

Codes Division
1990 Barret Court, Suite B
Henderson, KY 42420
270-831-1277



Fire Department
332 Washington Street
Henderson, KY 42420
270-831-1270

APPLICATION FOR RETAIL FIREWORKS PERMIT

Retail Sales Location	Address or Description of Retail Sales Location:		Applicant			
Primary On Site Manager or Contact Person:			Name of Applicant			
<u>On Site</u> Phone Number <input type="checkbox"/> Cell <input type="checkbox"/> Land Line		Address				
Consumer Fireworks Retail Sales ("CFRS") Facility						
Facility	<input type="checkbox"/> Permanent CFRS Facility			<input type="checkbox"/> Temporary/Seasonal CFRS Facility		
	The information you are to provide in this box is about the facility itself (tent, hard stand, etc...), not the land or property as described in "Retail Sales Location." The detailed description shall include the building name and owner, and owner's contact information, if applicable. <i>Attach completed building verification form.</i>					
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By signing below I hereby certify and attest to the following:

- I understand, and will comply with, all governances associated with this activity including the Kentucky Revised Statutes, Henderson Municipal Code, City Ordinance 09-11, local zoning requirements, and the National Fire Protection Association (NFPA) Standard 1124;
- Attached hereto is a facility drawing(s) and site plan for the Retail Sales Location listed above; and
- I, on behalf of myself and any entity I represent as the Applicant, do hereby consent to periodic and unscheduled inspections of the Retail Sales Location by City Officials, Fire Personnel, and Law Enforcement at any time; and
- Fireworks being sold at this location were supplied by/from _____.
- A seasonal permit, once issued, is valid for a period of 60 days from the effective date. I request the effective date of the permit to be _____.

Signature of applicant: _____ Date: _____

Authorized City-County Planning Commission Official: _____ Date: _____

Authorized Fire Department Official: _____ Date: _____

PERMIT PROCESS CHECKLIST:

- ◊ Obtain a Kentucky Consumer Retail Fireworks application, a City of Henderson Retail Fireworks Permit application, and a Building Verification Form from the Fire Department, Station One, located at 332 Washington Street [270-831-1270] OR from the Codes Division located at 1990 Barret Court, Suite B [270-831-1277].
- ◊ Bring your completed COH Retail Fireworks Permit application to the Henderson City-County Planning Commission located at 1990 Barret Court, Suite C [phone # 270-831-1289] and obtain a signature of approval indicating the zoning is appropriate for the site location.
- ◊ Schedule an appointment coordinated with both the Codes Division and Fire Department. Bring your completed application and required attachments (i.e., facility drawings and site plan) as well as the completed Building Verification Form for review by the Code Inspector and City's Fire Marshal.
- ◊ A site inspection shall be conducted by both the Code Inspector and City's Fire Marshal with the applicant. Obtain a signature of approval on the Building Verification Form. Following site inspection, return the COH Retail Fireworks Permit application and all required documents, including proof of a valid Kentucky Retail Fireworks permit, the approved Building Verification Form, and proof of liability insurance, to the Fire Department located at 332 Washington Street. Obtain signature of appropriate Fire Department official and pay the Retail Fireworks Permit Fee: Seasonal - \$1,000; Annual - \$3,000; Annual Renewal - \$600; [per location]
- ◊ Bring your completed application and all required documents to the Municipal Center located at 222 First Street to apply for and obtain a City of Henderson Occupational Business License. (If you already have one, you must still go to the City Municipal Center to coordinate license update).
- ◊ Following issuance of the Occupational Business License, return the approved application and all required documents, including proof of business license issuance, to the Fire Department located at 332 Washington Street to be issued the City's Retail Fireworks permit by the City Fire Marshal.

REQUIRED SIGNS CHECKLIST:

- ◊ At each entrance to the facility: "Fireworks – No Smoking" (2" minimum letters)
- ◊ At cash register, "Must be at least 18 years of age to purchase consumer fireworks"
- ◊ At each exit and cash register: "No Fireworks Discharge within 300 feet" (4" minimum letters)
- ◊ Permit must be prominently displayed

SAFETY CHECKLIST (general guide – not all inclusive):

- ◊ A minimum of three clear exits are maintained at all times
- ◊ Only permitted consumer fireworks are available for sale
- ◊ A facility evacuation plan exists and employees understand how to implement the plan
- ◊ There are NO dead-end aisles within the facility
- ◊ No consumer fireworks are displayed or stored within 5 feet of a public entrance
- ◊ Aisles are clear and a minimum of 48" in width
- ◊ Fire extinguishers required:
 - Temporary stands less than 200 square feet – at least one
 - Temporary facility/tent – travel distance to fire extinguisher no more than 35 feet
 - Permanent locations – travel distance to fire extinguisher no more than 75 feet
- ◊ For temporary sites, storage container is at least 20 feet from retail sales. Fireworks are secured when not open for business
- ◊ All employees selling fireworks are a minimum of 18 years of age

Note: If the zoning is not appropriate, the applicant may choose to have the property rezoned. All rezoning questions shall be directed to the Henderson City-County Planning Commission located at 1990 Barret Court, Suite C, phone # 270-831-1289.

If the set-backs from residential structures cannot be met by the applicant, a Request for Variance is NOT permitted under the Code of Ordinances.

Department of Housing, Buildings and Construction

Division of Fire Prevention

101 Sea Hero Road Suite 100

Frankfort KY 40601-5405

Office Phone Number: 502-573-0382

Fax Number: 502-573-1004

Information Bulletin

May 9, 2011



Firework Sales

Fireworks Registration Types

1. **Limited Sales** – sale of fireworks as described in KRS 227.702(1)
2. **Seasonal Sales** - sale of fireworks described in KRS 227.702 (1) (2) and/or (3) during the following time frames: June 10th through July 7th December 26th through January 4th.
3. **Primary Permanent** – year round sale of fireworks described in KRS 227.702 (1) (2) and/or (3) where fireworks are the primary source of business.

Fireworks Law & Regulation Requirements

- Pursuant to House Bill 333 of the 2010 Regular Session each site at which fireworks are offered for sale shall have a firework registration certificate displayed in a conspicuous location.
- No person or business shall give, offer for sale or sell any consumer fireworks listed in KRS 227.702 to any person under the age of 18.
- No person under the age of 18 shall sell consumer fireworks at consumer fireworks retail-sales facility unless the individual is supervised by a parent or guardian.
- A **COPY** of a sales and use tax permit obtained from the Department of Revenue must be provided with the fireworks application to the State Fire Marshal as a condition of registration. To obtain your sales and use tax permit contact the Division of Sales and Use Tax at (502) 564-5170, or via e-mail at krc.webresponsesalestax@ky.gov.
- A fireworks registration form shall be submitted to the State Fire Marshal's Office at least 15 days prior to sell of fireworks or pay an additional fee of \$100.00 will be assessed for late submittals.
- A copy of the storage notification shall also be submitted to the local fire department having jurisdiction and the State Fire Marshal's Office at least 15 days prior to opening firework sales each year.

Building Code Regulations

- Check with local government to ensure compliance with local laws and ordinances.
- A temporary certificate of occupancy for firework retail must be obtained prior to the sale of consumer fireworks in tents or temporary stands. A certificate of occupancy for firework retail must be obtained prior to the sale of consumer fireworks in year round facilities. You can contact the Division of Building Code Enforcement at 502-573-0373 or local building code official.
- Each site shall comply with all provisions of the Kentucky Building Code and 2006 edition of *NFPA 1124* (National Fire Protection Association)
- Existing businesses that sell the full line of consumer fireworks under KRS 227.702 must submit plans and details to illustrate compliance with *NFPA 1124*.
- For temporary structures submit the necessary plans and permits to the appropriate authorities.

Fireworks Guidelines on Reverse

Fireworks Guidelines

Consumer Fireworks Retail Sales (CFRS) Permanent Structures Facilities

- For permanent structures submit the necessary plans and details along with registration to the appropriate authorities.
- For the purpose of building codes all *CFRS* will be classified as new structures. Any new *CFRS* structures shall be detached stand-alone buildings.
- Sale of consumer fireworks in a *CFRS* structure shall comply with provisions as set forth in Chapter 7.1, 7.2, and 7.3 of the 2006 edition of *NFPA 1124*.
- In accordance with 2006 edition of *NFPA 1124* Chapter 7.2.4 - Retail sale of **display fireworks** shall be prohibited at any mercantile or consumer fireworks retail sale facility.

Mercantile Retail Sale

- Mercantile Stores shall comply with chapter 7.5 of *NFPA* and chapter 7.3.15 through 7.3.24.2 of *NFPA 1124*.
- Existing businesses that sell the full line of consumer fireworks under KRS 227.702 must submit plans and details to the appropriate authorities to illustrate compliance with 2006 edition of *NFPA 1124*.

Stands / Temporary (Tent) Structures

- All facilities designated as Stands or temporary stands shall comply with Chapter 7.6 of *NFPA 1124*.

Multiple-Tenant Buildings

- Sales will not be permitted within Multiple Tenant Buildings. The sale of consumer fireworks is required to be in a detached stand-alone building.

If you have any questions, please call the Division of Fire Prevention (State Fire Marshal's Office) at 502-573-0382.

Disclaimer

The intent of this document is to serve only as a guideline for those interested in the retail sale of consumer fireworks. The Kentucky Building Code and 2006 Edition of NFPA 1124 will be the principle documents used for compliance. Code references from the above mentioned publications not mentioned in this guideline are still applicable and will be enforced by the authority having jurisdiction.



CITY OF HENDERSON, KENTUCKY
EXISTING BUILDING VERIFICATION FORM

New Business Owner(s): _____
Last _____ First _____ MI _____

_____ Last _____ First _____ MI _____

Business Address: _____
Street _____

Telephone: _____
Business _____ Home _____

Last use permitted in the building: _____

Type of Business proposed at the
location listed above: _____

Name of the organization/business last
located at the address listed above: _____

Current owners of the building listed above: _____
Telephone _____

Address: _____
Street _____
City _____ State _____ Zip _____

I (we) do hereby certify that the above information is true and correct to the best of my (our) knowledge.

Applicant Signature: _____ Date: _____

Office Use Only:

CURRENT ZONING _____

The proposed business meets the
qualifications for the proposed use: Yes No Other

Comments: _____

If no or other is checked – Notify applicant by mail and attach copy of letter to this form

Code Administrator/Designee: _____
Signature _____ Date _____



Public Protection Cabinet
Department of Housing, Buildings and Construction
Division of Fire Prevention
101 Sea Hero Road, Suite 100
Frankfort, Kentucky 40601-5405
Telephone: (502) 573-0382 Fax: (502) 573-1004

STORAGE NOTIFICATION REPORT

In accordance with KRS 227.700, the storage of consumer fireworks, display fireworks or theatrical pyrotechnic devices shall be reported in writing to the State Fire Marshal and the local fire chief having jurisdiction where the subject facilities are located. The initial report for permanent business establishments open year round shall be submitted between January 1, 2012 and January 31, 2012 for existing business and 15 days prior to initiation of for newly established businesses.

Fireworks Being Stored: <input type="checkbox"/> Consumer Fireworks <input type="checkbox"/> Theatrical Pyrotechnic Devices <input type="checkbox"/> Display Fireworks			
Type of Business: <input type="checkbox"/> Manufacturing Facility <input type="checkbox"/> Storage <input type="checkbox"/> Year Round Retail <input type="checkbox"/> Seasonal Retail			
Name of Applicant			
Mailing Address			
City	State	Zip Code	Phone Number
Email Address		Initial Date of Firework Storage	
Name of Owner / Lessee of the Property			
Name of Fireworks Supplier			
Location of Stored Fireworks (Street Address Must be Provided)			
City	State	Zip Code	County
Description Of How Fireworks Will Be Stored			

All information provided herein is accurate and true to the best of my knowledge.

Date: _____ Signature: _____ Title: _____

Only one report is required for the seasonal retailer stores if the same product are being stored at the same location for both the June 10 through July 7 and December 26 through January 4 seasons. The completed storage notification and copy of fireworks shipping bill shall be submitted to the following address:

Division of Fire Prevention
Attn: Fireworks
101 Sea Hero Road, Suite 100
Frankfort KY 40601-5405





CITY OF HENDERSON, KENTUCKY
EXISTING BUILDING VERIFICATION FORM

New Business Owner(s): _____
Last _____ First _____ MI _____

Last _____ First _____ MI _____

Business Address: _____
Street _____

Telephone: _____
Business _____ Home _____

Last use permitted in the building: _____

Type of Business proposed at the
location listed above: _____

Name of the organization/business last
located at the address listed above: _____

Current owners of the building listed above: _____
Telephone _____

Address: _____
Street _____

City _____ State _____ Zip _____

I (we) do hereby certify that the above information is true and correct to the best of my (our) knowledge.

Applicant Signature: _____ Date: _____

Office Use Only:

CURRENT ZONING _____

The proposed business meets the
qualifications for the proposed use: Yes No Other

Comments: _____

If no or other is checked – Notify applicant by mail and attach copy of letter to this form

Code Administrator/Designee: _____
Signature _____ Date _____