

**227.752 Storage of consumer fireworks, display fireworks, and theatrical pyrotechnic devices -- Report to state fire marshal and local fire chief required -- Contents and time of filing of reports -- Consequences of failure to submit a report.**

- (1) For the purposes of this section, "APA 87-1" means the latest document: Standard for Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics written by the American Pyrotechnic Association (APA).
- (2) The storage of consumer fireworks, display fireworks, or theatrical pyrotechnic devices, as defined in APA 87-1, at retail, wholesale, storage, or manufacturing facilities shall be reported in writing to the state fire marshal and the local fire chief of the jurisdiction where the facilities are located.
  - (a) The report shall be completed by the owner or lessee of the property or the supplier of the fireworks, and shall include the address of the facility, the location of the fireworks to be stored, a copy of the shipping bill, and whether they are consumer fireworks, theatrical pyrotechnic devices, or display fireworks.
  - (b) 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 fifteen (15) days before storage begins for new businesses. The report for permanent business establishments open year round shall be updated annually and upon a change in location of the stored items.
- (3) Seasonal retailers, as defined in KRS 227.715, shall submit, at least fifteen (15) days prior to opening for sale each year, a report to the state fire marshal and the local fire chief of the jurisdiction identifying:
  - (a) The address where the sales will be taking place;
  - (b) The address where the fireworks will be stored; and
  - (c) A description of how the fireworks will be stored. Only one (1) report is due if the seasonal retailer stores the same product at the same location for both the June 10 through July 7 and December 26 through January 4 seasons.
- (4) Failure to submit a report required under this section shall be cause to cease and desist operation of the facility or site until such time as the required information is properly submitted. Inspectors shall notify the permit holder in writing and may allow twenty-four (24) hours to remedy the violation, unless the violation poses a distinct fire hazard.

**Effective:** March 16, 2011

**History:** Created 2011 Ky. Acts ch. 66, sec. 1, effective March 16, 2011.