



MEMORANDUM

TO: All Fire Prevention Division Personnel

FROM: M. A. Brown, Bureau Chief

DATE: May 31, 2012

SUBJECT: Retail Sales of Fireworks in a Fixed Permanent Structure

The purpose of this memorandum is to provide Code requirements for the sales of fireworks in a fixed permanent structure within the City of Concord.

General Requirements for All Retail Sales as per the North Carolina Fire Code:

Section 3310.1 Fireworks allowed by NC General Statute 14-414 shall be permitted to be sold or possessed without a permit.

- A minimum of one pressurized water fire extinguisher complying with Section 906 shall be located 110t more than 15 feet (4572 mm) and not less than 10 feet (3048 mm) from the hazard.
- "No Smoking" signs complying with Section 310 shall be posted in areas where fireworks are stored or displayed for retail sale

City of Concord Standards for All Retail Sales in a Fixed Structure:

General.

- Means of egress, including but not limited to aisles, doors, and exit discharge, shall be clear at all times when the facility or the building is occupied.
- No consumer fireworks shall be displayed for sale or stored within 5 ft (1.5 m) of any public entrance in an enclosed building or structure.
- No consumer fireworks shall be displayed for sale or stored within 2 ft (0.6 m) of any exit or private entrance in an enclosed building or structure.

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Security.

- Facilities and stores shall be secured when unoccupied and not open for business, unless fireworks are not kept in the facility during such times.
- Fireworks shall not be ignited, discharged, or otherwise used within 300 ft (91.5 m) of a facility or store.

Display and Handling.

- Not less than 50 percent of the available floor area within the retail sales area shall be open space that is unoccupied by retail displays and used only for aisles and cross-aisles.

Housekeeping.

- Sales areas and storage rooms shall be kept free of accumulations of debris and rubbish.
- Any loose pyrotechnic composition shall be removed immediately.
- Vacuum cleaners or other mechanical cleaning devices shall not be used.
- Brooms, brushes, and dustpans used to sweep up any loose powder or dust shall be made of nonsparking materials.
- Consumer fireworks devices that are damaged shall be removed and not offered for sale.
- Damaged consumer fireworks shall be permitted to be returned to the dealer or shall be disposed of according to the manufacturer's instructions.

Training.

- All personnel handling consumer fireworks shall receive safety training related to the performance of their duties.

Under the Influence.

- Any person selling consumer fireworks shall not knowingly sell consumer fireworks to any person who is obviously under the influence of alcohol or drugs

Records.

- Records shall be maintained on available inventory on the premise.
- Records shall be made available to the AHJ upon request.

Fire Safety and Evacuation Plan.

- An approved fire safety and evacuation plan shall be prepared in writing and maintained current.

Portable Fire Extinguishers.

- **Specification.**
 - Portable fire extinguishers shall be provided as required for extra (high) hazard occupancy in accordance with NFPA 10, Standard for Portable Fire Extinguishers.
- **Extinguisher Type.**
 - Where more than one portable fire extinguisher is required, at least one fire extinguisher shall be of the multipurpose dry chemical type if the facility is provided with electrical power.
- **Location.**
 - Portable fire extinguishers for permanent consumer fireworks retail sales facilities and stores shall be located so that the maximum distance of travel required to reach an extinguisher from any point does not exceed 75 ft (23 m), as specified in NFPA 10, Standard for Portable Fire Extinguishers.

Display Sales Aisles.

Aisles serving as a portion of the exit access in areas utilized for the sales of fireworks shall comply with the following:

Aisle Width.

- Aisles shall have a minimum clear width of 48 in. (1.2 m).
- The required width of aisles shall be maintained unobstructed at all times the facility is occupied by the public.

Aisle Arrangements.

- Not less than one aisle shall be provided and arranged so that travel along the aisle leads directly to an exit.
- Other required exits shall be located at, or within 10 ft (3.05 m) of, the end of an aisle or a cross-aisle.
- Aisles shall terminate at an exit, another aisle, or a cross-aisle.
- Dead-end aisles shall be prohibited
- Where more than one aisle is provided, not less than one cross-aisle shall have an unobstructed connection with every aisle, other than cross-aisles.
- Cross-aisle connections shall be provided for each aisle at intervals not greater than 50 ft (15.2 m) as measured along the aisle.
- Where cross-aisles are required, not less than one cross-aisle shall have at least one end terminate at, or within 10 ft (3.05 m) of, an exit.

Doors and Doorways.

- Doors and doorways used in the means of egress shall comply with this paragraph.
- Egress doors shall be not less than 36 in. (910 mm) in width [providing a minimum of 32 in. (813 mm) clear width].
- Every egress door that has a latching device shall be provided with panic hardware complying with the North Carolina Fire Code.
- Means of egress doors shall be of the side-hinge swinging type and shall be arranged to swing in the direction of egress travel.

Exit Signs.

- Exits shall be marked by an approved exit sign in accordance with the North Carolina Fire Code.
- Exit signs shall be required to be self-luminous or internally or externally illuminated.

Emergency Lighting.

- The means of egress, including the exit discharge, shall be illuminated whenever the facility is occupied in accordance the North Carolina Fire Code.
- Emergency lighting shall be provided for all facilities and stores and shall comply the North Carolina Fire Code.

Retail Sales Displays.

General.

The requirements of this section shall apply only to fireworks sales areas, unless otherwise specifically indicated.

Height of Sales Displays.

- To provide for visual access of the retail sales area by the employees and customers, partitions, counters, shelving, cases, and similar space dividers shall not exceed 6 ft (1.8 m) in height above the floor surface inside the perimeter of the retail sales area.
- Merchandise on display or located on shelves or counters or other fixtures shall not be displayed to a height greater than 6 ft (1.8 m) above the floor surface within the fireworks sales area.
- Where located along the perimeter of the consumer fireworks retail sales area, the maximum height of sales displays shall be limited to 12 ft (3.66 m).

Shelving.

- Shelving or other surfaces used to support fireworks display merchandise shall be permitted to have not more than 10 percent of the area of the shelf contain holes or other openings.

- The 10 percent limitation on the area of holes or other openings in the shelf used to support fireworks display merchandise shall not be applicable under the following conditions:
 - (1) Where both of the facing vertical surfaces of the abutting display fixtures are constructed of perforated hardboard panels not less than 1/4 in. (6 mm) thick and separated from each other by an open space not less than 1 1/2 in. (38 mm) wide
 - (2) Where such merchandise is suspended from or fastened to the shelf or surface or is displayed as packaged merchandise on the surface or in bins.

Horizontal Barriers.

- Combustible materials and merchandise shall not be stored directly above the consumer fireworks in retail sales displays unless a horizontal barrier is installed directly above the consumer fireworks as prescribed in 7.4.2.2.5 of NFPA 430, Code for the Storage of Liquid and Solid Oxidizers.