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which conforms to N.F.P.A. Standard 13 or 13R, as applicable, and the requirements of the *Uniform Building Code*. The sprinkler system must be tied into the fire alarm system so that activation of any portion of the sprinkler system will activate the alarm system.

(Added to NAC by St. Fire Marshal, eff. 3-9-89; A by R220-99, 9-25-2000)

FIREWORKS

General Provisions

NAC 477.571 Definitions. (NRS 477.030) As used in NAC 477.571 to 477.666, inclusive, unless the context otherwise requires, the words and terms defined in NAC 477.576 to 477.596, inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A by R207-99, 2-7-2000)

NAC 477.576 "Commercial display" defined. "Commercial display" of fireworks means an entertainment where the public or a private group is admitted or permitted, to view the display or discharge of dangerous fireworks.

(Added to NAC by St. Fire Marshal, eff. 1-19-84)

NAC 477.581 "Dangerous fireworks" defined. "Dangerous fireworks" means a device which:

1. Contains:
 - (a) Arsenic sulfide, arsenates or arsenites.
 - (b) Boron.
 - (c) Chlorates, except in:
 - (1) A colored mixture of smoke which includes an equal or greater amount of sodium bicarbonate.
 - (2) Caps.
 - (3) A device which contains 4 grams or less of which 15 percent or less of that amount is a chlorate of potassium, sodium or barium.
 - (d) Gallates or gallic acid.
 - (e) Magnesium, except magnesium-aluminum alloys.
 - (f) Mercury salts.
 - (g) Phosphorus, except caps containing red phosphorus.
 - (h) Picrates or picric acid.
 - (i) Thiocyanates.
 - (j) Titanium, except in particles which are greater than 100 mesh in size.
 - (k) Zirconium.
2. Explodes and contains more than 50 milligrams (0.772 grains) of explosive.
3. Fires in aerial display.
4. Employs a combustible or explosive material and which rises in the air or darts about the ground during discharge.
5. Discharges balls of fire.
6. Explodes through the means of friction.
7. Explodes on impact.
8. Constitutes an assembly of materials or explosive substances designed by the manufacturer to be assembled by the person receiving the material or explosive substances and when assembled comes within the definition of a firework.
9. Is examined by the state fire marshal and determined to possess chemically hazardous properties similar to those prohibited chemicals listed in subsection 1 or to have decomposed or become chemically unstable.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A 7-16-85, eff. 8-1-85)

NAC 477.586 "Firework" defined. "Firework" means a device containing chemical elements or chemical compounds capable of burning independently of the oxygen of the atmosphere and producing audible, visual, mechanical or thermal effects which are useful as pyrotechnic devices or for entertainment.

(Added to NAC by St. Fire Marshal, eff. 1-19-84)

NAC 477.587 "Flame effects assistant" defined. (NRS 477.030) "Flame effects assistant" means a person who works under the supervision of a flame effects operator on flame effects before an audience.

(Added to NAC by St. Fire Marshal by R207-99, eff. 2-7-2000)

NAC 477.5875 "Flame effects before an audience" defined. (NRS 477.030) "Flame effects before an audience" means the combustion of flammable solids, liquids or gases to produce thermal, physical, visual or audible phenomenon for entertainment, exhibition, demonstration or simulation before a proximate audience, including, without limitation, a rehearsal, videotaping, audiotaping or filming of any television, radio or movie production when such a production is conducted before an audience and flame effects are used.

(Added to NAC by St. Fire Marshal by R207-99, eff. 2-7-2000)

NAC 477.588 "Flame effects operator" defined. (NRS 477.030) "Flame effects operator" means the specific natural person who has primary responsibility for:

1. The controlled use of flame effects, including, without limitation, the storage, setup, maintenance, operations and tear down of the materials, devices, equipment and systems used with the flame effects; and

2. The supervision of any flame effects assistants working for the flame effects operator.

(Added to NAC by St. Fire Marshal by R207-99, eff. 2-7-2000)

NAC 477.589 "Magician" defined. (NRS 477.030) "Magician" means a person who holds a certificate of registration pursuant to which he may handle and discharge flash paper, flash cotton, flash string, and solid and powder smoke composition that is either in solid or powdered form.

(Added to NAC by St. Fire Marshal by R207-99, eff. 2-7-2000)

NAC 477.591 "Pyrotechnic composition" defined. "Pyrotechnic composition" means a combination of chemical elements or chemical compounds capable of burning independently of the oxygen of the atmosphere.

(Added to NAC by St. Fire Marshal, eff. 1-19-84)

NAC 477.594 "Show specific" defined. (NRS 477.030) "Show specific" means a fixed show at a permanent site or location.

(Added to NAC by St. Fire Marshal by R207-99, eff. 2-7-2000)

NAC 477.596 "Special effect" defined. "Special effect" means a device containing a pyrotechnic composition which is manufactured and assembled, designed or discharged in connection with a television, theatrical or motion picture production which may or may not be presented before a live audience.

(Added to NAC by St. Fire Marshal, eff. 1-19-84)

NAC 477.601 Exemptions. (NRS 477.030) The provisions of NAC 477.571 to 477.666, inclusive, do not apply to:

1. Arms and handguns regulated by 18 U.S.C. §§ 921 et seq.
2. Activities conducted by the Department of Defense or by a contractor of the Department of Defense in connection with the transportation of, or experimentation on, missiles and rockets.
3. Paper caps containing less than 0.25 grain or pyrotechnic composition per unit load.

4. Tracer bullets or charges which are used at a qualified rifle or shotgun range or by military or naval personnel or peace officers.

5. Devices for signals used in connection with the operation of railroads or other forms of transportation.

6. The purchase at retail or use of fireworks which are designated as "safe and sane," or not dangerous, and which are classified as Class C.

7. The use, after purchase at retail, of fireworks which are designed and intended by the manufacturer for the prevention of damage to crops or the unwanted occupancy of areas by animals or birds through the use of sound or light, or both.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A 7-16-85, eff. 8-1-85; R220-99, 9-25-2000)

Commercial Displays

NAC 477.606 License required. No person may engage in the business of producing commercial displays of fireworks without possessing a license issued by the state fire marshal. Conducting commercial displays of fireworks includes the display or discharge of dangerous fireworks at an entertainment before the public or a private group which has been admitted or permitted to view the display.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A 3-9-89)

NAC 477.611 Application for license and classification. (NRS 477.030, 477.033) An applicant for a license for producing commercial displays of fireworks must:

1. Make written application on the forms provided.
2. Indicate on the application which category of license and classification which he desires to obtain and pay the appropriate inspection and issuance fee, as follows:

General category:

| | |
|-----------------------|-------|
| Indoor stage..... | \$110 |
| Outdoor aerial..... | 110 |
| Special effects | 110 |
| Show specific | 110 |

Limited event license (exempt).....no fee

Special classification: Propane, natural gas or solids

License category:

| | |
|---|-------|
| Permanent (pulling permits to install system)..... | \$110 |
| Temporary (self-contained effects for not more than 30 days)..... | 110 |
| Special effects | 110 |

3. Furnish the division with the required certificate of insurance.

4. Sign the application as follows:

(a) If the applicant is a sole proprietorship, by the proprietor.

(b) If the applicant is a partnership, by each partner.

(c) If the applicant is a corporation, by an officer.

5. Cooperate with the state fire marshal in the investigation of the applicant's application.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A 2-17-94; R207-99, 2-7-2000)

NAC 477.616 Categories of licenses; requirements for producing display.
(NRS 477.030)

1. Licenses will be issued to companies in one of the following categories:

(a) A general license permits the licensee to produce commercial displays of fireworks in one of the following categories:

- (1) Indoor stage;
- (2) Outdoor aerial;
- (3) Special effects; or
- (4) Show specific.

A general license is valid until June 30 following its date of issue.

(b) A limited event license permits a nonprofit organization to produce a specific display of fireworks or series of displays at the time or times and location specified by the license subject to local requirements for a permit. A limited license is valid for the single event or series of events which it specifies.

(c) A nonprofit organization must obtain a limited event license (exempt) for a Fourth of July event. The license will be issued without payment of a fee. The nonprofit organization must:

- (1) Show evidence of valid insurance which covers the event or series of events;
- (2) Require that all persons who participate in producing the display or series of displays complete the prescribed training program provided by the state fire marshal; and
- (3) Obtain a certificate of registration for the person who will be responsible for the show and the safety of the participants and spectators.

2. A license issued in one of these categories does not permit the licensee to engage in activities permitted by another, more general, category.

3. In producing a commercial display of fireworks a licensee must:

- (a) Obtain any permit or permits required by local authority; and
- (b) Employ only pyrotechnic operators who are registered with the state fire marshal to conduct the display or discharge of the dangerous fireworks.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A 2-17-94; R207-99, 2-7-2000)

NAC 477.618 Insurance. (NRS 477.030) The applicant must furnish the state fire marshal with a certificate of insurance from a company authorized to provide such insurance in this state which evidences the following:

1. Minimum coverage for bodily injury arising out of the conduct of commercial displays of fireworks of:

- (a) For each person, \$100,000; and
- (b) For each occurrence, \$1,000,000.

2. Minimum coverage for property damage arising out of the conduct of commercial displays of fireworks of \$1,000,000.

3. Fifteen days' written notice by the insurer to the state fire marshal of its intention to cancel the policy.

4. Inclusion of any pyrotechnic operator employed by the licensee, either as an employee or as an independent contractor, as an additional named insured.

5. Specific exclusion of the state from any responsibility for the payment of any premium or assessment required by the policy of insurance.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A 2-17-94; R207-99, 2-7-2000)—
(Substituted in revision for NAC 477.621)

Licenses and Certificates of Registration

NAC 477.620 Magicians: Certificate required; qualifications; fee; authorized acts.
(NRS 477.030, 477.033)

1. Before a person may act as a magician, the person must obtain a certificate of registration as a magician from the state fire marshal. To receive a certificate of registration as a magician, a person must:

- (a) Be a natural person who is at least 21 years of age;
- (b) Make a written application for such a certificate of registration to the state fire marshal on a form provided by the state fire marshal; and
- (c) Pay an initial fee of \$27.50.

2. A holder of a certificate of registration as a magician may handle and discharge flash paper, flash cotton, flash string, and solid and powder smoke composition that is either in solid or powdered form. The areas made hazardous by these devices must be within the immediate reach of the magician to whom the certificate of registration is issued, not to exceed a distance of 12 feet.

(Added to NAC by St. Fire Marshal by R207-99, eff. 2-7-2000)

NAC 477.622 Assistant pyrotechnic operators: Certificate required; qualifications; fee; authorized acts. (NRS 477.030, 477.033)

1. Before a person may act as an assistant pyrotechnic operator, the person must obtain a certificate of registration as an assistant pyrotechnic operator from the state fire marshal. To receive a certificate of registration as an assistant pyrotechnic operator, an applicant must:

- (a) Be a natural person who is at least 21 years of age;
- (b) Make a written application for such a certificate of registration to the state fire marshal on a form provided by the state fire marshal;
- (c) Pass, with a score of at least 85 percent, a written test based on the content of N.F.P.A. 1126 and the regulations of the state fire marshal; and
- (d) Pay an initial fee of \$27.50.

2. A person who holds a certificate of registration as an assistant pyrotechnic operator may load, build and pack any product used in pyrotechnic effects only under the direct supervision of a holder of a certificate of registration as a pyrotechnic operator.

(Added to NAC by St. Fire Marshal by R207-99, eff. 2-7-2000)

NAC 477.624 Pyrotechnic operators: Certificate required; qualifications; fee. (NRS 477.030, 477.033) Before a person may act as a pyrotechnic operator, the person must obtain a certificate of registration as a pyrotechnic operator from the state fire marshal. To receive a certificate of registration as a pyrotechnic operator, an applicant must:

- 1. Be a natural person who is at least 21 years of age;
- 2. Make a written application for such a certificate of registration to the state fire marshal on a form provided by the state fire marshal and pay a fee of \$55;
- 3. Hold a certificate of registration as an assistant pyrotechnic operator issued by the state fire marshal, or be licensed or certified in good standing as a pyrotechnic operator by another state, as approved by the state fire marshal;
- 4. If the applicant holds a certificate of registration as an assistant pyrotechnic operator, pass, with a score of at least 80 percent, a final examination that covers the design, construction, storage and use of dangerous fireworks; and
- 5. Submit to the state fire marshal:
 - (a) A log which demonstrates that the applicant has worked on at least 15 different shows during the 3 years immediately preceding the date on which he applies for the certificate of registration as a pyrotechnic operator; and
 - (b) Letters of endorsement from three persons who hold certificates of registration as a pyrotechnic operator issued by the state fire marshal, or are licensed or certified as a pyrotechnic operator in good standing by another state.

(Added to NAC by St. Fire Marshal by R207-99, eff. 2-7-2000)

NAC 477.626 Pyrotechnic operators: Certification required; supervision of assistant. (NRS 477.030) No person may purchase pyrotechnics for the purposes of commercial display or prepare, handle, detonate, display or discharge dangerous fireworks or special effects without

having first obtained a valid certificate of registration as a pyrotechnic operator for indoor stage, outdoor aerial, special effects or show specific. An assistant to a certified pyrotechnic operator must be under the supervision of the certified pyrotechnic operator.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A 7-16-85, eff. 8-1-85; 3-9-89; 2-17-94; R207-99, 2-7-2000)

NAC 477.628 Pyrotechnic operators on show specific: Certificate required; qualifications; fee. (NRS 477.030, 477.033) Before a person may act as a pyrotechnic operator on a show specific, the person must obtain a certificate of registration for show specific from the state fire marshal. To receive a certificate of registration for show specific, an applicant must:

1. Be a natural person who is at least 21 years of age;
2. Make a written application for such a certificate of registration to the state fire marshal on a form provided by the state fire marshal and pay a fee of \$55;
3. Meet the minimum requirements for receiving a certificate of registration as an assistant pyrotechnic operator;
4. Submit to the state fire marshal a log that demonstrates that the applicant has worked on at least 50 performances of the show;
5. Have evidence that he has been employed with the show for at least 90 days; and
6. Have a letter of endorsement from:
 - (a) A holder of a certificate of registration as a pyrotechnic operator or certificate of registration for show specific; and
 - (b) A representative of the license holder for the show, including, without limitation, a representative of the hotel or property at which the show is performed or the producer of the show.

(Added to NAC by St. Fire Marshal by R207-99, eff. 2-7-2000)

NAC 477.631 Flame effects assistant: Certificate required; qualifications; fee. (NRS 477.030, 477.033)

1. Before a person may act as a flame effects assistant to provide flame effects before an audience, the person must obtain a certificate of registration as a flame effects assistant from the state fire marshal.
2. An applicant for a certificate of registration as a flames effect assistant must:
 - (a) Be a natural person who is at least 21 years of age;
 - (b) Make written application on the form provided, including the application fee of \$27.50;
 - (c) Indicate on the application which category of certificate he wishes to obtain, such as natural gas, propane or solids, and include the appropriate fee for that category; and
 - (d) Successfully pass, with a score of at least 85 percent, a preliminary written examination which includes questions concerning basic safety from N.F.P.A. 160 and this chapter.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A 8-24-90; 2-17-94; R207-99, 2-7-2000)

NAC 477.633 Flame effects operator: Certificate required; qualifications; fee. (NRS 477.030, 477.033)

1. Before a person may act as a flame effects operator to provide flame effects before an audience, the person must obtain a certificate of registration as a flame effects operator from the state fire marshal.
2. An applicant for a certificate of registration as a flame effects operator must:
 - (a) Be a natural person who is at least 21 years of age;
 - (b) Make a written application for such a certificate of registration to the state fire marshal on a form provided by the state fire marshal, including an application fee of \$55;
 - (c) Indicate on the application the classification for which the applicant is applying, such as natural gas, propane or solids, and include the appropriate fee for that category;

(d) Hold a certificate of registration as a flame effects assistant issued by the state fire marshal or be licensed or certified in good standing by another state to provide flame effects before an audience, as approved by the state fire marshal; and

(e) Submit to the state fire marshal a certificate of completion or other such documentation that demonstrates that the applicant has successfully completed a course approved by the state fire marshal that pertains to the classification of certification, such as natural gas, propane or solids, sought by the applicant.

(Added to NAC by St. Fire Marshal by R207-99, eff. 2-7-2000)

NAC 477.635 Flame effects operator or flame effects assistant: Renewal of certification; fees. (NRS 477.030, 477.033) A certificate of registration as a flame effects operator or flame effects assistant must be renewed annually. An applicant for the renewal of a certificate of registration as a flame effects operator or flame effects assistant, as appropriate, must submit to the state fire marshal:

1. An application for the renewal of the certificate of registration and a fee of \$55 for an operator or \$27.50 for an assistant; and

2. A log which indicates the number of events or performances which the applicant had during the previous 12 months. To get a certificate of registration renewed, the applicant must, for each classification sought to be renewed, have logged the following number of events or performances during the previous 12 months:

| | |
|-------------------------------|---------------------------|
| Events using propane | At least two performances |
| Events using natural gas..... | At least two performances |
| Events using solid fuel | At least one performance |

(Added to NAC by St. Fire Marshal by R207-99, eff. 2-7-2000)

NAC 477.636 Certificates: Categories; authorized acts; duration. (NRS 477.030)

1. Certificates of registration for pyrotechnic operators will be issued to successful applicants. Such a certificate of registration permits the registrant to handle, supervise and discharge dangerous fireworks and special effects at events held for entertainment whether or not before a live audience. The certificate of registration will be issued for outdoor aerial display, indoor stage, special effects or show specific. Any person igniting dangerous fireworks must be at least 21 years of age.

2. A certificate of registration for indoor stage or special effects permits the registrant to handle, supervise and discharge special effects for the purpose of recording the result on film or video tape or for producing a sound effect where no audience is present other than incidental spectators. A registrant in this category may handle, supervise or discharge any class of fireworks if the production of a film or video tape requires their use.

3. A certificate of registration issued pursuant to this section is valid until June 30 following its date of issue.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A 3-9-89; R207-99, 2-7-2000)

NAC 477.641 Renewal of license or certificate: Requirements; fees. (NRS 477.030, 477.033)

1. A licensee or registrant who wishes to renew his license or certificate must do so between April 1 and June 1, inclusive.

2. Fees for the renewal of a certificate of registration are as follows:

| | |
|-------------------------------------|---------|
| Assistant pyrotechnic operator..... | \$27.50 |
| Indoor stage..... | 55.00 |
| Outdoor aerial | 55.00 |
| Special effects | 55.00 |
| Show specific | 55.00 |
| Magician | 27.50 |

3. To renew a certificate of registration, the holder of the certificate of registration must, for each classification sought to be renewed, have logged the following number of events or performances during the previous 12 months:

| | |
|-----------------------|-----------------------------|
| Outdoor aerial | At least one performance |
| Indoor stage | At least five performances |
| Special effects | At least three performances |
| Show specific | At least 10 performances |

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A by R207-99, 2-7-2000)

NAC 477.646 Disciplinary action. (NRS 477.030)

1. The state fire marshal may suspend, revoke or refuse to renew a license for commercial displays of fireworks or a certificate of a pyrotechnic operator if the licensee or registrant has caused injuries or permitted a fire hazard at a location at which he:

- (a) Stores, handles or prepares fireworks, special effects or pyrotechnic devices; or
- (b) Produces or conducts a commercial display of fireworks or special effects.

2. If an incident results from a fire hazard caused or permitted by a licensee or registrant, he shall immediately submit to the state fire marshal a report explaining the incident. The failure to make this report is grounds for immediate revocation of the license or certificate.

3. A person whose license or certificate has been revoked must dispose of the fireworks, special effects or pyrotechnic devices in his possession within 10 days after receiving written notice to do so by the state fire marshal. In complying with this subsection, the licensee or registrant shall transfer the fireworks, special effects or pyrotechnic devices only to a person who is licensed to produce commercial displays of fireworks or who is otherwise permitted to lawfully purchase and possess dangerous fireworks or pyrotechnic devices. Upon the transfer of the fireworks, special effects or pyrotechnic devices, the licensee or registrant shall submit a written report to the state fire marshal which includes the name, license number, address and telephone number of the person to whom the fireworks, special effects or pyrotechnic devices were transferred.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A 7-16-85, eff. 8-1-85; R220-99, 9-25-2000)

NAC 477.651 Records; reports of disappearance; investigation. (NRS 477.030)

1. Each licensee or registrant shall maintain a complete record of the construction, manufacture, import, export, sale or other disposition for all fireworks and pyrotechnic devices which come into his possession. The record must identify the materials by kind or class of fireworks or pyrotechnic composition.

2. Each licensee or registrant shall report the theft, loss or other disappearance of any fireworks, pyrotechnic devices or other pyrotechnic compositions. The report must include identification of the quantity, type, kind and class of the missing materials, the location of the loss or disappearance and the circumstances in which the loss or disappearance occurred.

3. The state fire marshal, or the fire department or law enforcement agency in whose jurisdiction the loss of the fireworks or pyrotechnic devices occurred, will investigate the circumstances in which the loss or disappearance occurred and will attempt to recover the missing material.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A by R220-99, 9-25-2000)

NAC 477.661 Prohibited acts; seizure; disposal or return. (NRS 477.030)

1. No person may:

(a) Use or discharge:

(1) A special effect or dangerous firework unless he is a pyrotechnic operator certified by the state fire marshal.

(2) A firework of any class or type within 100 feet of stored gasoline or other flammable liquid which is listed as Class I in N.F.P.A. Standard 30 or any other combustible material.

(b) Display or discharge a dangerous firework at a commercial display of fireworks in such a manner as to endanger any person.

(c) Discharge fireworks of any class in a county where the discharge of the fireworks is prohibited.

2. If the state fire marshal or authority having jurisdiction believes that fireworks which create an imminent danger to life or property will be discharged in violation of this subsection, the state fire marshal or authority having jurisdiction may seize the fireworks without notice.

3. The state fire marshal or local authority will take and retain possession of fireworks seized in accordance with this section during any judicial or administrative proceedings involving the fireworks and will, upon conclusion of the proceedings, destroy them or return them to the person from whom they were seized as directed in such proceedings.

4. Any person whose fireworks are adjudged in any judicial or administrative proceeding to be hazardous will be charged with the expenses incurred in the seizure, transportation, storage and disposal of those fireworks. This charge constitutes a debt and is collectible by any agency of the state or any of its political subdivisions incurring any such expense in the same manner as if it is an obligation under an express or implied contract.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A 7-16-85, eff. 8-1-85; 3-9-89; 2-17-94; 8-23-94; R220-99, 9-25-2000)

Storage

NAC 477.663 General requirements. (NRS 477.030, 477.033)

1. No person may maintain or permit the existence of a fire hazard at any location under his control where fireworks or pyrotechnic compositions are displayed, discharged or stored.

2. A permit issued by the state fire marshal is required for the storage of fireworks classified as Class B, Division 1.3, or Class C, Division 1.4, by 18 U.S.C. §§ 841 et seq. and N.F.P.A., Standard 1124, except for:

(a) Fireworks classified as consumer fireworks, which are not dangerous fireworks and which are stored at an outlet for sales at retail approved by the state fire marshal or pursuant to a permit issued by the state fire marshal after an inspection of the site is made;

(b) Fireworks for public display or special effects stored at the site of firing for immediate use; and

(c) Storage of material for special effects which weighs less than 10 pounds.

3. Fees for permits for storage are as follows:

(a) A building for permanent or temporary storage\$220

(b) Type 1 magazine.....220

(c) Type 2, 3 or 4 magazine110

4. Fireworks must be stored in compliance with the requirements of the *Uniform Building Code* and Standard 1124 of the National Fire Codes and Standards of the N.F.P.A. Material for special effects which weighs less than 750 pounds may be stored in a single-story structure which is fully equipped with fire sprinklers and which otherwise conforms to the requirements for a type V, 1-hour rated building as described in the *Uniform Building Code*. Material for special effects which weighs 750 pounds or more must be stored in a magazine approved for that purpose.

5. The state fire marshal will, as he determines necessary, inspect each site used for storage of fireworks to determine if the fireworks are stored properly according to their class or type.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A 7-16-85, eff. 8-1-85; 3-9-89; 2-17-94; R207-99, 2-7-2000)—(Substituted in revision for NAC 477.656)

Reviser's Note.

The *National Fire Codes* is a comprehensive set of all the codes and standards published by the N.F.P.A.

NAC 477.666 Seizure and disposal. (NRS 477.030)

1. Fireworks stored in violation of NAC 477.601 to 477.666, inclusive, which have become chemically unstable or which are in the possession of a person who is not a licensee or registrant or whose license or certificate has been suspended are hereby declared to be fire hazards and may be seized and disposed of by the state fire marshal or a local authority. Except as otherwise provided in this subsection, the seizure may take place only after reasonable advance written notice is given to the holder of the permit who stores the fireworks unless there exists an imminent threat of danger to life or property. If such a threat exists, those fireworks which create an imminent threat of danger to life or property may be seized without notice by the state fire marshal or authority having jurisdiction.

2. The officer seizing the fireworks must promptly report to the state fire marshal concerning:

- (a) The quantity and type of the fireworks seized;
- (b) The location where the seizure occurred;
- (c) The circumstances prompting the seizure; and
- (d) The condition of the containers and fireworks seized. Fireworks that are found to be unstable or incompatible must be destroyed.

3. The state fire marshal or local authority will take and retain possession of the seized fireworks during any judicial or administrative proceedings involving the fireworks and will, upon conclusion of the proceedings, destroy them or return them to the person from whom they were seized as directed in such proceedings.

4. Any person whose fireworks are adjudged in any judicial or administrative proceeding to be hazardous will be charged with the expenses incurred in the seizure, transportation, storage and disposal of those fireworks. This charge constitutes a debt and is collectible by any agency of the state or any of its political subdivisions incurring any such expense in the same manner as if it is an obligation under an express or implied contract.

5. Fireworks transported in violation of any applicable federal or state law or regulation will be seized and impounded. The explosive load of any impounded firework must not be separated unless necessary to remove unstable or incompatible materials. Materials that are found to be unstable or incompatible will be destroyed at the expense of the owner or possessor, or both.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A 7-16-85, eff. 8-1-85; 3-9-89; R220-99, 9-25-2000)

CONTAINERS FOR FLAMMABLE OR COMBUSTIBLE LIQUIDS

NAC 477.680 Approval of nonmetallic containers by state fire marshal. No person may sell or offer for sale any plastic or other nonmetallic portable container for use in storage or transportation of Class I or Class II flammable or combustible liquids unless the container has been approved by the state fire marshal.

(Added to NAC by St. Fire Marshal, eff. 1-19-84)

NAC 477.685 Containers to be tested and listed. (NRS 477.030) Before being offered for sale in this state, each type of container must be tested and listed by a nationally recognized testing laboratory as meeting the standard for plastic containers of petroleum ANSI/ASTM D 3435-78 or sections 5202.11.4.5 and 7902.1.8.1.3 of the *Uniform Fire Code*, or both. A copy of the listing card must be filed with the state fire marshal.

(Added to NAC by St. Fire Marshal, eff. 1-19-84; A by R220-99, 9-25-2000)

NAC 477.690 Letter of compliance; required label. (NRS 477.030) Manufacturers must furnish the state fire marshal with a letter of compliance for each model and size container for which approval is sought. Each letter of compliance must include the label of the testing