

DEPARTMENT OF

LICENSING AND REGULATORY AFFAIRS



LARA / BUREAU LIST / FIRE SERVICES

Fireworks: Know the New State Law and Your Local Ordinance

State fire marshal urges safety - beware of the risks and know the dangers

Media Contact: LARA Communications 517-335-LARA (5272)

Email: mediainfo@michigan.gov

June 28, 2019 – Michiganders who plan on setting off fireworks need to make sure they know which days are legal to do so in their local community. Michigan's Fireworks Safety Act of 2011 (Public Act 256) was amended in December 2018, giving local government entities – villages, townships, and cities – the right to restrict the days and times for their residents to use consumer fireworks by enacting a local ordinance.

“Local government officials who assume that their municipality is simply following state law by not passing a fireworks ordinance may be inadvertently putting zero restrictions on fireworks usage in their community. This may not be what they intended, but it is what the state law puts forth,” said State Fire Marshal Kevin Sehlmeier. “If no action is taken at the local government level, state law allows for fireworks to be used all year long. Simply put, if there is no local ordinance restricting fireworks, then there are no local fireworks restrictions in your municipality.”

Even if a local government chooses to restrict fireworks in their municipality by passing a local ordinance, state law requires that fireworks must be allowed on the following days, after 11:00 a.m.:

- December 31 until 1:00 a.m. on January 1
- The Saturday and Sunday before Memorial Day, until 11:45 p.m.
- June 29 to July 4, until 11:45 p.m.
- July 5, if it falls on a Friday or Saturday, until 11:45 p.m.
- The Saturday and Sunday before Labor Day, until 11:45 p.m.

Sehlmeier emphasized the importance of knowing the rules since the amended state law also stipulates that violations of a local ordinance can result in a \$1,000 civil fine.

“If you do plan to shoot your own fireworks, remember these are explosives and that if used incorrectly, can cause irreparable injury and harm,” said Sehlmeier. “Take every safety precaution, especially with the more powerful consumer-grade devices such as firecrackers, bottle rockets and Roman candles, to avoid tragedy.”

In Michigan, consumer fireworks must meet Consumer Product Safety Commission (CPSC) standards. Licensed facilities will only sell fireworks to people 18 years of age or older. Low impact fireworks (ground-based items such as sparklers, toy snakes, snaps, and poppers) are also legal for sale and use

State law requires that consumer-grade fireworks only be ignited from personal property. It is illegal to ignite fireworks on public property (including streets and sidewalks), school property, church property, or another person's property without their express permission. State law makes it illegal to discharge fireworks when intoxicated or under the influence of drugs.

When fire-related incidents involve consumer, low impact, or illegal fireworks resulting in property damage, injury or death of another person, individuals are subject to a misdemeanor or felony punishable by imprisonment of not more than five years and fines of up to \$10,000 or both.

The Bureau of Fire Services fire inspectors are issuing citations to sellers who are non-compliant with the Fireworks Safety Act to ensure that fireworks retailers operate their businesses safely to protect the public. Consumers should always buy from state-certified fireworks retailers – whether in a permanent building or a tent – and should consider these important safety tips to protect lives and property:

ALWAYS:

- Follow the manufacturer's directions.
- Have an adult supervise fireworks activities, including sparklers.
- Light fireworks one at a time, then immediately back away to a safe distance.
- Keep people and pets out of range before lighting fireworks.
- Light fireworks outdoors on a driveway or other paved surface at least 25 feet away from houses and highly flammable materials such as dry grass or mulch.
- Keep a bucket of water or a garden hose handy in case of fire or other mishap.
- Douse spent fireworks in a bucket of water before discarding them.

NEVER:

- Buy fireworks packaged in brown paper or use unlabeled fireworks – they are for professional use only.

- Experiment with or make your own fireworks.
- Allow young children to play with or ignite fireworks.
- Place any part of your body directly over a fireworks device when lighting the fuse.
- Try to re-light “duds” or pick up fireworks that have not ignited fully. (Rather, wait 15 to 20 minutes and then soak it in a bucket of water.)
- Point or throw fireworks at other people.
- Carry fireworks in a pocket or shoot them off in metal or glass containers.

Sparklers should not be considered harmless for kids. A significant number of young children are injured by being poked with sparkler wires and are badly burned by sparklers each year, per the CPSC.

More than 50 percent of sparkler-related injuries happen to kids under age 14 across the country. Sparklers can reach 1,200 degrees Fahrenheit and have the potential to cause significant burn injuries. Sparklers can quickly ignite clothing and can cause grass fires if thrown on the ground. Always keep a bucket of water close by to dispose of used sparklers promptly.

For a list of legal consumer fireworks, legal low impact fireworks, and novelties go to: http://www.michigan.gov/documents/lara/fireworks_381040_7.pdf.

Connect With Us

