

Applicants for a Retail Sales of Fireworks Permit are required by Oregon Administrative Rule (OAR) 837-012-0630 (4)(I) to indicate on their application the type of sales structure they will use for retail sales of fireworks.

- If the sales structure is a tent, OAR 837-012-0610 (37) requires the tent to be in compliance with Oregon Fire Code (OFC) requirements for tents.
- OAR 837-012-0645 (14) requires the applicant to declare the outside dimensions of the tent. The dimensions of the tent shall not increase after the application is submitted to the Office of State Fire Marshal (OSFM).
- OAR 837-012-0645 (15) requires the applicant to obtain the approval of the local fire authority having jurisdiction **and** to list the tent size on the application.

TENT PERMIT APPLICATION DEADLINE

Tent permit applications shall be made according to deadlines established by the local authority having jurisdiction over the site where the tent will be located. It is the responsibility of the permit applicant to obtain local information regarding tent permits and deadlines. Local jurisdictions may require tent permit fees and other special use permits.

APPLICABLE LAWS, RULES AND FIRE & LIFE SAFETY CODES

- OAR 837-012-0600 through 837-012-0675
- ORS 480.120 through 480.165
- Oregon Structural Specialty Code
- National Fire Protection Association Standard (NFPA) 10

DEFINITIONS

“Tent” means a temporary structure, enclosure or shelter constructed of fabric or pliable material supported by any manner, except by air or the contents it protects, and is in compliance with OFC Chapter 24 requirements for tents.

“Canopy” means a temporary structure, enclosure or shelter constructed of fabric or pliable materials supported by any manner, except by air or the contents it protects, and is open without sidewalls or drops on 75 percent or more of the perimeter.

LOCATION OF TENTS

Tents shall be located a minimum of 20 feet from property lines, buildings, temporary membrane structures, other tents and canopies, parked vehicles or internal combustion engines.

For the purposes of determined distances, support ropes and guy wires shall be considered part of the tent.

OAR 837-012-0645 (15) states “no tent, stand, canopy or other sales structure shall be erected without the approval of the local fire authority having jurisdiction.”

FIRE DEPARTMENT ACCESS

Fire department apparatus access shall be an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. For further information refer to OFC Chapter 5 - Fire Department Access.

FLAME RETARDANT TENTS

The sidewalls, drops and tops of tents shall be composed of flame-resistant material or shall be treated with a flame retardant in an approved manner. Floor coverings, combustible materials and any other effects, including sawdust when used on floors or passageways, shall be made of flame-resistant materials or shall be treated with a flame retardant in an approved manner. Refer to OFC Chapter 24 for additional requirements regarding combustible materials and maintenance of flame-resistant treatments.

All tents shall comply with the following from OFC Chapter 24:

- If the tent is constructed of a flame-resistant material, adequate information must be supplied to determine compliance with OFC Chapter 24.

- If the tent is treated with a flame retardant material, the date the tent and other combustible materials were treated with an approved flame retardant.
- The type of flame retardant and the trade name utilized in the flame retardant treatment.
- The name of the individual and company that applied the flame retardant.

GENERATORS

Generators or other internal combustion power sources shall be at least 20 feet from the tent.

NO SMOKING

OAR 837-012-0650 (10) requires “NO SMOKING” signs to be posted on all outside walls of the tent. The signs shall be readily visible to all engaged in retail sales, customers or others near the tent. Sign lettering shall be red and at least 2 1/2 inches high and on a white background.

OAR 837-012-0650 (11) prohibits smoking, open flames, use of fireworks (pyrotechnics) or other such ignition sources within 100 feet of the tent.

Smoking at the sales site (tent) by any person engaged in retail sales is grounds for suspension or revocation of the retail sales permit.

FIRE EXTINGUISHERS

Minimum fire extinguisher requirements:

- One 2A:10B:C at the cash register
- One 2A:10B:C in the middle sales area
- One 2A water-type centrally located
- One 40B:C for each generator, transformer or location with flammable or combustible liquids
- Tents above 1000 square feet, each additional 2000 square feet or fraction thereof shall require a minimum of at least one additional 2A:10B:C rated fire extinguisher.
- Travel distance to any fire extinguisher shall not exceed 50 feet.

EXITS, AISLES

There must be a minimum of two exits in each tent. Exits shall be spaced at equal intervals around the perimeter of the tent. All exits shall be located so all points within the tent are 100 feet or less from an exit.

Exit openings shall remain open unless covered by flame-resistant curtain. Flame-resistant curtains shall meet the requirements of OFC Chapter 24.

All aisle ways shall be maintained in accordance with OFC Chapter 24 as follows:

- Areas serving employees only shall have a minimum aisle width of 24 inches (but not less than the width required by the number of employees).
- Areas serving the public that have the following items placed on one side of the aisle only shall have a minimum aisle width of 36 inches: seats, tables, counters, furnishings, displays and similar fixtures or equipment.
- Areas serving the public that have the following items placed on both sides of the aisle shall have a minimum aisle width of 44 inches: seats, tables, counters, furnishings, displays and similar fixtures or equipment.
- Exits shall not be crossed by guy wires, guy ropes, or any other support members at a height of less than 8 feet.
- Exits shall be clearly marked.

FLAMMABLE AND COMBUSTIBLE LIQUIDS

Equipment fueled by flammable liquids or liquefied petroleum gas shall not be used in tents.

Storage of flammable and combustible liquids and liquefied petroleum gas shall be stored outside the tent in an approved manner and at least 50 feet from the tents. All storage shall be in accordance with OFC Chapter 34 (Flammable Liquids) and Chapter 38 (Liquefied Petroleum Gas).

HOUSEKEEPING

All combustible vegetation shall be removed from the area occupied by the tent and from any areas within 30 feet of the tent.

The area inside the tent and the surrounding grounds within 30 feet of the tent shall be kept clear of any combustible waste. Waste shall be stored in approved containers until removed from the premises.

No hay, straw, or similar combustible materials shall be stored inside or within 30 feet of the tent unless they have been treated with a flame retardant in an approved manner.

For more information or additional copies of this brochure, contact the Office of State Fire Marshal at (503) 934-8274.

REFERENCE GUIDE

TENT STANDARDS FOR RETAIL SALES OF FIREWORKS

OFFICE OF STATE FIRE MARSHAL

OREGON STATE POLICE



LICENSE AND PERMITS SECTION

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