

227.715 Requirements for sale of certain common fireworks.

Except as provided in KRS 227.710, the common fireworks described in KRS 227.702(1) may be offered for sale, sold at retail, or kept with the intent to sell, only if the following requirements are met:

- (1) Any person or business intending to sell common fireworks shall register annually with the state fire marshal, who may assess a fee of no more than fifty dollars (\$50) for each site at which fireworks shall be sold. The registration requirement under this section shall not apply to permanent business establishments which are open year round and in which the sale of fireworks is ancillary to the primary course of business;
- (2) The annual registration required by subsection (1) of this section shall be received by the state fire marshal at least fifteen (15) days prior to offering fireworks for sale at the site for which the registration is intended;
- (3) Each site at which fireworks are offered for sale shall have its registration certificate displayed in a conspicuous location at the site;
- (4) Each site at which fireworks are offered for sale shall have a working fire extinguisher at the site, in compliance with NFPA Pamphlet 10;
- (5) No common fireworks item shall be offered for sale if it has as part of its device any wings, fins, or other mechanism designed to cause the device to fly, or if it carries a cautionary label which includes in its description any of the following terms: "explosive," "emits flaming pellets," "flaming balls," "firecracker," "report," or "rocket;"
- (6) No person or business shall give, offer for sale, or sell any common fireworks listed in KRS 227.702 to any person under sixteen (16) years of age;
- (7) The state fire marshal may revoke the registration of any site which is in violation of a requirement of this section, or any other requirement provided pursuant to this chapter. If the violation renders any property especially susceptible to fire loss, and there is present such hazard to human life or limb that the public safety imperatively requires emergency action, the state fire marshal may take that action, as provided in KRS 227.330(6).

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 426, effective July 15, 2010. -- Amended 2004 Ky. Acts ch. 70, sec. 2, effective July 13, 2004. -- Created 1994 Ky. Acts ch. 335, sec. 1, effective July 15, 1994.