

Consumer Certificate Application Guidelines updated for 2017

Starting January 1, 2017, the State of Michigan will make available for the citizens of Michigan the updated and improved online process for submitting fireworks applications and registrations, receiving certificates, and all other items related to fireworks.

This document is a guideline to the entire fireworks retail sales process in Michigan. All links and data posted on the Bureau of Fire Services (BFS) website have been updated to reflect the changes made in the process this year.

Contacting the BFS is still the same. You may call the Fireworks line 517-373-7441, the main line 517-241-8847, or email to fireworks@michigan.gov.

Getting Started

All of the following information can be accessed on the BFS Fireworks Program webpage at www.michigan.gov/bfs and click on the Fireworks link.

ALL registrants and applicants will have to create a new fireworks accounts this year. This will be a one-time process. Creating the account applies regardless of the type of Fireworks you intend to sell or for how long. All payments made (certificate fees, fire safety fees, transfer fees, civil fines or any other fireworks related monetary transactions) will be done using this online process.

Compliance Details

Laws, rules, and code compliance information are available on the BFS Fireworks program page. Failure to adhere to the policies, statutes, and rules as presented here will result in fines as detailed in the Michigan Fireworks Safety Act. You may access a full copy of The Michigan Fireworks Safety Act at this link: [PA 256 of 2011](#). You will also find additional information specific to the application process, requirements after receiving a certificate, as well as forms you may need.

Process

Consumer Retail Sales Application Deadline:

- Consumer Certificate Application - The online Consumer Certificate application deadline is midnight on April 1 every year. There will be no exceptions made; there are no late applications accepted or late fees that may be paid to allow for late submission. Online applications are the only option you have for Consumer applications and Low Impact Registrations.
- The online Consumer Certificate Location Transfer application deadline is midnight on June 1 every year. There will be no location transfer applications accepted online after June 1.

- Ownership transfers are available until the Certificate expires or the Certificate is cancelled.
- If you are selling both consumer fireworks and low impact fireworks, you must apply/register for both for each retail sales location. Failure to follow this requirement will result in a civil fine.

Low Impact Registration:

- There is no deadline for low impact registration, but **you must be registered 10 days prior to the beginning of your retail sales.**
- There are no additional documents required to be submitted with the registration and no fee is required.
- Low Impact Registrations will not be a printed document to display. It is solely an online registration process validated within your Fireworks account.
- Low impact registrations operate on a yearly term. **Regardless of the date of registration, the registration will expire on December 31.** If you are still selling or wish to continue to sell after January 1, you must re-register.
- Safety fee reporting and all subsequent fire safety fee payments are required for low impact registration in the same manner as described for consumer certificates. The Fire Safety Fee requirements expire when the registration expires.
- If you have a consumers certificate and a low impact registration for the same location you will **report safety fees separately for consumer certificates and registrations for each facility.**

Structure Types:

- When applying for either a consumer certificate or low impact registration, you will be asked to select a structure type; permanent or temporary.
- Permanent structure: If you are operating out of a building, you will choose the permanent structure type.
- Temporary structure: If you are operating out of a tent or an otherwise temporary structure, you will choose the temporary structure type.
- **“Permanent” and “temporary” do not refer to the duration of time in which the fireworks will be sold, they refer to the type of structure from which you are selling the fireworks.**
- Please see the Michigan Fireworks Safety Act for specific definitions of structure types.

Application Processing for Consumer Fireworks:

- The Bureau of Fire Services will process applications and approve or deny the consumer certificate within 30 days of submission. All required documents must be submitted at the time of the application. The certificate (record) number will be assigned to the application; 2017-CPXXXXX (for

permanent structure) and 2017-CTXXXXX for a (temporary structure) at the completion of the application.

- All application requirements must be met or an application denial will be issued within 30 days of the submission.
- If you receive an application denial, you then have 45 days to address and resolve the issues noted in the denial. This denial will be sent to you in the form of an email. It is **critical** that you monitor the contact email address that you provided to us during the application process. Once the issue has been resolved, we will begin processing the application.
- Incomplete applications will not be processed. Applicants may find that they are in need of the Certificate approval and/or the actual Certificate prior to purchasing their inventory. In some cases the Certificate is needed for approval from local jurisdictions for placement of temporary structures. With that in mind, it is in the applicants best interest to expedite the correction of any issues listed within any denial.
- There is a \$600 Certificate fee required for non-permanent structures and a \$1,000 Certificate fee required for permanent structures. Payment online is done only with Credit Cards during the application process.

Required Documents:

Consumer fireworks certificate applications may require specific documents to be submitted. There is also a certificate fee payment that is required during the application process. The below document requirements do not apply to low impact registrations. If you are selling only low impact fireworks, you do not need to submit any documentation or payment.

- **Copy of sales tax license:** We require a copy of your current sales tax license. We will not accept a pending sales tax number or an outdated number, nor will we accept your sales tax application in place of the copy of the license itself.
- **Payment receipt:** A \$600 fee is required for a temporary structure type and a \$1000 fee is required for a permanent structure type. You will find an online payment process at the end of the application process.
- **Site and floor plans:** Plan requirements vary according to the outline below.
 - **Exempt amount:** The amount of consumer fireworks on hand determines many safety code requirements. Where the actual weight of the pyrotechnic composition of consumer fireworks is not known, you may use 25% of the gross weight including packaging to determine the weight of pyrotechnic composition. Refer to Section 7.3.1 of NFPA 1124, 2006 edition for further details. If you indicate that you will be under the exempt amount and the inspection determines otherwise, you will be cited.
 - **Non-Exempt Temporary structures:** These facilities shall submit a site plan with application documents and shall have a floor plan available at the time of inspection. Plan submittal guidelines are available in the application process.

- **Non-Exempt Permanent structures:** New permanent facilities shall submit both a site plan and a floor plan with application documents. Plan submittal guidelines are available here.
- **Site and Floor Plans not required:** For renewal of permanent facilities, unless changes to the site, facility structure, or floor plan have occurred since the previous year inspection.
- **Temporary or Permanent Structures:** Locations under the exempt amount will have a product inventory on site, available upon request by the inspector at the time of inspection, including package weights,. Plan submittal guidelines are available here.
- **Low impact registration:** If you are also selling low impact fireworks, you will need to complete a separate registration. A consumer fireworks certificate alone is not sufficient for the sale of low impact fireworks. Your structure type for low impact and consumer sales at the same facility should match. At the completion of the Low Impact registration you will be assigned a registration number. If you are not selling low impact fireworks then you may disregard this requirement.

NOTE: According to the Michigan Fireworks Safety Act 28.455 Section 5, during period of sales all consumer fireworks retailers are required to have \$10,000,000 as an additional insured or public liability and product liability insurance coverage. You do not need to submit any proof of insurance during the application, however, you must have proof of insurance available at your sales location. The Fireworks Insurance Requirements link is found at the beginning of the application.

Certificate Status Check and Incomplete Applications:

- You can check the status of your certificate in your account.
- Any application issued a certificate number containing “TMP” means that the application is not complete for one reason or another. The issue can be worked out with BFS as needed.

Receiving your Certificates:

- Starting with the 2017 Fireworks Season your Certificates will now be emailed to you directly as soon as the application is approved.

Fire Safety Fee Requirements

- The fire safety fee is calculated at 6% of your gross sales. In addition, you will collect a 6% Michigan sales tax for the Department of Treasury with each transaction. Sales Tax payments should **not** be calculated or included with Fire Safety Fees payments.
- Beginning with the 2017 Fireworks Season and introduction of the new application program, there is a new payment process being implemented

as well. Within your Fireworks account there will be an electronic process to report sales, pay fees due, and track all transactions.

- You are required to submit a sales report beginning with the month of issuance of your certificate. This is true whether you are selling or not selling during that month. For example, if your certificate was issued on April 20 but did not physically reach you until May 5, it is still required that you submit a sales report for the month of April because the certificate was officially valid in the month of April.
- For 2017 consumer certificates, you must submit fire safety fee reports until April 30, 2018 (when your 2017 certificate expires). This is true whether you are selling or not selling during any or all of those months. Low impact safety fee reports must be continued in the same manner until December 2017, because they expire in December. The exception for reporting is if you submit a cancellation notice for your certificate(s).
- Each month must be reported separately. Each month's report is due 20 days after the end of that month, or the closest approximation to 20 days that falls on a weekday and excluding Holidays.

2017 Consumer and Low Impact Fireworks Sales Dates	2017 Sales Reports and Safety Fee Payment Due Dates:
January 1 - January 31, 2017	Tuesday, February 21, 2017
February 1 - February 28, 2017	Monday, March 20, 2017
March 1 - March 31, 2017	Thursday, April 20, 2017
April 1 - April 30, 2017	Monday, May 22, 2017
May 1 - May 31, 2017	Tuesday, June 20, 2017
June 1 - June 30, 2017	Thursday, July 20, 2017
July 1 - July 31, 2017	Monday, August 21, 2017
August 1 - August 31, 2017	Wednesday, September 20, 2017
September 1 - September 30, 2017	Friday, October 20, 2017
October 1 - October 31, 2017	Monday, November 20, 2017
November 1 - November 30, 2017	Wednesday, December 20, 2017
December 1 - December 31, 2017	Monday, January 22, 2018
January 1 - January 31, 2018	Tuesday, February 20, 2018
February 1 - February 28, 2018	Wednesday, March 21, 2018
March 1 - March 31, 2018	Friday, April 20, 2018
April 1 - April 30, 2018	Tuesday, May 22, 2018
Low Impact Registrations Expire on December 31, 2017	When 2017 Consumer Certificates are issued for the <u>same person</u> at the <u>same location</u> the 2016 Certificate will then be void.
2018 Consumer Applications Available in January	
2017 Low Impact Fireworks Sales Reporting Periods	2017 Sales Reports and Safety Fee Payment Due Dates:
January 1 - January 31, 2017	Tuesday, February 21, 2017
February 1 - February 28, 2017	Monday, March 20, 2017

March 1 - March 31, 2017	Thursday, April 20, 2017
April 1 - April 30, 2017	Monday, May 22, 2017
May 1 - May 31, 2017	Tuesday, June 20, 2017
June 1 - June 30, 2017	Thursday, July 20, 2017
July 1 - July 31, 2017	Monday, August 21, 2017
August 1 - August 31, 2017	Wednesday, September 20, 2017
September 1 - September 30, 2017	Friday, October 20, 2017
October 1 - October 31, 2017	Monday, November 20, 2017
November 1 - November 30, 2017	Wednesday, December 20, 2017
December 1 - December 31, 2017	Monday, January 22, 2018

- If you have a consumers certificate and a low impact registration for the same facility, you will **submit sales reports for each type.**
- You may not submit a report using an outdated certificate number/low impact registration even if the old number is at the same location as the current number.
- Lack of any safety fee report or lack of information on a safety fee report will prohibit you from obtaining a consumer fireworks certificate in upcoming years. Delinquency on any safety fee reporting may also be forwarded to the Department of Treasury for collections.

Making Contact with the Bureau of Fire Services:

- Due to the busy nature of the fireworks season, we are not able to answer all phone calls. We strongly encourage you to direct any questions or concerns to fireworks@michigan.gov for the fastest response. The email box is continually monitored by multiple people during regular business hours Monday-Friday. In your email please provide identifiable information regarding your retail sales location so that we may answer your question quickly and effectively. Appropriate information would include first and last name of the certificate holder, the certificate number, low impact registration number, sales location, and any other important details as well as your question. Please also check your email within 24 hours after leaving a voicemail, as it is likely that you will receive a response via email.
- When completing your application, it is **crucial that you give us an email address that you check frequently** because we use email for the majority of our correspondence. **NEW THIS YEAR: YOUR CERTIFICATE WILL BE EMAILED TO YOU USING THE EMAIL ADDRESS YOU PROVIDED.**
- If there are any updates regarding the status of your certificate, any documents that are missing, any safety fee report that is missing, or any other problems that could cause a delay or denial we will contact you via email.

Refunds

- Per the Fireworks Safety General Rules there are only two situations in which refunds are permitted:
 - An accidental duplicate payment for the same fireworks location where the fee was already paid. This will be a 100% refund of the duplicate payment.
 - The death of the applicant. You will be required to provide a death certificate and an executor letter of appointment. This will be a 70% refund of the certificate fee.
- To request a refund, please submit the refund request application.
- No other refund request circumstances will be considered.

Registering for Low Impact Sales

There is no deadline for low impact registration but you must be registered at least 10 days prior to the beginning of sales.

- If you are selling low impact fireworks at multiple locations, you will need to register each location where sales will be occurring.
- It is possible to have the need for multiple registrations for one address:
 - ❖ If you have a **permanent facility** that you are selling Low Impact Fireworks and Consumer Fireworks
 - ❖ If you are selling either Consumer and or Low Impact Fireworks from a **temporary facility** in the parking lot (with the same address)
- If you are selling consumer fireworks along with low impact fireworks at the same facility, you need to apply for both types.

Applying for Consumer Certificates

This section will address the application for a consumer certificate. The deadline for the online consumer fireworks application is midnight on **April 1**.

- After you have logged in follow the path to “Create / Amend an Application / Record”.

The application list includes all possible *types*;

- Permanent Structure Facility
- Temporary Structure Facility
- Notice of Cancellation
- Transfer of Location
- Transfer of Ownership
- Transfer of Type
- Low Impact Registration Permanent Structure
- Low Impact Registration Temporary Structure
- Retailer Fireworks Sales Report & Safety Fees
- Fireworks Appeal Request

- **NOTE: That “permanent” and “temporary” do not refer to the duration of sales, they refer to the structure type.**
- A power point presentation explaining a step-by-step process is available on the home page of the Bureau of Fire Services. Just click on the Fireworks link on that page.

Important Note about All Application Processing

Here are some important things to keep in mind regarding turn around time for all applications:

- All required documents should be attached to the online application at the time of submission.
- If you send documents in the mail there will be a delay in processing.
- Any application submitted without all of the required documents will be denied. A denial will be emailed to you and you will have 45 days to resolve the issue.
- Per Statute, we have 30 days to issue or deny your application. During peak application times it will most likely take the entire 30 days to process your application. If you get everything submitted earlier in the year, it can take as little as one day to process the application and get the certificate by email.
- All Consumer Certificates will be emailed to you so that you may print it for display at your facility.

Retail Sales Compliance

- It is your responsibility to comply with all requirements of Fireworks Statutes, Fire Safety General Rules, and Code Requirements mentioned within those documents.
- Enforcement is an ongoing process in Michigan where retail sales of fireworks takes place.
- Citations can and will be issued as necessary.
- Non-compliance of Fire Safety Fee requirements will result in denial or revocation of a Fireworks Consumer Certificate and a fine. Your fireworks products will also be confiscated.

Thank you for legally participating in selling Retail Fireworks in Michigan!