

CODIFIED ORDINANCES OF GRANVILLE
PART FIFTEEN - FIRE PREVENTION CODE

Chap. 1501. BOCA Basic Fire Prevention Code

Chap. 1505. Kerosene Heaters.

Chap. 1509. Fire Control.

Chap. 1519. Fireworks.

CODIFIED ORDINANCES OF GRANVILLE
PART FIFTEEN - FIRE PREVENTION CODE

CHAPTER 1501
BOCA Basic Fire Prevention Code

1501.01 Adoption.

1501.02 Amendments.
1501.99 Penalty.

CROSS REFERENCES

Adoption by reference - see CHTR. '3.09

Fire investigation - see Ohio R.C. 737.27, 3737.24 et seq.

Entry and inspection - see Ohio R.C. 737.34 et seq., 3737.14,
3737.41, 3737.42

Ohio Fire Code - see Ohio R.C. 3737.82 et seq.; OAC
Ch. 1301:7-1 et seq.

Fire extinguishing and alarm systems in rest and nursing
homes - see Ohio R.C. 3721.071

Self-Service filling stations - see Ohio R.C. 3741.14

Fireworks - see Ohio R.C. 3743.27, 3743.32 et seq.

1501.01 ADOPTION.

A certain document, three copies of which are on file in the office of the Clerk of Council for public inspection plus sale copies, being marked and designated as the "BOCA Basic Fire Prevention Code, Sixth Edition, 1984", as published by the Building Officials and Code Administrators International, Inc., is hereby adopted as the Fire Prevention Code of the Municipality, for the control of buildings and structures as therein provided and each and all of the regulations, provisions, penalties, conditions and terms of such BOCA Basic Fire Prevention Code are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter with additions, deletions or changes, if any, prescribed in Section 1501.02.
(Ord. 21-85. Passed 11-6-85.)

1501.02 AMENDMENTS

- (a) Section F-100.1 (page 1, second line). Insert "Village of Granville".
- (b) Section F-104.0 Board of Appeals. (Delete) Appeals can be made through the same channel as with other Village citations.
- (c) Section F-301.2 (Amended): A person shall not kindle or maintain any bonfire or other open fire or authorize any such fire to be kindled or maintained on any premises without having obtained a permit or other proper authorization from the fire official. All permits shall be required by and issued to the owner of the land upon which the fire is to be kindled.
- (d) Section E-103.2 (Amended): shall read the same as the Ohio Fire Code F-103.2: "except for those permits which are expressly issued by the State Fire Marshal, all permits specified in this Code will be issued by the local fire official. The local fire official may require any such permit as specified in this Code. The local fire official may require, but need not require, reasonable fees for such permits. Permits shall at all times be kept on the premises designated therein and shall be subject to inspection by the fire official."
(Ord. 22-83. Passed 8-17-83.)

1501.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the first degree.

CHAPTER 1505
Kerosene Heaters

1505.01	Fuel.	1505.04	Manufacturer's markings
1505.02	Use of unvented heaters.		for unvented heaters.
1505.03	Manufacturer's instructions for use.	1505.99	Penalty.

CROSS REFERENCES

Venting of heaters and burners - see Ohio R.C. 3701.82

1505.01 FUEL.

The Fire Marshal recognizes and hereby adopts standard specifications ASTM D3699-78, issued by the American Society for Testing and Materials, for the purpose of prescribing two grades of kerosene suitable for use in kerosene heaters, as follows:

- (a) No. 1-K Kerosene. This is a special low-sulfur grade kerosene with a maximum sulfur content of four hundredths of one percent (0.04%) by weight, suitable for use in unvented kerosene heaters.
- (b) No. 2-K Kerosene. This is a regular grade kerosene with a maximum sulfur content of thirty hundredths of one percent (0.30%) by weight, suitable for use in vented or flue-connected kerosene heaters.
(Ord. 22-83. Passed 8-17-83.)

1505.02 USE OF UNVENTED HEATERS.

(a) Scope. This rule is designed to ensure the safe use of unvented kerosene heaters exempted from Ohio R.C. 3701.82(A) when used in assembly buildings, business buildings, high hazard buildings, institutional buildings, mercantile buildings and Type R-1 and R-2 residential buildings, as such groups of buildings are defined in Chapter 4101:2-3 of the Ohio Administrative Code as adopted by the Board of Building Standards under Ohio R.C. 3781.10. The demonstration of such heaters by the manufacturer or his agent, or by a merchant, shall not be considered within the scope of this rule.

(b) R-1 and R-2 Buildings. In accordance with the definitions of these use groups, R-1 buildings include all hotels, motels and dormitories arranged for the shelter and sleeping accommodation of more than twenty individuals; R-2 buildings include all multiple family dwellings having more than three dwelling units, as well as all dormitories and boarding and lodging houses arranged for the shelter and sleeping accommodations of more than five but not more than twenty individuals.

(c) Issuance of Citation. If the Fire Marshal, his representative or a certified fire safety inspector finds that the use of an unvented kerosene heater or the storage of its fuel is not in compliance with the provisions of this rule, he shall issue a citation to the responsible person as defined in Sections F-105.4 through F-105.5.2, inclusive of the BOCA Basic Fire Prevention Code.

(d) General Provisions. The use of unvented kerosene heaters in the aforementioned buildings and the storage of the fuel for such heaters shall comply with the following provisions:

- (1) No unvented kerosene heater shall be located in any building means of egress. For the purpose of this rule, "means of egress" has the same meaning as defined in the Ohio Fire Code, i.e., a continuous and unobstructed path of travel from any point in a building or structure to a public way, comprising all vertical and horizontal means of travel and including intervening room spaces, doors, hallways, corridors, passageways, balconies, ramps, stairs, enclosures, lobbies, escalators, and exits.
- (2) No unvented kerosene heater shall be elevated by being placed upon a stand or otherwise placed or suspended above the floor.
- (3) No unvented kerosene heater shall be placed within three feet of any furniture, drapery, curtain, decorative material, accessory, appliance, equipment, merchandise, goods or fixture, or any other thing which is or may be combustible.
- (4) No unvented kerosene heater shall be left unattended while it is operating.
- (5) Every unvented kerosene heater shall be set and centered upon a noncombustible mat or shallow base, the dimensions of which shall be sufficient to allow at least three feet of the mat or base to extend outward in any direction from any part of the unvented kerosene heater.
- (6) Every unvented kerosene heater shall be used in an area where there is adequate ventilation, as recommended by the manufacturer of such heater.
- (7) No unvented kerosene heater shall be fueled or refueled while it is operating or within ten minutes of flame extinguishment, or contrary to the instructions of its manufacturer.
- (8) No unvented kerosene heater or its fuel reservoir shall be fueled or refueled inside a building. All such fueling operations shall be performed outdoors.
- (9) Every unvented kerosene heater shall be fueled or refueled strictly in accordance with the instructions of its manufacturer.
- (10) The fuel used in every unvented kerosene heater shall be only No. 1-K kerosene, as prescribed in Section 1301:7-5-15 of the Ohio Administrative Code.

- (11) The fuel used in every unvented kerosene heater shall be stored away from occupied areas and in an approved container which shall be marked or labeled in a conspicuous manner to read: 1-K kerosene.
- (12) At least one fire extinguisher with a minimum 2-A, 20-B:C rating and capacity shall be provided and available for use within twenty-five feet of every unvented kerosene heater during its operation. (Ord 22-83. Passed 8-17-83.)

1505.03 MANUFACTURER'S INSTRUCTIONS FOR USE.

(a) Scope. Pursuant to Ohio R.C. 3701.82(F), this rule is for the purpose of prescribing standards for the written instructions issued by the manufacturer of any kerosene heater sold or offered for sale in this State with respect to ventilation requirements and warnings of potential fire hazards that may occur in using the heater.

(b) Manufacturer's Instructions. Effective July 1, 1983, no person shall sell or offer for sale any kerosene heater in this State unless the manufacturer has provided instructions for operating the heater and certain information about its use, which shall include the following:

- (1) All pertinent information bearing upon the assembly and installation of the heater.
- (2) All pertinent information bearing upon the proper operation, maintenance and storage of the heater.
- (3) All pertinent information which might reasonably bear upon the health or life safety of persons in the vicinity of the heater if recommended assembly, installation, operational or maintenance procedures are not respected.
- (4) All safety features incorporated in the heater shall be described.
- (5) Instructions for starting or lighting the heater, regulating its flame or heat, and turning it off or extinguishing its flame.
- (6) Proper fueling procedures shall be set forth.
- (7) A cautionary warning that the heater may be extremely hot while in operation; that therefore, it may burn, injure or damage any person or thing contacting it; and that, in particular, infants, children, physically or mentally incompetent persons and pets should be kept away from the unit.
- (8) A cautionary that the heater may be extremely hot while in operation; that, therefore, the heat radiating from it may ignite any combustible thing in close proximity; that it should not be placed within three feet of any furniture, drapery, curtain, clothing or other thing which is or may be combustible; that, however, the heater may be placed against or within three feet of a combustible wall, provided the heater is specifically designed for such installation or placement.
- (9) A cautionary warning that the heater may be extremely hot while in operation; that, therefore, no fueling procedure, including the removal of the fuel reservoir should be carried out while the unit is operating and until it has cooled down.

- (10) A cautionary warning that the heater should not be moved while it is in operation.
- (11) A cautionary warning that neither the heater nor any surface of the heater should be used for the purpose of cooking or warming food, unless the heater is specifically designed for cooking and warming food.
- (12) A cautionary warning that no additive for the heater's fuel with a flashpoint below 100 degrees Fahrenheit shall be used.
- (13) The recommended minimum room size for the Btu output of the heater shall be set forth.
- (14) The type and grade of fuel the heater is designed to use shall be set forth, together with any safety or fire hazard which might be involved if improper fuel is used.
- (15) A cautionary warning for every unvented kerosene heater, warning that when the heater is in operation the combustion process uses oxygen from the space being heated and returns carbon monoxide to the atmosphere as a product of combustion; that, without adequate ventilation, the depletion of oxygen may present a risk of asphyxiation; and that carbon monoxide is a colorless, odorless, highly poisonous gas which, without adequate ventilation, may cause headache, dizziness and nausea, or even be fatal.
- (16) The ventilation requirements necessary for safe operation of every unvented kerosene heater shall be set forth.
- (17) A cautionary warning for every unvented kerosene heater, warning that the fuel used in such heater should be restricted to No. 1-K kerosene, as prescribed in Section 1301:7-5-15 of the Ohio Administrative Code, or "fresh, high quality, crystal clear kerosene."
(Ord. 22-83. Passed 8-17-83.)

1505.04 MANUFACTURER'S MARKINGS FOR UNVENTED KEROSENE HEATERS.

No person shall sell or offer for sale in this State any kerosene heater designed for unvented use and subject to the exemption contained in Ohio R.C. 3701.82(D) unless the manufacturer has marked such heater in some conspicuous manner by marking plate or otherwise for the purpose of showing that the heater has been listed by a testing agency recognized by the Fire Marshal. Such markings shall mean that at a minimum the heater has met the requirements contained in Underwriters' Laboratories (UL) Standards No. 647.
(Ord. 22-83. Passed 8-17-83.)

1505.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the first degree.

CHAPTER 1509
Fire Control

1509.01	Compliance with orders.	1509.04	Sale of defective fire extinguishers.
1509.02	Public water supply.		Penalty.
1509.03	Yard systems.	1509.99	

1509.01 COMPLIANCE WITH ORDERS.

No person shall willfully fail or refuse to comply with any lawful order or direction of the fire official or shall interfere with the compliance attempts of another individual. (Ord. 21-85. Passed 11-6-85.)

1509.02 PUBLIC WATER SUPPLY.

The Fire Chief shall recommend to the Manager the location or relocation of new or existing fire hydrants and the placement or replacement of inadequate water mains located upon public property and deemed necessary to provide an adequate fire flow and distribution pattern. (Ord. 21-85. Passed 11-6-85.)

1509.03 YARD SYSTEMS.

All new and existing oil storage plants, lumber yards, amusement or exhibition parks and education or Institutional complexes and similar occupancies and uses involving high fire or life hazards and which are located more than 150 feet from a public water distribution system shall be provided with properly placed fire hydrants. Such fire hydrants shall be capable of supplying fire flows as required by the Municipality and shall be connected to a water system in accordance with accepted engineering practices. The Municipality shall designate and approve the number and location of fire hydrants. The Municipality may require the installation of sufficient fire hose and equipment housed in accordance with the approved rules when the hazard involved requires such measures. Private hydrants shall not be placed into or removed from service until approved by the Municipality. (Ord. 21-85. Passed 11-6-85.)

1509.04 SALE OF DEFECTIVE FIRE EXTINGUISHERS.

No person shall sell, trade, loan or give away any form, type or kind of fire extinguisher which is not approved by the Fire Chief or which is not in proper working order or the contents of which do not meet the requirements of the Fire Chief. The requirements of this section shall not apply to the sale, trade or exchange of obsolete or damaged equipment for junk when such units are permanently disfigured or marked with a permanent sign identifying the unit as junk. (Ord. 21-85. Passed 11-6-85.)

1509.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the first degree.

CHAPTER 1519
Fireworks

1519.01	Definitions.	1519.04	Possession, sale or discharge prohibited; exceptions.
1519.02	Public exhibition permit required; fee; bond; records.	1519.05	Application.
1519.03	Unlawful conduct by exhibitor.	1519.99	Penalty.

CROSS REFERENCES

Manufacturers to comply with building and zoning ordinances - see Ohio R.C. 3743.06(F)
Wholesalers to comply with building and zoning ordinances - see Ohio R.C. 3743.19(G)
Arrests, seizure of fireworks by certified fire safety inspector - see Ohio R.C. 3743.68
Conflict of Fire Marshal's rules with rules of Ohio Board of Building Standards - see Ohio R.C. 3781.11(D)

1519.01 DEFINITIONS.

As used in this chapter:

- (a) "Beer" and "intoxicating liquor" have the same meanings as in Ohio R.C. 4301.01.
- (b) "Booby trap" means a small tube that has a string protruding from both ends, that has a friction-sensitive composition and that is ignited by pulling the ends of the string.
- (c) "Cigarette load" means a small wooden peg that is coated with a small quantity of explosive composition and that is ignited in a cigarette.
- (d)
 - (1) "1.3 G fireworks" means display fireworks consistent with regulations of the United States Department of Transportation as expressed using the designation "Division 1.3" in Title 49, Code of Federal Regulations.
 - (2) "1.4 G fireworks" means consumer fireworks consistent with regulations of the United States Department of Transportation as expressed using the designation "Division 1.4" in Title 49, Code of Federal Regulations.
- (e) "Controlled substance" has the same meaning as in Ohio R.C. 3719.01.

- (f) "Fireworks" means any composition or device prepared for the purpose of producing a visible or an audible effect by combustion, deflagration or detonation, except ordinary matches and except as provided in Section 1519.05.
- (g) "Licensed exhibitor of fireworks" or "licensed exhibitor" means a person licensed pursuant to Ohio R.C. 3743.50 to 3743.55.
- (h) "Licensed manufacturer of fireworks" or "licensed manufacturer" means a person licensed pursuant to Ohio R.C. 3743.02 to 3743.08.
- (i) "Licensed wholesaler of fireworks" or "licensed wholesaler" means a person licensed pursuant to Ohio R.C. 3743.15 to 3743.21.
- (j) "Novelties and trick noisemakers" include the following items:
 - (1) Devices that produce a small report intended to surprise the user, including, but not limited to, booby traps, cigarette loads, party poppers and snappers;
 - (2) Snakes or glow worms;
 - (3) Smoke devices;
 - (4) Trick matches.
- (k) "Party popper" means a small plastic or paper item that contains not more than sixteen milligrams of friction-sensitive explosive composition, that is ignited by pulling string protruding from the item, and from which paper streamers are expelled when the item is ignited.
- (l) "Railroad" means any railway or railroad that carries freight or passengers for hire, but does not include auxiliary tracks, spurs and sidings installed and primarily used in serving a mine, quarry or plant.
- (m) "Smoke device" means a tube or sphere that contains pyrotechnic composition that, upon ignition, produces white or colored smoke as the primary effect.
- (n) "Snake or glow worm" means a device that consists of a pressed pellet of pyrotechnic composition that produces a large, snake-like ash upon burning, which ash expands in length as the pellet burns.
- (o) "Snapper" means a small, paper-wrapped item that contains a minute quantity of explosive composition coated on small bits of sand, and that, when dropped, implodes.
- (p) "Trick match" means a kitchen or book match that is coated with a small quantity of explosive composition and that, upon ignition, produces a small report or a shower of sparks.
- (q) "Wire sparkler" means a sparkler consisting of a wire or stick coated with a non-explosive pyrotechnic mixture that produces a shower of sparks upon ignition and that contains no more than one hundred grams of this mixture.
(ORC 3743.01)

**1519.02 PUBLIC EXHIBITION PERMIT REQUIRED; FEE; BOND;
RECORDS.**

(a) A licensed exhibitor of fireworks who wishes to conduct a public fireworks exhibition within the Municipality shall apply for approval to conduct the exhibition to the Fire Chief and from the Police Chief or other similar chief law enforcement officer, or the designee of the Police Chief or similar chief law enforcement officer.

The required approval shall be evidenced by the Fire Chief or Fire Prevention Officer and by the Police Chief or other similar chief law enforcement officer, or the designee of the Police Chief or similar chief law enforcement officer, signing a permit for the exhibition, the form for which shall be prescribed by the State Fire Marshal. Any exhibitor of fireworks who wishes to conduct a public fireworks exhibition may obtain a copy of the form from the Fire Marshal or, if it is available, from the Fire Chief, Fire Prevention Officer, Police Chief or other similar chief law enforcement officer, or the designee of the Police Chief or similar chief law enforcement officer.

(b) Before a permit is signed and issued to a licensed exhibitor of fireworks, the Fire Chief or Fire Prevention Officer in consultation with the Police Chief or other similar chief law enforcement officer, or a designee of such Police Chief or similar chief law enforcement officer, shall inspect the premises on which the exhibition will take place and shall determine that, in fact, the applicant for the permit is a licensed exhibitor of fireworks. Each applicant shall show the applicant's license as an exhibitor of fireworks to the Fire Chief or Fire Prevention Officer.

The Fire Chief or Fire Prevention Officer and the Police Chief or other similar chief law enforcement officer, or a designee of such Police Chief or similar chief law enforcement officer, shall give approval to conduct a public fireworks exhibition only if satisfied, based on the inspection, that the premises on which the exhibition will be conducted allow the exhibitor to comply with the rules adopted by the Fire Marshal pursuant to Ohio R.C. 3743.53(B) and (E) and that the applicant is, in fact, a licensed exhibitor of fireworks. The Fire Chief or Fire Prevention Officer in consultation with the Police Chief or other similar chief law enforcement officer, or a designee of such Police Chief or similar chief law enforcement officer, may inspect the premises immediately prior to the exhibition to determine if the exhibitor has complied with the rules, and may revoke the permit for noncompliance with the rules.

(c) The Fire Chief or Fire Prevention Officer and the Police Chief or other similar chief law enforcement officer, or a designee of such Police Chief or similar chief law enforcement officer, shall not issue a permit until the applicant pays a permit fee of twenty-five dollars (\$25.00) plus any necessary costs of investigation of the applicant and of inspecting the premises on which the exhibition will be conducted.

Each exhibitor shall provide an indemnity bond in the amount of at least one million dollars (\$1,000,000), with surety satisfactory to the Fire Chief or Fire Prevention Officer and to Police Chief or other similar chief law enforcement officer, or a designee of such Police Chief or similar chief law enforcement officer, conditioned for the payment of all final judgments that may be rendered against the exhibitor on account of injury, death or loss to persons or property emanating from the fireworks exhibition, or proof of insurance coverage of at least one million dollars (\$1,000,000) for liability arising from injury, death or loss to persons or property emanating from the fireworks exhibition. The Legislative Authority may require the exhibitor to provide an indemnity bond or proof of insurance coverage in amounts greater than those required by this subsection. The Fire Chief or Fire Prevention Officer and Police Chief or other similar chief law enforcement officer, or a designee of such Police Chief or similar chief law enforcement officer, shall not issue a permit until the exhibitor provides the bond or proof of the insurance coverage required by this subsection.

- (d) (1) Each permit for a fireworks exhibition issued by the Fire Chief or Fire Prevention Officer and by the Police Chief or other similar chief law enforcement officer, or a designee of such Police Chief or similar chief law enforcement officer, shall contain a distinct number, designate the Municipality, and identify the certified Fire Safety Inspector, Fire Chief or Fire Prevention Officer who will be present before, during, and after the exhibition, where appropriate. A copy of each permit issued shall be forwarded by the Fire Chief or Fire Prevention Officer and by the Police Chief or other similar chief law enforcement officer, or a designee of such Police Chief or similar chief law enforcement officer, issuing it to the Fire Marshal, who shall keep a record of the permits received. A permit is not transferable or assignable.

- (2) The Fire Chief, Fire Prevention Officer and Police Chief or other similar chief law enforcement officer, or a designee of such Police Chief or similar chief law enforcement officer, shall keep a record of issued permits for fireworks exhibitions. In this list, the Fire Chief, Fire Prevention Officer, Police Chief or other similar chief law enforcement officer, or a designee of such Police Chief or similar chief law enforcement officer, shall list the name of the exhibitor, the exhibitor's license number, the premises on which the exhibition will be conducted, the date and time of the exhibition and the number of the permit issued to the exhibitor for the exhibition.

(e) The governing authority having jurisdiction in the location where an exhibition is to take place shall require that a certified Fire Safety Inspector, Fire Chief, or Fire Prevention Officer be present before, during, and after the exhibition, and shall require the certified Fire Safety Inspector, Fire Chief, or Fire Prevention Officer to inspect the premises where the exhibition is to take place and determine whether the exhibition is in compliance with this chapter and Ohio R.C. Chapter 3743. (ORC 3743.54)

1519.03 UNLAWFUL CONDUCT BY EXHIBITOR.

(a) No licensed exhibitor of fireworks shall fail to comply with the applicable requirements of the rules adopted by the Fire Marshal pursuant to Ohio R.C. 3743.53(B) and (E) or to comply with Divisions (C) and (D) of that section.

(b) No licensed exhibitor of fireworks shall conduct a fireworks exhibition unless a permit has been secured for the exhibition pursuant to Section 1519.02 or if a permit so secured is revoked by the Fire Chief or Fire Prevention Officer in consultation with the Police Chief or other similar chief law enforcement official or a designee of such Police Chief or other similar law enforcement official pursuant to that section.

(c) No licensed exhibitor of fireworks shall acquire fireworks for use at a fireworks exhibition other than in accordance with Ohio R.C. 3743.54 and 3743.55.

(d) No licensed exhibitor of fireworks or other person associated with the conduct of a fireworks exhibition shall have possession or control of, or be under the influence of, any intoxicating liquor, beer or controlled substance while on the premises on which the exhibition is being conducted.

(e) No licensed exhibitor of fireworks shall permit an employee to assist the licensed exhibitor in conducting fireworks exhibitions unless the employee is registered with the Fire Marshal under Ohio R.C. 3743.56. (ORC 3743.64)

1519.04 POSSESSION, SALE OR DISCHARGE PROHIBITED; EXCEPTIONS.

(a) No person shall possess fireworks in this Municipality or shall possess for sale or sell fireworks in this Municipality, except a licensed manufacturer of fireworks as authorized by Ohio R.C. 3743.02 to 3743.08, a licensed wholesaler of fireworks as authorized by Ohio R.C. 3743.15 to 3743.21, a shipping permit holder as authorized by Ohio R.C. 3743.40, an out-of-state resident as authorized by Ohio R.C. 3743.44, a resident of this State as authorized by Ohio R.C. 3743.45, or a licensed exhibitor of fireworks as authorized by Ohio R.C. 3743.50 to 3743.55 and Section 1519.02 and except as provided in Section 1519.05.

(b) Except as provided in Section 1519.05 and except for licensed exhibitors of fireworks authorized to conduct a fireworks exhibition pursuant to Ohio R.C. 3743.50 to 3743.55 and Section 1519.02, no person shall discharge, ignite or explode any fireworks in this Municipality.

(c) No person shall use in a theater or public hall, what is technically known as fireworks showers, or a mixture containing potassium chlorate and sulphur.

(d) No person shall sell fireworks of any kind to a person under eighteen years of age.

(e) No person shall advertise 1.4 G fireworks for sale. A sign located on a seller's premises identifying the seller as a seller of fireworks is not the advertising of fireworks for sale.

(f) No person, other than a licensed manufacturer, licensed wholesaler, licensed exhibitor, or shipping permit holder, shall possess 1.3 G fireworks.
(ORC 3743.65)

1519.05 APPLICATION.

This chapter does not prohibit or apply to the following:

- (a) The manufacture, sale, possession, transportation, storage or use in emergency situations, of pyrotechnic signaling devices and distress signals for marine, aviation or highway use;
- (b) The manufacture, sale, possession, transportation, storage or use of fuses, torpedoes or other signals necessary for the safe operation of railroads;
- (c) The manufacture, sale, possession, transportation, storage or use of blank cartridges in connection with theaters or shows, or in connection with athletics as signals or for ceremonial purposes;
- (d) The manufacture for, the transportation, storage, possession or use by, or sale to the Armed Forces of the United States and the militia of this State of pyrotechnic devices;
- (e) The manufacture, sale, possession, transportation, storage or use of toy pistols, toy canes, toy guns or other devices in which paper or plastic caps containing twenty-five hundredths grains or less of explosive material are used, provided that they are constructed so that a hand cannot come into contact with a cap when it is in place for explosion, or apply to the manufacture, sale, possession, transportation, storage or use of those caps;
- (f) The manufacture, sale, possession, transportation, storage or use of novelties and trick noisemakers, auto burglar alarms or model rockets and model rocket motors designed, sold and used for the purpose of propelling recoverable aero models;
- (g) The manufacture, sale, possession, transportation, storage or use of wire sparklers.
- (h) The conduct of radio-controlled special effect exhibitions that use an explosive black powder charge of not more than one-quarter pound per charge, and that are not connected in any manner to propellant charges, provided that the exhibition complies with all of following:

- (1) No explosive aerial display is conducted in the exhibition;
- (2) The exhibition is separated from spectators by not less than two hundred feet;
- (3) The person conducting the exhibition complies with regulations of the Bureau of Alcohol, Tobacco and Firearms of the United States Department of the Treasury and the United States Department of Transportation with respect to the storage and transport of the explosive black powder used in the exhibition.
(ORC 3743.80)

1519.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the first degree for a first offense and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months or both. (ORC 3743.99(C))