



Chambers County Fire Marshal's Office **Fireworks Retail Sales Permitting**



A permit is required from Chambers County to sell fireworks at a retail stand or indoor sales site. A state permit is also required.

Steps to Obtain a County Permit:

1. Secure necessary state permit (State Fire Marshal 512-676-6800);
2. Complete a "Fireworks Retail" permit application for Chambers County online via www.mygovernmentonline.org .
3. Pay a yearly \$100 permit fee to Chambers County, payable via the online permitting portal or at the Permitting Office, 201 Airport Rd., Anahuac, TX. Phone: 409-267-2700.
4. Once permit fee is paid, schedule the inspection with the County Fire Marshal's Office by emailing firemarshal@chamberstx.gov . An inspection will be required for each selling season, but only one \$100 fee will be charged yearly.

General Requirements

Sections of the Texas Occupations Code and Texas Administrative Code regulate fireworks. A copy of the State Fireworks Rules may be obtained here:

<https://www.tdi.texas.gov/fire/documents/fmstatfireworks.pdf> .

Texas Occupations Code Section 2154.221 Fireworks Sales Building

(a) The fireworks sales building of an indoor retail fireworks site must be a freestanding durable structure with only one story of the building accessible to the public. The fireworks sales building of an indoor retail fireworks site may not be:

- (1) a tent, boat, or mobile vehicle; or
- (2) part of a multiuse or multi-tenant building.

(b) The sales display area of an indoor retail fireworks site must be sufficiently designed to prevent customers from handling fireworks unless an attendant is directly assisting the customer.

Texas Administrative Code §34.817 Retail Sales General Requirements

(a) A supervisor, 18 years of age or older, must be on duty during all phases of operation. It is the responsibility of the permit holder as well as the supervisor to comply with or require compliance with the fireworks rules.

(b) A building with more than 350 linear feet of fireworks counter display or containing a total of 500 or more cases of Fireworks 1.4G for sales or storage by a retailer must

comply with §34.823 of this title (relating to Bulk Storage of Fireworks 1.4G), except as provided by §34.832, of this subchapter (related to Specific Requirements for Retail Fireworks Sites Other Than Stands).

(c) Heat-sealing of packages within retail fireworks sites is prohibited.

(d) Each retail fireworks site determined to have fire danger external of the sales area must be provided with equipment or facilities that are capable of extinguishing small exterior fires that would threaten the retail stand. Retail sales in other than a stand must have a fire extinguisher rated not less than 2-A. An extinguisher must be located within 75 feet walking distance from any point in the building, and each extinguisher must cover a floor area not greater than 1000 square feet per unit of "A" rating.

(e) An unobstructed pathway to walk doors must be maintained within the retail fireworks site during selling operation.

(f) The display, offer for sale, or sales of fireworks from tents and motor vehicles is prohibited. Fireworks may not be sold or stored for future sale at any inhabited dwelling, house, apartment, or other structure used in whole or in part as a home or place of abode by any person or persons.

(g) Smoking is not permitted in the retail fireworks site. The presence of lighted cigars, cigarettes, or pipes within 10 feet of any site where fireworks are sold or stored is prohibited. "Fireworks" and "No Smoking" signs in letters not less than four inches high must be conspicuously posted on the inside and outside of each entrance door and at several locations inside the building.

(h) The consumption or possession of alcoholic beverages in any retail fireworks site is prohibited. No retail sales personnel inside the facility or any supervisor may be under the influence of or consume alcoholic beverages while on duty.

(i) A retail fireworks site may only sell fireworks, fireworks promotional items and accessories and those items listed in the Occupations Code §2154.002(4). The display and offer for sale, or sales of fireworks within any structure or building where any other business or any other merchandise is sold is prohibited.

(j) A retail permit is required for each retail fireworks site offering fireworks for sale during selling season and must be posted in the sales area.

(k) The display or offer for sale or sales of fireworks from single or multifamily residential structures is prohibited.

(l) All retail fireworks sites must furnish parking off the highway.

(m) An area of at least 10 feet in width on all sides of a retail fireworks site must be kept free of high grass, empty cardboard boxes and trash.

(n) Fireworks must not be displayed or stored behind glass through which direct sunlight will shine on the fireworks.

(o) Fireworks offered for sale to the general public in this state must conform to the labeling requirements of the United States Consumer Product Safety Commission and the United States Department of Transportation. Only labeling specifications or requirements mandated by either of these agencies is required for the labeling of items offered for sale in Texas.

(p) Internal combustion engines must not be operated inside a retail fireworks sales site.

(q) Shipping information, invoices, and bills of lading related to the inventory at each retail stand must be available for inspection on request.

Texas Administrative Code §34.818 Specific Requirements for Retail Fireworks Stands

A retail fireworks stand must comply with the following requirements:

(1) The fireworks stand in which Fireworks 1.4G are held for retail sale must be constructed of wood, metal, masonry, or concrete, or combinations thereof.

(2) Each stand of less than 16 feet in length must have at least one walk door that opens outward. Stands measuring 16 feet or longer must have at least two walk doors, one in each end, that open outward.

(3) A minimum of combustible material such as posters, signs, and decorations may be used on interior walls.

(4) A minimum distance of six feet must be maintained from the front of the customer counter to the back side of the stand. Fireworks must not be displayed on the customer counter or in any manner that allows the customer to handle fireworks without an attendant directly assisting the customer.

(5) Electrical service to the stand must be installed at least eight feet above ground or buried underground according to standards acceptable to the local AHJ.

(6) Each stand that uses electricity must have a point of power interruption, either inside or outside the stand, (switch or switches) located near a walk door, that interrupts all electric supply to devices and equipment located inside and on the stand.

(7) All electrical wiring, equipment, and devices, both inside and outside the stand, must be UL approved, be securely mounted to the structure, and be installed and maintained to prevent electrical hazards. Splices in electrical wiring servicing equipment and devices inside the stand must be enclosed in junction boxes. Light fixtures and

wiring used for illumination inside and outside of the stand must be installed and maintained to prevent accidental contact by the general public and employees.

(8) Drop cords with lights, extension cords, or bare wiring must not be used in any manner inside a retail stand.

(9) In stands where generator-created power is used, the generator must be located in an area free from grass, trash, and other flammable materials and at least 10 feet from the stand. Reserve fuel for the generator must be stored in an approved safety container and a portable fire extinguisher rated to at least 6 BC must be provided.

(10) Fireworks stands must not be illuminated or heated by any device that requires open flame or exposed heating elements. Electric heaters must be equipped with a switching device to stop the flow of current should the heater be tipped over.

(11) If the fireworks stand is used for the overnight storage of Fireworks 1.4G, it must be equipped with suitable locking devices to prevent unauthorized entry.

Additional Requirements

Fireworks retail sites must also meet applicable requirement of the county-adopted fire code, which consists of the International Fire Code, 2018 Edition, and local amendments. Some general requirements include:

1. Address numbers must be clearly posted on the outside of fireworks retail sales stands or buildings. The letters must be a minimum of 4" in height, but large enough to be visible from the roadway. A sign at the entrance/driveway is also an acceptable method of address identification;
2. Indoor retail sales buildings must have at least two exits minimum, equipped with outward swinging doors and lit exit signs with emergency lights;
3. All electrical wiring in buildings or fireworks stands must be according to National Electric Code, no exposed wiring, wiring must be enclosed or in approved conduits;
4. Fireworks stands must be located at least 10 feet away from property lines and 20 feet from adjacent buildings;
5. Extension cords may not be located in a manner in which they may be stepped on or otherwise contacted by the public;