



**NASSAU COUNTY FIRE COMMISSION
OFFICE OF THE FIRE MARSHAL**

Nassau County Public Safety Center
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**Michael F. Uttaro
Chief Fire Marshal**

FIRE MARSHAL BULLETIN

Thursday, January 25, 2024

Use of Pyrotechnic Displays, Cold Spark Fountains and Sparkling Devices in any Occupancy

Definitions:

Cold Spark Fountain – Any device that emits a shower or fountain of cold sparks.

Pyrotechnic Device – Any device containing pyrotechnic materials and capable of producing a special effect.

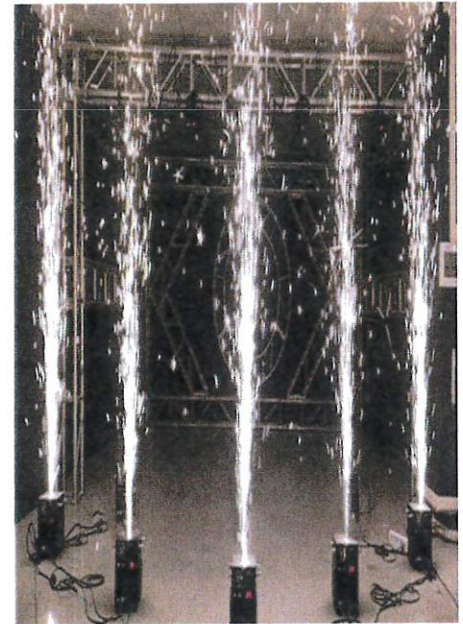
Sparkling Device – Any device, ground based, or handheld, that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect.

The following is the Nassau County Fire Marshal's Office enforcement policy of the Nassau County Fire Prevention Ordinance and the Uniform Fire Prevention and Building Code of New York State regarding the use of Pyrotechnic Displays, Cold Spark Fountains, and Sparkling Devices in any Occupancy:

1. **Nassau County Fire Prevention Ordinance Article 26 Pyrotechnic Displays and Open Flame Devices in All Occupancies.**
 - a. **Section 26.3 Pyrotechnic Displays.** No Person or entity shall be permitted to use pyrotechnics in Nassau County except as provided by this Article and in compliance with all relevant federal, state, and local laws, and NFPA 1123 and 1126.
 - b. **Subsection 26.3.1 Prohibitions:**
 - i) Smoking is prohibited within 50 feet of pyrotechnic devices.
 - ii) All sources of ignition are prohibited in the vicinity of pyrotechnic equipment.
 - iii) LPG in connection with pyrotechnics is prohibited unless approved by the Fire Marshal.
 - iv) The use of pyrotechnics is prohibited in any building not protected throughout with an approved automatic fire sprinkler system and an approved fire alarm and smoke detection system.
 - v) The use of pyrotechnics is prohibited in any building with a ceiling height less than 25 feet from the display level.
 - c. **Subsection 26.3.2 Notification.** No person or entity shall be permitted to use pyrotechnics in Nassau County without first notifying the Fire Marshal and the Nassau County Police Department Arson / Bomb Squad in writing at least 30 days prior to use and **obtain a permit.**
 - d. **Section 26.5 Cold Spark Fountains.** Shall comply with section 26.3 and 26.4 of the Fire Prevention Ordinance.

- e. **Subsection 26.5.1** A class “D” fire extinguisher shall be readily accessible any place cold spark fountains are used, set up for display or stored.
2. **New York State Penal Law Section 405.00** Sale and use of Sparkling Devices in the County of Nassau remains fully prohibited as per local (Nassau County) law. It is important to mention that ALL fireworks are illegal in Nassau County. The possession, use, or sale of fireworks, including sparklers, is a violation of New York State Penal Law, and may be punishable as a misdemeanor or a felony.
 3. **2020 Fire Code NYS Section 5601.1.3.** The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited.
 4. **2020 Fire Code NYS Section 5610.5.1** No sparkling devices shall be used in any building or structure.
 5. **2020 Fire Code NYS 5610.5.2** No sparkling devices shall be used within ten (10) feet of any building or structure.

These devices are commonly used in assembly occupancies and while they seem harmless, they are prohibited and can be dangerous in any occupancy:



This Fire Marshal Bulletin has been produced to inform business and property owners, restaurant, bar, and catering hall operators within the County of Nassau of the **extreme danger and illegal activity** regarding the use of Pyrotechnic Displays, Cold Spark Fountains, and Sparkling Devices in Assembly Occupancies.

Nassau County Fire Prevention Ordinance Section 22.26 Fees

Pyrotechnic Display Permit: \$85.00

Pyrotechnic Display Design Drawings Review and Site Inspection: \$450.00