbacks for the property.
- d. No fireworks shall be sold or dispensed from a motor vehicle or towed vehicle.

6. On-Site Requirements

- a. A copy of the completed permit application, supporting documents and the permit shall be kept on site at all times.
- b. Adequate security of explosives shall be maintained at all times. A Class II magazine capable of handling all fireworks available for sale is required on-site.
- c. Safe on-site procedures shall be strictly followed.
- d. No smoking or open flame shall be allowed at any time within 50 feet of the sales site.
- e. No alcohol, drugs, or persons under the influence of drugs or alcohol shall be allowed at the sales site.
- f. Unauthorized personnel shall be kept out of all storage areas.
- g. Trash and storage requirements shall be strictly maintained.
- h. Vegetation:
 - 1) There shall be a 15 foot apron around the stand comprised of gravel or other noncombustible type material.
 - 2) Vegetation within 50 feet of the stand, or on the property which the stand is located, shall not exceed two (2) inches above the ground with the exception of trees, shrubs, and any other formal landscaping.
 - 3) Vegetation beyond 50 feet and up to 200 feet from the stand, or on the property which the stand is located, shall not exceed twelve (12) inches above the

ground, with the exception of trees, shrubs, and any other formal landscaping.

- i. All temporary exterior lighting shall be directed away from any residential areas and shall consist of full cut-off fixtures. All other standards of the Lighting Section of the Jefferson County Zoning Resolution shall be followed.
 - j. No fireworks shall be discharged within a 300 foot radius from any point of the stand.
7. Sales
- A stand shall be used only for retail sales of fireworks. No wholesale sales of fireworks shall be conducted from stands.
8. Stands
- a. All fireworks stands shall be dismantled and removed no later than 10 days after the last sales day.
 - b. All structural stands shall be securely anchored, painted, and structurally sound.
 - c. Exit doors shall be a minimum of 32 inches in width and 6 feet in height and swing in the direction of egress.
 - d. Any stand measuring more than 25 feet in length across the face shall have two exits.
 - e. Stands shall not have wheels or tires. A motor vehicle, travel trailer, or tent cover attached to or combined as a part of a stand shall not be permitted.
 - f. Any stand that is a tent (as defined in the International Fire Code) shall meet all the requirements stated in the Tents and Other Membrane Structures Chapter of the International Fire Code concerning tents. All flooring in a tent shall be gravel or other noncombustible type material.
 - g. All other stands may be constructed of wood, metal, or other approved materials. Combustible construction shall be painted with a water-based latex paint.
 - h. All stands shall have no fewer than two portable fire extinguishers with a minimum rating of 2A, at least one of which shall be of the pressurized water type, readily accessible and in good working order. Each extinguisher shall carry a current annual inspection tag. One extinguisher shall be placed at each end of the stand.
 - i. All stands provided with electrical wiring shall be as required by the State Electrical Board and/or County permitting requirements.
 - j. A "NO SMOKING" sign shall be conspicuously placed both inside and outside of all stands.
 - k. A warning sign shall be displayed in a prominent place on the site that states: "Warning, it is illegal for any person under 16 years of age to purchase any fireworks. Violators may be punishable by a fine of up to \$750.00, by imprisonment

for up to six months, or both such fine and imprisonment.” The sign letters shall be a minimum height of 1 inch.

- l. “NO PARKING” signs in front of the exits shall be posted and visible from the parking area.
 - m. A phone shall be located within 200 feet of the sales site to allow sales staff to call for emergency assistance during the hours of operation.
9. Inspections
- a. All initial inspections of fireworks sales shall be conducted a minimum of one day prior to the opening of the site. There shall be no sales without an initial inspection by the applicable Fire District or Sheriff’s Department.
 - b. The applicant shall obtain and have available the following prior to site inspection:
 - 1) A copy of the invoice from the wholesaler of fireworks to be sold. This must show the number of pounds of product.
 - 2) The applicable Fire Protection District and/or Sheriff’s Department Official may require a submittal of at least two samples of items to be offered for sale for testing of performance against the legal performance standards as specified in CRS.
 - 3) The applicable Fire Protection District may require submittal of Material Safety Data Sheets on the products used at the site that are potential “Hazardous Materials.”

10. Firework Sale Bans

- a. The Board of County Commissioners or the Sheriff may, in their sole discretion, ban the sale of fireworks at firework stands in accordance with the Ordinance Authorizing the Declaration of Open Fire and/or Firework Sale, Use or Possession Bans.
- b. In the event that a ban on the sale of fireworks at firework stands is issued and stays in effect through the 4th of July, Christmas or New Year’s Eve, permit fees may be refunded to permit applicants, if requested, under any of the following circumstances:
 - 1) If the ban is issued seven or more calendar days prior to the 4th of July, Christmas or New Year’s Eve holidays.
 - 2) If the ban is issued prior to the Inspections required under paragraph 9 herein.
 - 3) If the ban is enacted no more than three calendar days after the stand has opened for business.