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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

STEVEN H. HILFINGER
DIRECTOR

MICHIGAN FIREWORKS SAFETY ACT
Public Act 256 of 2011

GUIDELINES

On January 1, 2012, the Michigan Fireworks Safety Act took effect. The Act was created to establish laws relating to fireworks; to regulate the purchase, possession, sale, and use of certain fireworks; and to prescribe the powers and duties of certain state agencies.

On February 1, 2012, Director Steven Hilfinger delegated the responsibility of administering and enforcing this Act to the Michigan Bureau of Fire Services and Michigan's State Fire Marshal. With that delegation, it became the responsibility of the Bureau of Fire Services to ensure retail locations throughout the State of Michigan comply with nationally accepted standards for the retail sale of consumer and low-impact fireworks, specifically the National Fire Protection Association Standards 101 and 1124.

The Director of the Bureau of Constructions Codes and the State Fire Marshal issue this guideline to address, as follows, issues that may arise in the implementation of the Michigan Building Code and the Michigan Fireworks Safety Act:

1. Michigan's Building, Mechanical, Electrical and Plumbing codes will apply in certain circumstances where they are not in conflict with PA 256 of 2011.

2. It has been determined that NFPA 1124, Section 7.4.4 for Consumer Fireworks Retail Facilities (CFRS) in multi-tenant buildings requiring fire resistant separation will be the two (2) hour as required in NFPA 1124 as opposed to the 3 hour resistance required by the Michigan Building Code.

3. MCL 28.455 Section 5, subsection (b) of the Act states:
"Beginning 1 year after the effective date of this act, a permanent building or structure shall be equipped with a fire suppression system in compliance with NFPA 1124." It has been determined that NFPA 1124 is the prevailing standard for CFRS facilities sprinkler requirements within the State of Michigan. The occupancy classification of CFRS facilities shall be H-3 as defined within the Michigan Building Code.

Definition: High Hazard Group H-3 is a building or structure containing materials that readily support combustion. 1.4G Consumer Fireworks are not explosive materials ormass detonation risk. All items within the Michigan Building Code pertaining to explosives do not apply to consumer fireworks 1.4G.

Irvin J. Poke, Director
Bureau of Construction Codes

Richard W. Miller
State Fire Marshal

Dated: April 17, 2012

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