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JON M. DAVINE
STATE FIRE MARSHAL

To: Heads of Fire Departments

From: Jon M. Davine, State Fire Marshal

Date: June 13, 2024

Subject: Permitted Fireworks Displays

With the summer fireworks season fast approaching, Massachusetts fire departments are busy planning for supervised displays to ensure that these events are safely conducted in accordance with the Massachusetts Comprehensive Fire Safety Code. The Department of Fire Services' Fire Safety Division stands ready to provide the highest possible level of technical, compliance, and enforcement support during the fireworks season.

DFS Code Compliance Assistance

Code compliance and enforcement officers are available 24 hours a day to assist your communities should the need arise. You can reach the Fire Safety Division's Code Compliance & Enforcement Unit on weekdays from 8:00 am until 4:00 pm at 978-567-3375. To contact a code compliance officer during a pre-display setup inspection by your department, or to report an accident, call the Massachusetts Emergency Management Agency at (508) 820-2000 and ask that a DFS code compliance officer be paged.

Permitting

The *Application/Permit for Supervised Display of Fireworks (FP-027)* is attached and available online [at the DFS website](#). Please note that the Fire Code requires the head of the fire department to transmit approved permits to the State Fire Marshal's office within five days of approval. Please email these permits to DFS.FSDlicensing@mass.gov as promptly as possible.

Natural Barrier Approvals

When necessary, the Fire Safety Division grants natural barrier approvals. Natural barriers are restrictive terrains, bodies of water, or heavily wooded areas that restrict access to a fireworks display area. If you have previously received an approval and nothing (including shell size) has

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changed in the plans submitted to you by the fireworks shooter, you do not need another approval. If you need a site inspection for approval, please contact 978-567-3375, as soon as possible.

Fireworks Inspection Checklist

A representative of your department should take a close look at the display during the setup process in the late afternoon of the day on which the display is scheduled. This procedure provides the best opportunity to inspect and correct any compliance issues. A checklist for this process can be found on p. 2 of the *Application/Permit for Supervised Fireworks Display (FP-027)*.

Post-Display Searches

The Fire Code requires that thorough searches of the display site be made by the competent operator immediately after the display and again at first light the following morning to ensure recovery of all unexploded shells. If the operator is unavailable due to unforeseen circumstances such as illness or injury, a substitute competent operator shall be permitted to conduct the searches upon approval of the Authority Having Jurisdiction.

The competent operator must complete the attached *Post-Fireworks Display Checklist (FP-027B)* and submit it to you for acknowledgment as required by the Fire Code. The FP-027B is also available [on the DFS website](#).

Licensing

If you have any questions about Fireworks Users Certificates, Certificates of Competency, or other fireworks-related licensing issues, please contact our Licensing Desk at 978-567-3700, or by email at DFS.FSDlicensing@mass.gov.

Fireworks Enforcement and Seizures

In the past five years, illegal fireworks have caused more than 500 fires and explosions and more than 200 serious burns and injuries in Massachusetts. Please emphasize for your community that fireworks are illegal without a permit and certification because they are dangerous.

Police in your community may encounter illegal fireworks in the course of their day-to-day activity this summer. Please remind your law enforcement partners that Massachusetts law requires police to seize these dangerous devices. To notify the State Police Bomb Squad of confiscated fireworks, call 978-567-3310 during business hours. For after-hours emergencies or large quantities, contact your State Police troop's duty officer and ask to have the on-call bomb technician contact you immediately.



Department of Fire Services Commonwealth of Massachusetts

Application/Permit for Supervised Display of Fireworks (FP-027)

This form shall be used as the application and permit for all supervised display of fireworks in the Commonwealth of Massachusetts.

A copy of this application and required documentation must be submitted to the head of the local fire department **at least twenty (20) days in advance of the proposed date of display** as required by 527 CMR 1.00: 1.12.8.39.2.2(1).

Required Documentation to be Submitted

- ☐ Diagram/site plan showing points where fireworks are to be discharged, location/distance to the audience, buildings, highways, overhead obstructions, etc. (handwritten maps are not acceptable; Maps must be Google, Bing, GIS)
- ☐ The number and description of the fireworks/pyrotechnics including the diameter of the shells.
- ☐ A copy of the natural barrier letter from the State Fire Marshal's Office (if applicable).
- ☐ FAA, Coast Guard, or other agency approvals/notifications

One copy of this form and required documentation must be forwarded by email, DFS.FSDlicensing@mass.gov, fax, or mail by the Head of the Fire Department to the State Fire Marshal not later than five (5) days after receipt of said application as required by 527 CMR 1.00: 1.12.8.39.2.2(4).

Name of Sponsor: _____ Phone #: _____

Address of Sponsor: _____

Location of Display (GPS coordinates): _____

Nearest GPS Street Address to display set up: _____

Date of Display: _____ Time of Display: _____ Rain Date: _____

Largest Shell Size to be Fired _____ Number of Aerial Shells: _____

Number of Ground Pieces: _____ Number of Cakes & Max. Diameter: _____

This Show is: Public _____ Private _____

Fireworks/Special Effects Company: _____ Phone #: _____

Current Users Certificate Number: _____ Date of Expiration: _____

Name of Competent Operator: _____

Certificate of Competency #: _____ Expiration Date: _____

Company Supplying Fireworks: (if different from applicant user certificate listed above): _____

Manner and Location of Storage of Fireworks Prior to Display:

Signature of Competent Operator: _____ Date: _____

I hereby certify that the competent operator named above has my approval and that in my opinion, the display described will be of such character, so located, discharged or fired as not to be hazardous to property or to endanger any person or persons. (G.L. Chapter 148, §39A)

- ☐ There are no changes to the natural barrier approval (no new developments, etc)

Restrictions:

Signature of Head of Fire Department: _____ Date: _____

This permit will expire at midnight on _____

One copy of this form must be forwarded to the State Fire Marshal (electronically, mail or fax) no more than five (5) days after receipt of said application by the head of the fire department as required by 527 CMR 1.00: 1.12.8.39.2.2 (4).

For Fire Department Use Only

Before the Show

- ☐ Review DEP advisory on perchlorates
- ☐ Verify active license and company information at www.mass.gov/dfs (License Lookup)

Day of Show

- ☐ Pre show site inspection: Establish secured area with a suitable barrier such as snow fencing or equivalent (caution tape is not sufficient). Natural barriers, as approved by SFMO, have not changed. Secured area must be established and maintained from the arrival of the fireworks until the completion of the display.
- ☐ If using racks, determine that the rack placement conforms to the approved site.
- ☐ Check racks for correct spacing and stability. Check angling of mortars.
- ☐ If not using racks, determine that mortar tubes are sufficiently buried. Check angling of mortars.
- ☐ Determine weather and wind conditions just prior to display. If necessary conduct a test shot.
- ☐ All fireworks shall be fired electrically.

Following the Show

- ☐ A competent operator must ensure a search is made for any unignited shells and related materials immediately following the display and at the first available daylight.
- ☐ Upon completion of the search, a competent operator shall report all findings to the head of the local fire department.



Department of Fire Services Commonwealth of Massachusetts

Post Fireworks Display Checklist (FP-027B)

Post Display Search

527 CMR 1.00: 65.2.6.1 This form shall be completed by the competent operator following a fireworks display.*

Date _____ Location of Display _____

Name of Competent Operator _____ CC # _____

1) Was the entire display area checked for unexploded shells? Yes _____ No _____

2) Start time of search _____ Finish time of search _____

3) Were any unexploded shells located? Yes _____ No _____

If shells were located, how were they disposed of? _____

4) Please indicate who you notified of your findings following the search _____

5) Comments _____

In accordance with 527 CMR 1.00: 65.2.6.1, I hereby acknowledge and attest that the information provided in this form is true and accurate.

PLEASE NOTE THAT ONLY APPLICATIONS WITH ORIGINAL WET SIGNATURES WILL BE ACCEPTED. PHOTOCOPIES OF APPLICATIONS WILL NOT BE PROCESSED.

Signature _____ Print Name _____

CC # _____

Received by (Head of Fire Department or Designee) _____ Date _____

First Light Search

Date _____ Location of Display _____

Name of Competent Operator _____ CC # _____

1) Was the entire display area checked for unexploded shells? Yes _____ No _____

2) Start time of search _____ Finish time of search _____

3) Were any unexploded shells located? Yes _____ No _____

If shells were located, how were they disposed of? _____

4) Please indicate who you notified of your findings following the search _____

5) Comments _____

In accordance with 527 CMR 1.00: 65.2.6.1, I hereby acknowledge and attest that the information provided in this form is true and accurate.

Signature _____ Print Name _____

CC # _____

Received by (Head of Fire Department or Designee) _____ Date _____

* Substitute competent operators shall be approved by the authority having jurisdiction (AHJ).