

# Fireworks Update

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# Legal and Illegal Fireworks



The Arizona Legislature, by statute, has deemed fireworks a matter of statewide concern and further regulation by a city or town is limited unless authorized by A.R.S. § 36-1601 *et al.*

- “Legal Fireworks”
  - 1) “Permissible Consumer Fireworks” (legal on authorized days): Ground/handheld sparklers, cylindrical fountains, ground “spinners”, toy smoke type devices. Does not include anything that is designed or intended to rise into the air and explode or to detonate in the air or to fly above the ground.
  - 2) “Novelty Items” (always legal): Snappers, snap caps, party poppers, glow worms, snakes, toy smoke devices and sparklers.
- “Illegal Fireworks”
  - Firecrackers, bottle rockets, skyrockets, missile-type rockets, helicopters, aerial spinners, torpedoes, roman candles, mine devices, shell devices and aerial shell kits or reloadable tubes.

**Legal Fireworks  
Novelty Items**

**Sparklers**

**Morning Glory Sparklers**



**CAUTION: FLAMMABLE**  
USE ONLY UNDER CLOSE ADULT SUPERVISION. FOR OUTDOOR USE ONLY. DO NOT TOUCH HOT WOOD. HOLD IN HAND WITH ARM EXTENDED AWAY FROM BODY. KEEP BURNING END OR SPARKS AWAY FROM WEARING APPAREL OR OTHER FLAMMABLE MATERIAL. HOLD AND LIGHT ONE DEVICE AT A TIME. AFTER USE PLACE WOOD IN WATER.

**Wire Stick Sparklers**



**CAUTION: FLAMMABLE**  
USE ONLY UNDER CLOSE ADULT SUPERVISION. FOR OUTDOOR USE ONLY. DO NOT TOUCH GLOWING WIRE. HOLD IN HAND WITH ARM EXTENDED AWAY FROM BODY. KEEP BURNING END OR SPARKS AWAY FROM WEARING APPAREL OR OTHER FLAMMABLE MATERIAL. HOLD AND LIGHT ONE DEVICE AT A TIME. AFTER USE PLACE WIRE IN WATER.

**Smoker  
Devices**

**Smoke Balls**



**Cylindrical Smoke**



**Smoke Cone**




**Smoke Candle**



**CAUTION: FLAMMABLE**  
USE ONLY UNDER CLOSE ADULT SUPERVISION. FOR OUTDOOR USE ONLY. DO NOT HOLD IN HAND. PLACE ON HARD LEVEL SURFACE, LIGHT FUSE AND GET AWAY.


**Novelties**

**Snakes**




**CAUTION: FLAMMABLE**  
USE ONLY UNDER CLOSE ADULT SUPERVISION. FOR OUTDOOR USE ONLY. DO NOT PUT IN MOUTH. LAY ON GROUND, LIGHT PELLET.

**Party Poppers (Bottle)**




**CAUTION: FLAMMABLE**  
USE ONLY UNDER CLOSE ADULT SUPERVISION. DO NOT POINT EITHER END TOWARD FACE OR PERSON. HOLD IN HAND - JERK STRING.

**Party Popper (Pistol)**



**CAUTION: FLAMMABLE**  
USE ONLY UNDER CLOSE ADULT SUPERVISION. DO NOT POINT EITHER END TOWARD FACE OR OTHER PERSON. HOLD IN HAND - PULL TRIGGER SHARPLY.

**Snappers/Drop Pops**



**CAUTION: FLAMMABLE**  
USE ONLY UNDER CLOSE ADULT SUPERVISION. FOR OUTDOOR USE ONLY. DO NOT PUT IN MOUTH. THROW ON GROUND OR AGAINST HARD SURFACE. NOT RECOMMENDED FOR CHILDREN UNDER 8 YEARS.

**Legal Fireworks  
Permissible Consumer**

**Ground Spinners**



**CAUTION: FLAMMABLE**  
USE ONLY UNDER CLOSE ADULT SUPERVISION. FOR OUTDOOR USE ONLY. PLACE ON HARD, FLAT SURFACE. DO NOT HOLD IN HAND. LIGHT FUSE & GET AWAY.

**Ground Spinners**



**Sparkling Wheel Devices**



**CAUTION: FLAMMABLE**  
USE ONLY UNDER CLOSE ADULT SUPERVISION. FOR OUTDOOR USE ONLY. NAIL TO POST OR STAKE SO THAT THE WHEEL WILL TURN FREELY. DO NOT HOLD IN HAND. LIGHT FUSE AND GET AWAY.



**Cylindrical Fountain**



**Square Fountain**



**Cone Fountain**



**California Rocket Shaped Fountain**



**CAUTION: FLAMMABLE**  
USE ONLY UNDER CLOSE ADULT SUPERVISION. OUTDOOR USE ONLY. STICK FIRMLY IN GROUND IN AN UPRIGHT POSITION, REMOVE CAP FOR LIGHTING. DO NOT HOLD IN HAND. LIGHT FUSE AND GET AWAY.

**Illegal  
Fireworks**

**Sky Rockets/  
Bottle Rockets**

**WARNING!!!  
FLAMMABLE ROCKET**



**Firecrackers**

**WARNING!!!  
EXPLOSIVE**



**Reloadable Shell Device/  
Roman Candles**

**WARNING!!!  
SHOOTS FLAMING BALLS**



**Arials**

**WARNING!!!  
SHOOTS FLAMING BALLS W/ REPORTS**



**Single Tube Device w/ Report**

**WARNING!!!  
SHOOTS FLAMING BALLS W/ REPORTS**



# Dates and Times of Use



Permissible consumer fireworks may be used during specific days and times of the year:

- 1) May 4th through 6th between 8:00 A.M. and 11:00 P.M.
- 2) June 24th through July 6th between 8:00 A.M. and 11:00 P.M.
  - Exception: July 4<sup>th</sup> between 11:00 P.M. and 1:00 A.M. on July 5th
- 3) December 24th through January 3rd between 8:00 A.M. and 11:00 P.M.
  - Exception: December 31st between 11:00 P.M. and 1:00 A.M. on January 1st.
- 4) Second and third days of Diwali

# Enforcement Efforts



- Sales point kiosks of permissible consumer fireworks must be permitted by application through Accela. Upon approval of the application, the operator receives an approval email with a specific directive to sell legal fireworks only.
- Prior to operating, each sales point on any Mesa street corner is inspected by a certified Mesa Fire Prevention Inspector. Upon successful inspection, a permit to operate is issued.
- Mesa Fire Prevention and Mesa Police “drop in” on these kiosks to assure only legal fireworks are for sale.
- Mesa Police plans to utilize inspections and both uniform and plain clothes enforcement.
- City email address created for residents to submit tips regarding illegal fireworks.
  - [Fireworks@mesaaz.gov](mailto:Fireworks@mesaaz.gov)

## **Class 1 Misdemeanor (minimum \$1,000 fine)**

- Fireworks use, possession, or sale
- Permissible consumer fireworks sale:
  - To a person under 16;
  - In conflict with state law; or
  - On prohibited days
- Use of permissible consumer fireworks during stage one or higher fire restriction within one mile of protected areas
- Failure to obtain a permit for a supervised public display of fireworks
- Failure to comply with permit and safety requirements of A.R.S. § 36-1603
- Habitual offender within 36 months

## **Civil Violation (\$500 fine)**

- Permissible consumer fireworks use outside allowed days or times
- Permissible consumer fireworks use on City property (excluding right of way)
- Failure to display required permissible consumer fireworks signage at sale

All class 1 misdemeanors are subject to a maximum penalty of up to 6 months in jail and a fine not to exceed \$2,500.

QUESTIONS?



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