

DEVELOPMENT SERVICES DEPARTMENT MEMORANDUM

NOTICE

Permit for Sale of Fireworks

Pursuant to Ordinance No. 5329 adopted by the City Council of the City of Fayetteville the sale of fireworks is now permitted within the City of Fayetteville limits, effective for this season's July 4th Independence Day festivities. Following is a checklist of requirements that will be necessary to operate a fireworks stand/tent within the City:

- Property must be zoned commercial (C-1, C-2, C-3, I-1, I-2, MSC or DC) to allow for the sale of fireworks**
- Complete an Outdoor Vendor Permit application**
 - Include the cell phone number of the primary contact in order for the Fire Marshal to contact you for an inspection prior to beginning sales
 - Include a site plan with location of tent or area of sale of fireworks; see Fire Marshal review criteria below
- Submit \$500 application fee for administrative review and inspection**
- Proof of Insurance.** Provide proof that the fireworks location is insured by an insurance company licensed to do business in the state of Arkansas for \$1,000,000.00 premises liability.
- Inspection.** The applicant must coordinate a fire marshal inspection after the permit is issued and prior to opening the operation for sales – please contact the Fire Marshal at (479)444-3448.
 - Inspections are to be scheduled ***between June 20th and July 1st***
- Fire Marshal Review Criteria**
 - Structures (tents)**
 - Fireworks may not be stored or sold in a permanent structure.
 - Tents or canopies must be adequately roped, braced and anchored to withstand elements of weather and prevent against collapsing.
 - Tents or canopies shall be composed of material meeting the flame propagation performance criteria of NFPA 701 or shall be treated with a flame retardant in an approved manner and meet the flame propagation performance criteria of NFPA 701.
 - Tents or canopies shall have a permanently affixed label bearing the identification of size and fabric or material type.

Location

- Tents or canopies shall not be located within 20 feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines.
- Electrical service to include meter bases, electric panels and supply cord plugs to a power source are not permitted within 20 feet of the stand/tent.
- Tents or canopies shall not be located within 250 feet of a fuel dispensing facility.
- Fireworks stands/tents must be located a minimum of 50 feet from any street right-of-way line.
- For the purposes of determining required setback distances, support ropes and guy wires shall be considered as part of the tent or canopy.
- An unobstructed fire apparatus access (fire lane) not less than 20 feet wide and free from guy ropes or other obstructions shall be maintained on all sides of all tents, canopies and membrane structures unless otherwise approved by the fire code official.

 Means of Egress

- Exits shall be spaced at approximately equal intervals around the perimeter of the tent or canopy, and shall be located such that all points are 100 feet or less from an exit.
- Tents or canopies shall have at least two (2) exits; the width of each exit shall not be less than 48 inches.
- The required width of exits, aisles and passageways shall be maintained at all times to a public way. Guy wires, guy ropes and other support members shall not cross a means of egress at height of less than 8 feet. The surface of means of egress shall be maintained in an approved manner.

- Combustible Materials.** The areas within and adjacent to the tent shall be maintained clear of all combustible materials or vegetation that could create a fire hazard within 20 feet of the structure. Combustible trash shall be removed at least once a day from the structure during the period the structure is occupied by the public.
- Smoking.** Smoking shall not be permitted in tents or canopies. Approved “No Smoking” signs shall be posted conspicuously at each entrance.
- Fireworks discharge.** Fireworks shall not be ignited, discharged or otherwise used within 300 feet of the fireworks sales area.
- Open or exposed flame.** Open flame or other devices emitting flame, fire or heat or any flammable or combustible liquids, gas, charcoal or other cooking device or any other unapproved devices shall not be permitted inside or located within 20 feet of the tent or canopy.
- Fire extinguishers.** Every fireworks stand shall have not fewer than two portable fire extinguishers with a minimum rating of 2A, at least one of which shall be of the pressurized water type.
- Clearance.** There shall be a minimum clearance of at least 3 feet between the fabric envelope and all contents located inside the tent or membrane.

- Flammable and combustible liquids.**
 - Flammable-liquid-fueled equipment shall not be used in tents or canopies.
 - Flammable and combustible liquids shall be stored outside in an approved manner not less than 50 feet from tents or canopies.
 - Refueling shall be performed in an approved location not less than 20 feet from tents or canopies.
 - Generators or other internal combustion power sources shall be separated from tents or canopies by a minimum of 20 feet and shall be isolated from contact with the public by fencing, enclosure or other approved means.
- Sales Period.** Fireworks sales are permitted between June 28th and July 5th – sales outside this period will result in a void permit and the Fire Marshal will require the operation to cease.
- Signage.** A Sign shall be conspicuously posted which states: “THE DISCHARGE OF BOTTLE ROCKETS OR FIREWORKS THAT TRAVEL ON A STICK IS PROHIBITED IN THE CITY OF FAYETTEVILLE”

If you have any questions please contact the Development Service Department at (479)444-3443
or the Fire Marshal’s office at (479)444-3448.