

#### **Fireworks Quick Links**:

<u>Accela</u>

Fireworks Homepage (michigan.gov)

For Questions: fireworks@michigan.gov

To Report Illegal Firework Sales: 517-388-6715



### **PRESENTATION TOPICS**



02

#### MICHIGAN FIREWORKS SAFETY ACT PA 256 OF 2011

Application Process for Low Impact registrations and Consumer certificates





#### **SAFETY FEE REPORTING**

Demonstration



#### **ENFORCEMENT INFO**

Exempt Amount Location Violations
Common NFPA 1124 Violations
Insurance & Product Violations



**QUESTION & ANSWER** 

## Application Options

<u>Low Impact Registrations – Temporary, Permanent</u> (Low Impact registrations can be submitted anytime in the year.)

Consumer Certificates – Temporary, Permanent (Consumer Certificates can only be submitted from Jan 1st-April 1st.)

Note: A person that holds a CONSUMER Certificate issued under Sec 4 is

NOT required to register with the LOW IMPACT firework retail registry.

Low Impact fireworks are covered under a consumer certificate if sold

at the same location.



### MICHIGAN FIREWORKS SAFETY ACT Public Act 256 OF 2011

Last amended December 31, 2018

PA 256 Sec 4 (1) A person shall not sell consumer fireworks unless the person annually obtains a consumer fireworks certificate from the department.

#### PA 256·Sec 4(3): An applicant for a consumer fireworks certificate shall do all of the following:

- (a) Submit an application no later than April 1 of each year in which the applicant will sell consumer fireworks.
- (b) Include on the application the name and address of each retail location from which the applicant will sell consumer fireworks.
- (c) Submit with the application <u>ALL</u> of the following, as applicable:
  - (i) A <u>nonrefundable</u> consumer fireworks certificate fee of \$1,250.00 for each retail location that is a permanent building or structure or \$1,000.00 for each retail location that is not a permanent building or structure. If the application includes 10 or more retail locations that are not permanent buildings or structures, the fee described in this subdivision shall be \$700.00 for each of those locations.
  - (ii) For an applicant who applies for a consumer fireworks certificate for a retail location that is *not a permanent* building or structure and who does not hold a consumer fireworks certificate for a permanent building or structure, a bond in the amount of \$5,000.00 to secure the collection of estimated sales tax and fireworks safety fees.
  - (iii) A copy of the applicant's current sales tax license, including the applicant's account number, issued by the department of treasury for each retail location where the applicant will sell consumer fireworks.
  - (iv) Any other document required by the department.

    (For example: site plans, as required by the <u>BFS Fireworks Safety General Rules</u>)



Surety bonds are required for Temporary Consumer certificates (e.g., tent locations) that are not associated with a permanent structure certificate. The bond amount must be \$5,000 per location. The bond must be active during the duration of firework sales. Firework display permit bonds refer to the permit holder as the principal, the surety bond company as the Obligor, and have the Bureau of Fire Services as the Obligee.

Obligee: Bureau of Fire Services

Address: 611 W. Ottawa St., 4th Floor

P.O. Box 30700

Lansing, MI 48909

Please take note of the newer address for BFS and update with your surety company. •





### CONSUMER APPLICATION PROCESS

01

Create an Account

All applications are submitted online via Accela:

**Accela Citizen Access** 

02

Obtain a sales tax license & other required documents

Contact: Dept of Treasury, insurance agency/surety company

03

Submit Application

Complete the application in a single setting, if able. If you "Save" and create a "TMP" record, it will auto-delete at the end of the day. In order to submit, you must pay the nonrefundable fee.





04

05

06

### Review / Plan Review

- If denied, you may cure any defect in the application within 45 days after the denial without paying any additional fees. *Sec 4(7)*
- BFS office has 30 days to review the application AFTER ALL REQUIRED DOCUMENTS ARE SUBMITTED. Sec4(6)

### Certificate Issuance

- Note: Safety Fee reporting begins the month of issuance.
- Consumer certificates are valid through April 30<sup>th</sup> the following year, unless cancelled earlier.

### Field Inspection

Field Inspector should contact certificate holder within about 5 days of issuance to plan the site visit





# RENEWAL PROCESS

(Step-By-Step Instructions: <u>HERE</u>)

You will renew the "parent" record, not a "2022-CTXXXXX" (previous renewal) record



# Consumer Certificate Renewals

If you have a Consumer Certificate that was issued last year and want to apply for that same location for another year, you may renew your registration on January 1<sup>st</sup> – April 1<sup>st</sup> of the year you are renewing.

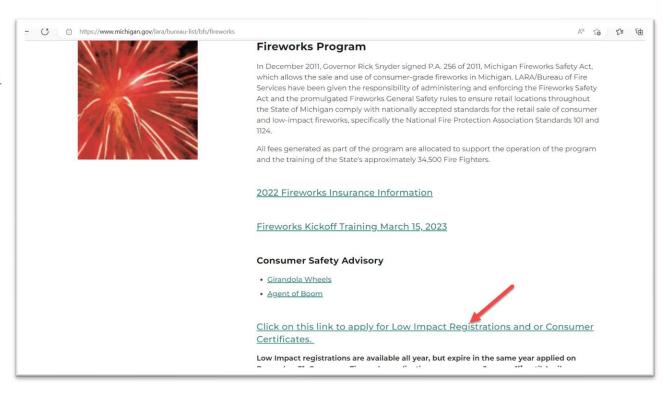
If you did not have an issued certificate this past year, then you will need to create a New Application and will not be able to file a Renewal.



To get started, go to:
<a href="https://www.michigan.gov/lara/bureau-list/bfs/fireworks">https://www.michigan.gov/lara/bureau-list/bfs/fireworks</a>

Click on the link to apply for Consumer Certificates to start the application.

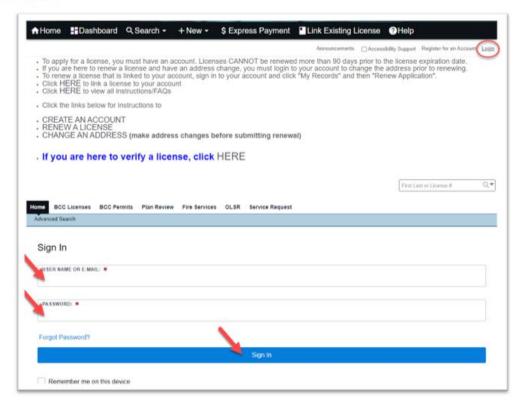
OR <u>click here to go</u>
<u>directly to</u>
<u>Accela</u>
<u>Automation</u>
Citizen Portal





User Name or Email and Password.

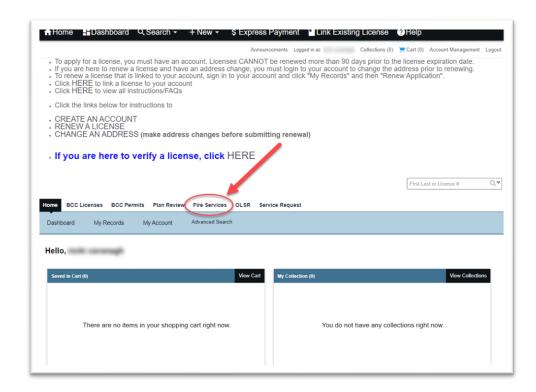
Click: Sign In





Once you are logged in, this will be what the Home screen looks like.

Click on: **Fire Services** 





Now you will see all the Records in your account. Look for the Certificate you want to renew.

Please note that you will renew the "parent" record, not a "2022-CTXXXXX" (previous renewal) record. You may have to search through a few pages to find the parent record.

#### Click on:

#### **Renew Application**

| Renew Application CT00172 10/07/2022 | Consumer Fireworks Certificate Temporary Structure | CAV TENT 2 | 123456 TEST,<br>LANSING MI<br>48820 United<br>States | 04/30/2023 | Issued | 5 |
|--------------------------------------|--|------------|--|------------|--------|---|
|--------------------------------------|--|------------|--|------------|--------|---|

If you do not see a Renewal option, then please refer to the next slide.



If you see "Amendment" option in the first column and "Safety Fee Due," then you will need to enter any outstanding safety fees before you renew the certificate. Make sure that you enter safety fees THROUGH the month that you are renewing.

For example: If you are trying to renew on Feb 4<sup>th</sup>, enter "0" for February safety fee. (If you have sales later in the month, it will be linked to the new certificate.)

Click on:

**Amendment** 



After you pay all outstanding safety fees, go back to the Fire Services tab and click on: Renew Application.



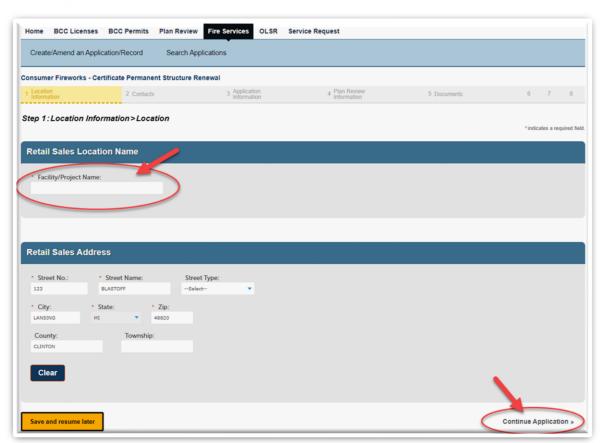
Step 1: Location

Enter the facility or company name.

The system will auto populate the facility address.

If you have a different address than what appears on your certificate being renewed, you must complete a NEW certificate and you will not be able to renew.

Click: Continue Application





#### Step 2: Contacts > Contact Information

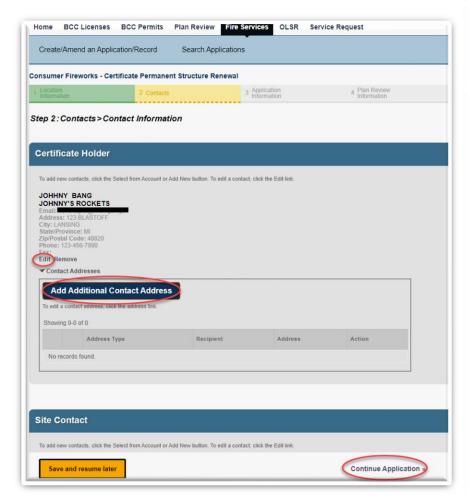
If you have a new contact that you would like to add to the account, you will click: Add Additional Contact Address

You may edit a contact by clicking: **Edit** (This is where you can update your email address.)

Click: **Continue Application** at the bottom right of the screen

(Note that if you must click "Save and resume later," the record will be kept as a temporary (TMP) record, which autodeletes at midnight on the same day of creation if you do not submit/pay for it.)



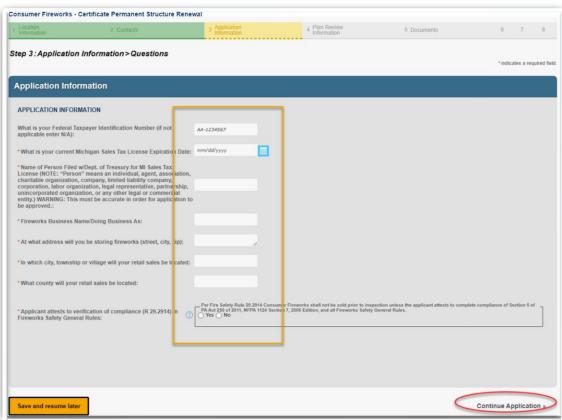




Step 3: Application Information > Questions

Complete the Application Information.

Click: Continue Application



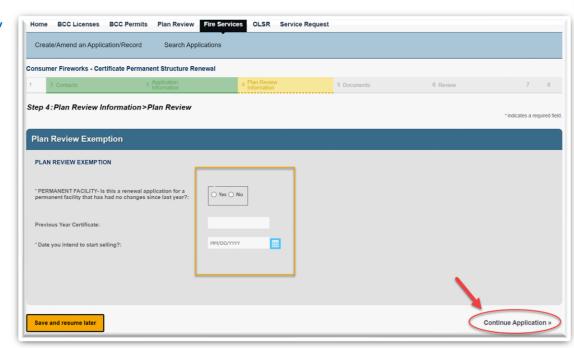


Step 4: Plan Review Information > Plan Review

Complete the Plan Review Exemption Information.

Click **Here** for more Plan Submittal information.

Click: Continue Application

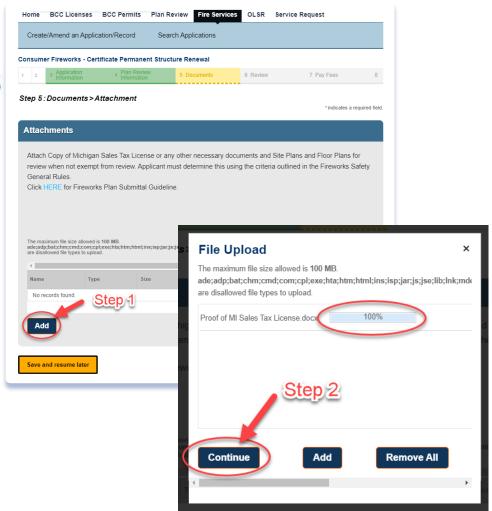




#### Step 5: Documents > Attachment

Click **Add** to select the documents from your files. Add attachments that are needed at this time for your application (Bond, Sales Tax License, Site Plans, Floor Plans).

After they load to 100%, click **Continue.** 





Step 5: Documents > Attachment (Continued)

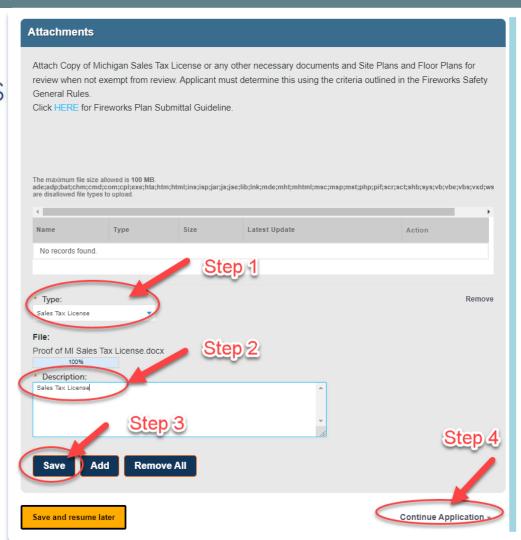
Choose the **Type** of document from the dropdown.

Enter a **Description** of the document. Example: "Bond" or "Sales Tax License" etc.

Click: Save

To add multiple documents, click: **Add** and repeat the process.

When you've uploaded all necessary documents, click: **Continue Application** 

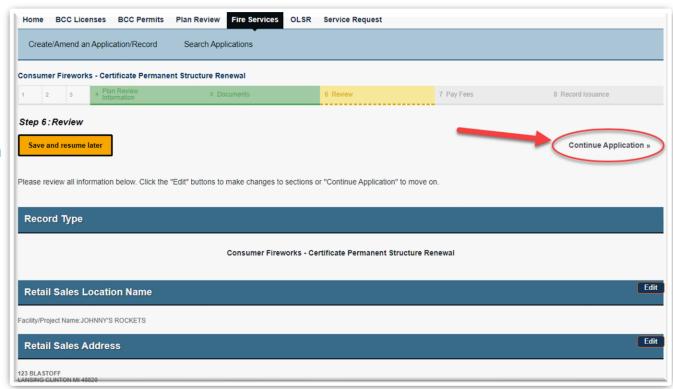




Step 6: Review

Review all the information for the location that you are renewing.

Click: Continue Application





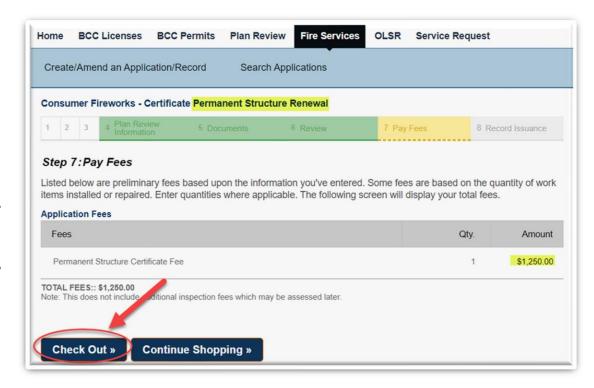
Step 7: Pay Fees

If everything is correct, click:

Check Out and you will be redirected to the CEPAS Payment site.

The fee for a permanent consumer certificate is \$1,250.00.

The fee for a temporary consumer certificate is \$1,000.00, unless you have more than 10 locations, at which point the fee is \$700.00 per certificate.(Please email <a href="mailto:fireworks@michigan.gov">fireworks@michigan.gov</a> for a refund after submitting.)





(Step 7: Pay Fees - Continued)

Click:
Pay by Electronic Check
Or Pay by Credit Card

Click: Next





Depending on if you clicked on Electronic Check or Credit Card, these are the screens you will see.

Fill out all the highlighted fields and then Click: **Next** 

### FIRE SERVICES

#### **Check Payment Screen**



#### **Credit Card Payment Screen**

|                              | * Indicates required field |  |  |  |
|------------------------------|----------------------------|--|--|--|
| Billing Address              |                            |  |  |  |
| Use Business Name            |                            |  |  |  |
| *First Name:                 |                            |  |  |  |
| M.I.:                        |                            |  |  |  |
| *Last Name:                  |                            |  |  |  |
| Street Line 1:               |                            |  |  |  |
| Street Line 2:               |                            |  |  |  |
| City:                        |                            |  |  |  |
| State:                       | Select State 🗸             |  |  |  |
| Zip:                         |                            |  |  |  |
| Country:                     | UNITED STATES V            |  |  |  |
| Phone:                       |                            |  |  |  |
| *E-Mail:                     |                            |  |  |  |
|                              | _                          |  |  |  |
| Payment Details              |                            |  |  |  |
| *Payment Amount: 1250.00 USD |                            |  |  |  |
| Payment Method               |                            |  |  |  |
| *Name on Card:               |                            |  |  |  |
| *Card Number:                |                            |  |  |  |
|                              |                            |  |  |  |
| * Month *Expiration Date:    |                            |  |  |  |
| * Year                       |                            |  |  |  |
| *Card Verification Value     | (CVV2): What's This?       |  |  |  |
|                              | Back Next Exit             |  |  |  |



**Payment Review** 

Click: Pay Now

(Note that the most common reason for a "failed verification" is because the zip code does not match what is on file with the cardholder's card company. Please verify that information with your card company if needed.)

If your card is "Declined," you will need to contact your financial institution to inquire as to what happened.

#### To confirm your payment information, click on "Pay Now" in the box below. If you have entered a valid email address, a confirmation email will be received from noreply@fiserv.com. Address Billing Address: **Payment Method** Credit Card VISA x1111 05/28 **Payment Amount** Amount: 1250.00 USD

Total: 1250.00 USD

**MI Permit Lic Plan Review** 

Back Pay Now Exit



Once you have paid, you will be directed to a Receipt page that will state that your submittal has been successfully received.

Scroll to the bottom of the page and see the renewal certificate number that you have been given. You will upload any new documents needed to that renewal number.

Our office has 30 days to review your application. We will notify you of any changes needed by email.







### SAFETY FEE REPORTING

PA 256 Sec 8(1) – A user fee known as the Fireworks Safety Fee, is imposed on retail transactions made in this state for consumer fireworks and low impact fireworks as provided in Sec 9.

This 6% safety fee collection is in addition to the state required sales tax.

PA 256 Sec 10(3) A person that is responsible for remitting the collected fireworks safety fees shall remit those fees no later than 20 days after the end of each preceding month.

Note: Even if firework sales were zero for the month, you are required to enter "0" by the 20<sup>th</sup> of the next month.



# SAFETY FEE SUBMISSIONS

(Step-By-Step Instructions: HERE)



### <u>Fireworks</u> Fire Safety Fee Submission

Firework Safety Fees must be remitted by the 20<sup>th</sup> of the preceding month. Failure to do so may result in a civil fine in accordance with 28.460 Sec. 10 (4)(a)(b)(c)

These instructions will show you how to submit your Fire Safety Fees for your Low Impact Registrations and/or Consumer Grade Fireworks Certificates.

\*\*\*Low Impact Registrations expire on December 31st, yearly.

Consumer Certificates expire on April 30th, the following year.\*\*\*



To get started, go to:
<a href="https://www.michigan.gov/lara/bureau-list/bfs/fireworks">https://www.michigan.gov/lara/bureau-list/bfs/fireworks</a>

Under Quick Links, click on:

Accela Automation - Citizen Portal

OR <u>click here to go directly to</u> Accela Automation Citizen Portal

#### **PUBLICATIONS, BULLETINS, & RESOURCES**

American Pyrotechnics Association Standard 87.1, 2001 Edition

**Examples of Legal Fireworks in Michigan** 

**Permanent CFRS Self-Inspection Guide** 

Store Fireworks Sales Areas Self-Inspection Guide

**Temporary CFRS Stands Self-Inspection Guide** 

#### **QUICK LINKS**

Accela Automation | Citizen Portal

**Administrative Rules** 

**Fire Service Directory** 

Online Fireworks Public Search

**Public Acts** 

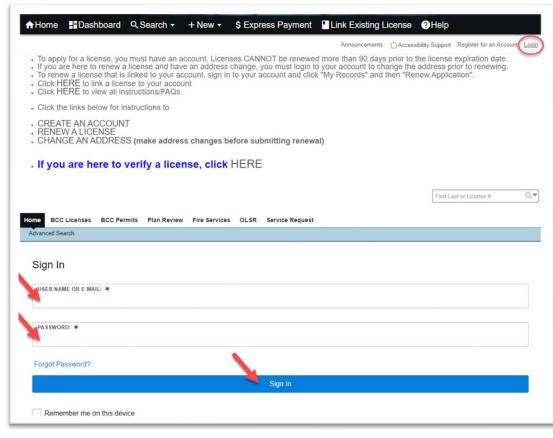
**Contact Us** 

**Fireworks Complaint Hotline** 



User Name or Email and Password

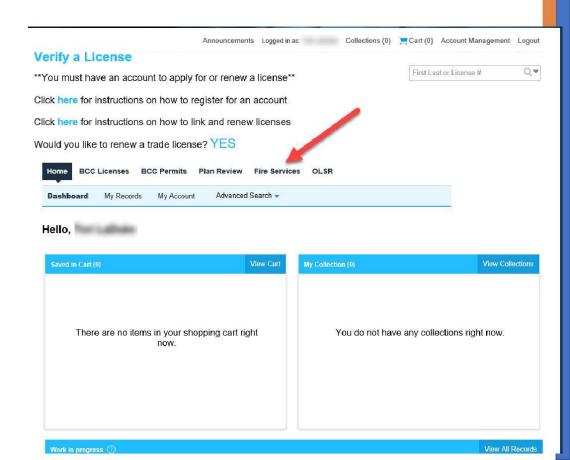
Click: Sign In





Once you are logged in, this will be what the Home screen looks like.

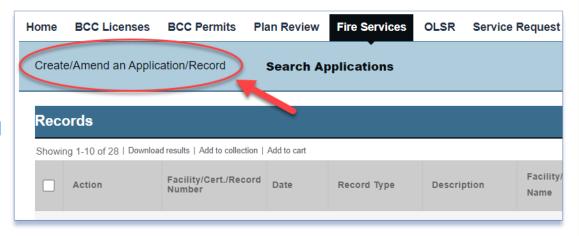
Click on: **Fire Services** 





Click on:

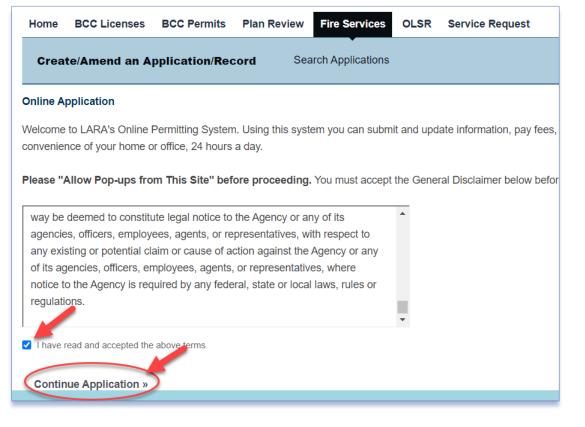
**Create/Amend an Application/Record** 





Check the box to accept the General Disclaimer.

**Click Continue Application** 



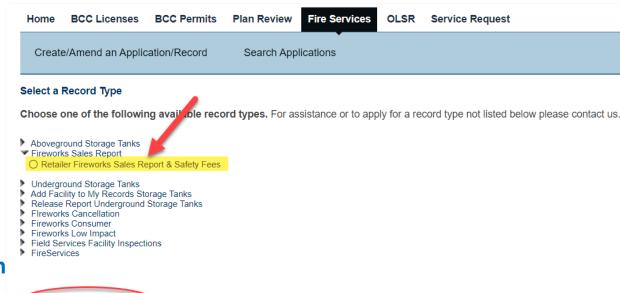


Continue Application »

Click on the dropdown for: **Fireworks Sales Report** 

Click on: Retailer Fireworks Sales Report & Safety Fees

Click on: Continue Application

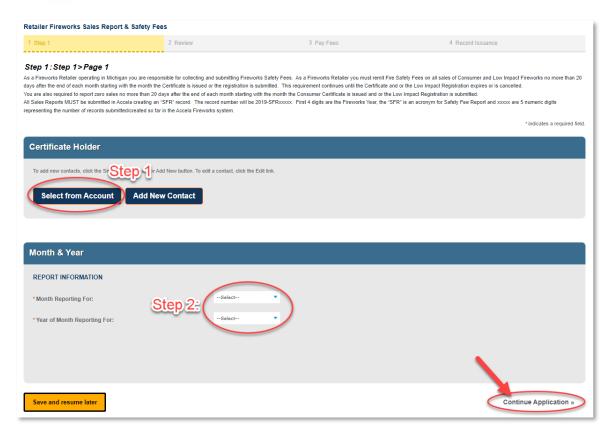




Click: "Select from Account" to select the mailing address for the certificate holder. Here, you may update the company name, mailing address, phone number, or email of the certificate holder.

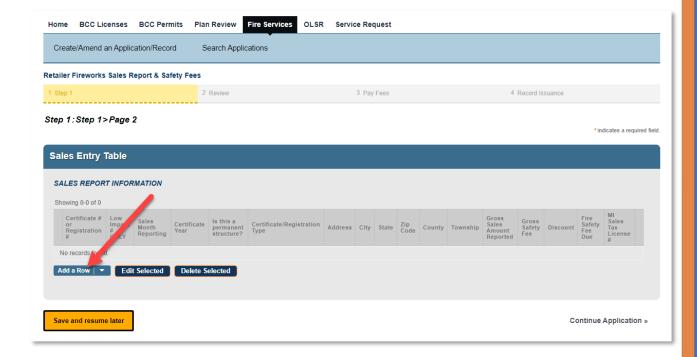
Enter the month and year for which you are reporting fees.

Click: Continue Application





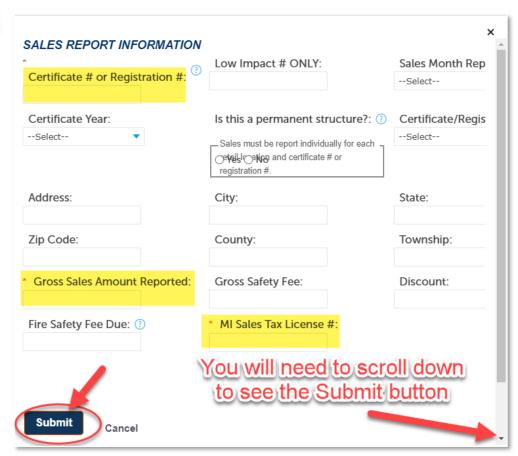
## Click on: Add a Row





Enter the certificate number, the gross sales amount, and MI Sales Tax License number and the rest should auto-fill.

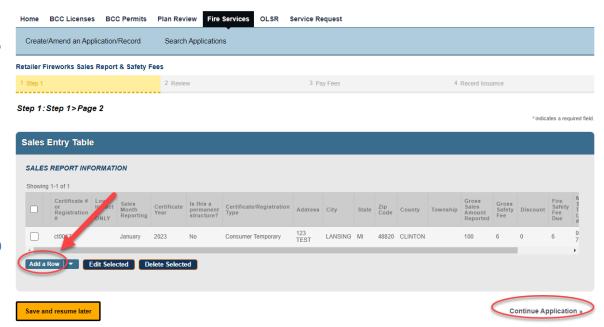
Scroll down and click: Submit





If you have multiple certificates that you are entering safety fees for that specific month, click: **Add a Row**& fill out the next certificate's information.

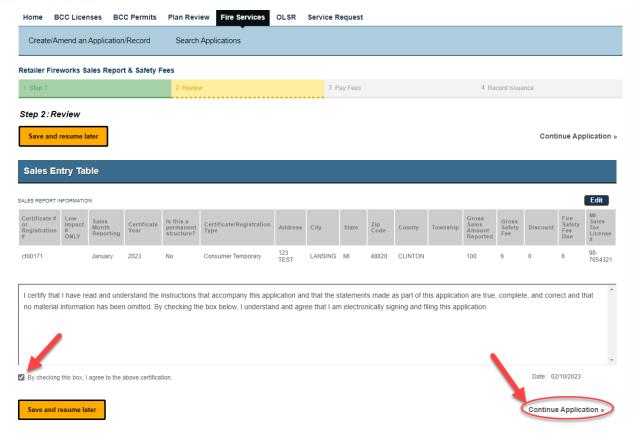
If you only have one location to report, click: **Continue Application** 





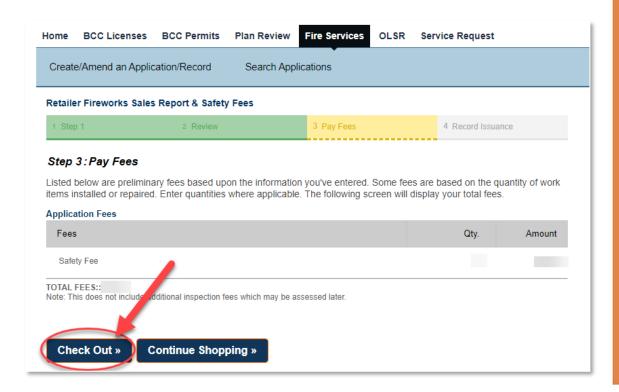
Check the box at the bottom of the page to certify that all information is correct and click:

Continue Application





Click: Check Out





Click: Checkout

Again: Note that a "TMP" record is created prior to payment. These records will auto-delete if the payment portion is not completed by midnight on the same day that it was created.

**BCC Licenses BCC Permits** Plan Review Fire Services OLSR Service Request Advanced Search My Records My Account Dashboard Cart 2 Payment Step 1: Select item to pay Click on the arrow in front of a row to display additional information. Items can be saved for a future checkout by clicking on the Edit cart and Choosing Pay Later link. **PAY NOW** You are required to pay all fees that have been assessed during the application process prior to staff reviewing your application. If you are unable to pay now see the Pay Later section below. No Address 1 Application(s) | \$6.00 Retailer Fireworks Sales Report & Safety Fees Total due: \$6.00 23TMP-000060 Total amount to paid: \$6.00 Note: Application fe **Edit Cart » Continue Shopping »** Checkout »



## Click: Pay by Electronic Check Or Pay by Credit Card

Click: Next





Depending on if you clicked on Electronic Check or Credit Card, these are the screens you will see.

Fill out all the highlighted fields and then Click: **Next** 

#### **Check Payment Screen**



#### Credit Card Payment

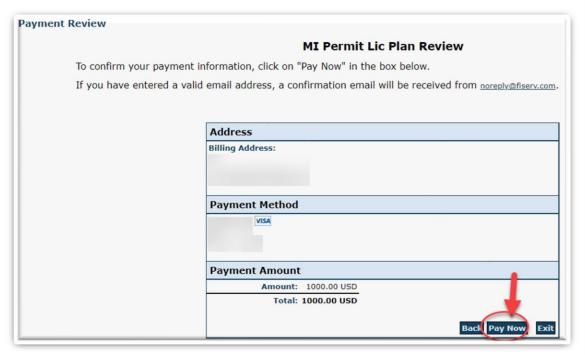
|                              | Screen -             | Indicates required field |
|------------------------------|----------------------|--------------------------|
| Billing Address              |                      |                          |
| Use Business Name            |                      |                          |
| *First Name:                 |                      |                          |
| M.I.:                        |                      |                          |
| *Last Name:                  |                      |                          |
| Street Line 1:               |                      |                          |
| Street Line 2:               |                      |                          |
| City:                        |                      |                          |
| State:                       | Select State         | ~                        |
| Zip:                         |                      |                          |
| Country:                     | UNITED STATES        | ~                        |
| Phone:                       |                      |                          |
| *E-Mail:                     |                      |                          |
|                              |                      |                          |
| Payment Details              |                      |                          |
| *Payment Amount: 1250.00 USD |                      |                          |
| Payment Method               |                      |                          |
| *Name o                      | - Court              | n                        |
|                              |                      | ,                        |
| *Card N                      |                      |                          |
| *Expiration                  | * Month v            |                          |
|                              | * Year               |                          |
| *Card Verification Value     | (CVV2): What's This? | <b>4</b>                 |
|                              |                      | _                        |
|                              |                      | Back Next Exit           |



Click: Pay Now

(Note that the most common reason for a "failed verification" is because the zip code does not match what is on file with the cardholder's card company.

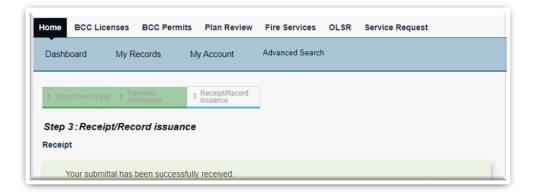
Please verify that information with your card company if needed.)





Once you have paid, you will be directed to a Receipt page that will state that your submittal has been successfully received.

Scroll to the bottom of the page and see the record number of your safety fee payment(s).





## ENFORCEMENT Information

**Exempt Amount Location Violations** 

Common NFPA 1124 Violations

Insurance Violations

**Product Violations** 



## **Exempt Amount Violations**

#### **NFPA 1124 – 7.3.1 Exempt Amounts.**

**7.3.1.1** The requirements of this chapter shall not apply to CFRS facilities or stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.8 kg] of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, 250 lb (net) [113.6 kg] of pyrotechnic composition.

Multitenant building must be sprinkler protected in accordance with P.A.256 Sec.5 (1)(B) regardless of exempt amount status.



100 Lbs Gross =
25 Lbs Pyrotechnic
Content

5 times what is shown

See more exemption details <u>here</u>.

R 29.2913 Retail sales of consumer fireworks.

Rule 13. Sections 7.2.1, 7.3.2, 7.3.3.3, 7.3.6, 7.3.13, 7.3.16, 7.3.18.1, 7.3.23, 7.4.9.1.1, 7.4.9.2.4, 7.5.1.1, 7.6.2.2 of chapter 7 of the code are amended, section 7.3.13.1 is added, and sections 7.3.18.2 and 7.4.9.2.1 of the code are deleted to read as follows:

- 7.2.1 Retail sales of consumer fireworks, including their related storage and display for sale of such fireworks, shall be in accordance with this code and the act.
- 7.3.2 Consumer fireworks certificate. A consumer fireworks certificate shall be obtained in accordance with the act and these rules.
  - 7.3.3 Plans.
- (1) Plans shall be submitted to the bureau no later than April 1 of the application year. All of the following apply to plans:
- (a) Exempt amounts: Plans are not required for applications of temporary or permanent facilities under either of the following conditions:
- (i) Where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 pounds (net) (56.8 kg) of pyrotechnic composition.
- (ii) Where the consumer fireworks are in a building protected throughout with an approved automatic sprinkler system installed pursuant to nfpa 13, standard for the installation of sprinkler systems, and do not exceed 250 pounds (net) (113.6 kg) of pyrotechnic composition.
- (b) For temporary or permanent facilities under subrule (1)(a)(i) or (ii) of this rule, a product inventory, including package weights, shall be available upon request by the bureau or delegated representative of the bureau for verification during inspection.



# Common NFPA 1124 Violations





# 7.3.14 – Means of Egress







Required exiting shall be maintained at alltimes while facility is open or occupied.

#### Common exiting violations:

- Tent sides closed during rainy weather or a storm, customers allowed inside the tent.
- Tent sides closed after hours and still allowing customers to enter tent.
- Product blocking required egress pathways.
- Product stored too close (with 2 or 5 feet) of required exiting.







7.3.15.2\* Height of Sales Displays. To provide for visual access of the retail sales area by the employees and customers, partitions, counters, shelving, cases, and similar space dividers shall not exceed 6 ft (1.8 m) in height above the floor surface inside the perimeter of the retail sales area.

#### 7.3.14.6 Emergency Lighting.

7.3.14.6.1 The means of egress, including the exit discharge, shall be illuminated whenever the facility is occupied in accordance with NFPA 101, Life Safety Code.

7.3.14.6.2 Emergency lighting shall be provided for CFRS facilities and stores and shall comply with NFPA 101, *Life Safety Code*.

Inspectors commonly find stores open after dark with no emergency lighting.

#### 7.3.16 Electrical Equipment.

. All electrical wiring shall be in accordance with NFPA 70, National Electrical Code.

Extension cords creating a trip hazard or being driven over by vehicles.

Generators too close or being stored within tents.



#### 7.3.15.5 Covered Fuses.

• 7.3.15.5.1 Only consumer fireworks meeting the criteria for covered fuses as defined in 3.3.22 or as described in 7.3.15.5.2 shall be permitted where the retail sales of consumer fireworks are conducted.

7.3.15.5.2 A consumer fireworks device shall be considered as having a covered fuse if the fireworks device is contained within a packaged arrangement, container, or wrapper that is arranged and configured such that the fuse of the fireworks device cannot be touched directly by a person handling the fireworks without the person having to puncture or tear the packaging or wrapper, unseal or break open a package or container, or otherwise damage or destroy the packaging material, wrapping, or container within which the fireworks are

contained.



#### Solutions?

Bins or boxes with self closing lids. Plastic totes work great.

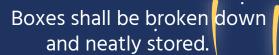
Tape or saran wrap covering the fuses.

#### 7.3.21\* Housekeeping.

#### 7.3.21.1 CFRS areas and storage rooms shall be kept free of accumulations of debris and rubbish.







Boxes can be stored 30 feet or more away if not broken down.



**7.4.6.2 Parking.** No motor vehicle or trailer used for the storage of consumer fireworks shall be parked within 10 ft (3 m) of a CFRS facility, except when delivering, loading, or unloading fireworks or other merchandise and materials used, stored, or displayed for sale in the facility.

\* Does not apply to customer parking at a permanent CFRS. Storage trailers or vehicles used for storage would not be permitted.





(3) During any period of time in which a person is selling consumer fireworks, the person shall add as an additional insured, or obtain and maintain public liability and product liability insurance coverage for, each retail location at which the person is selling consumer fireworks, in an amount not less than \$10,000,000.00 per occurrence. If the department determines that a person has failed or neglected to comply with this subsection, the department shall order the person to immediately cease operations and pay a civil fine of not more than \$5,000.00

If you are an operator who receives your policy coverage as an additional insured, you MUST have coverage for ALL of the products you're selling. What • does this mean?

If you're selling products from multiple wholesale vendors, multiple policies will likely be required.

#### **APA 87-1**

(b) "APA Standard 87-1" means the "APA Standard 87-1, Standard for Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical · Pyrotechnics", 2001 edition, published by the American Pyrotechnics Association of Bethesda, Maryland.

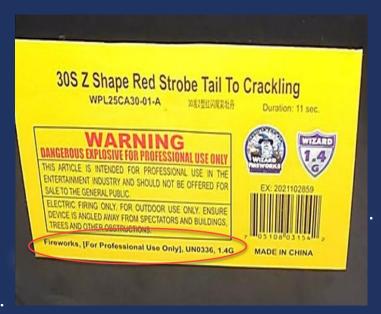
Current statute referenced by law is the 2001 Edition. None of the "New Allowances" or changes that are part of the 87-1 2018 Editions are permitted under current law and will be enforced accordingly.

 Some devices permitted under the new standard are not permitted under the currently adopted standard. 87-1 Items not permitted under current adopted version:

Girandola Wheels are not currently permitted.

UN0336 Fireworks [for professional use only] 1.4G are not permitted.





## Thank You & Have A Great Season!

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## Please do not hesitate to email any additional questions you may have to: <a href="mailto:fireworks@michigan.gov">fireworks@michigan.gov</a>