



Henrico County Office of the Fire Marshal

Permissible Fireworks Requirements for Residential Permit

In Virginia, the only fireworks that are allowed are referred to as “Permissible Fireworks”. In Henrico County even these permissible fireworks are prohibited from sale, possession and use under the county ordinance below.

Sec. 11-20. Possession, sale, storage or use of fireworks prohibited.

(a) This section is adopted pursuant to authority granted localities by Code of Virginia, § 27-97, and Virginia Statewide Fire Prevention Code section 101.5 to adopt fire prevention regulations that are more restrictive than the Virginia Statewide Fire Prevention Code.

(b) No person shall store, possess, offer for sale, expose for sale, sell at retail or use or explode any fireworks, as that term is defined in Virginia Statewide Fire Prevention Code, except that a person may conduct a supervised public display of fireworks pursuant to a permit granted by the fire marshal.

(c) Applications for permits shall be made in writing at least 60 days before the date of the supervised public display of fireworks. The sale, possession, discharge and distribution of fireworks for such display shall be lawful only under the terms and conditions and for the purpose set forth in the permit. A permit shall not be transferable nor extend beyond the date or dates set forth therein.

(d) For purposes of this section, the term "fireworks" shall include "permissible fireworks" as that term is defined in Virginia Statewide Fire Prevention Code.

(e) For purposes of this section, "fireworks" shall not include automobile flares, paper caps containing not more than an average of .25 grams (16 mg) of explosive content per cap, or any toy pistols, toy canes, toy guns, and other devices using such caps.

The Henrico Fire Marshal’s Office may issue an individual or facility a permit to use “permissible Fireworks” based on State law, County ordinances and/or the Virginia Statewide Fire Prevention Code. Ultimately, our desire is to provide and maintain a safe environment for our citizens and guests throughout the county. **PERMISSIBLE FIREWORKS.** Any sparklers, fountains, Pharaoh’s serpents, caps for pistols, or pinwheels commonly known as whirligigs or spinning jennies. This site has a current and complete list:

<https://www.vafire.com/content/uploads/2022/06/Virginia-2022-Approved-Permissible-Consumer-Fireworks-List-Final-052022.pdf>

Requirements that must be followed or the permit will be subject to revocation.

- Any fireworks which explode, emits flames or sparks greater than twelve (12) feet high, rises into the air or travels laterally or performs as a projectile or fires projectiles other than sparks are prohibited.
- All devices are to be used according to manufactures recommendations and instructions.
- All devices must be used on private property listed on the permit; no public property can be used.
- No one under 18 years of age shall hold, light, or participate in the use of any permissible devices in any capacity other than a spectator at a safe distance.
- No device shall be used closer than **20 feet** to any person, combustible material, and property line.
- Persons participating in the display shall not be under the influence of drugs or alcohol.
- Devices designed and manufactured for use on the ground shall be on a suitable stable surface to prevent the devices from falling over.
- Sparklers must be wooden stick type and an adequate number of containers of sand or water must be present to discard them when finished.
- No device is to be used on a surface capable of spreading fire, this includes but is not limited to wooden decks, dried grass and vegetation, mulch, cloth, or paper.
- A fire extinguisher or other means of extinguishing a fire (water hose) must be present on the site.
- The permit holder is responsible for the safety of all participants and spectators as well as any damage.
- This permit does not grant permission for the use, storage or possession of any permissible fireworks in any other jurisdiction. Please check with any other localities for requirements.
- The permit holder is responsible to ensure all requirements are met.

Henry D. Rosenbaum, Fire Marshal

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Sparklers, fountains, Pharaoh's serpents, caps for pistols and pinwheels (commonly known as whirligigs), spinning jennies or other similar fireworks approved by the Fire Marshal as they are permissible fireworks in the Commonwealth of Virginia. Any such firework which explodes, emits flames or sparks greater than twelve (12) feet high, rises into the air or travels laterally or performs as a projectile or fires projectiles other than sparks are prohibited. All illegal fireworks are subject to confiscation and the person responsible may be charged with violation of county or state laws. Permissible fireworks shall have a hard-coated or slow-burning fuse at least one and a half (1.5) inches long with a burning rate of not less than four (4) seconds. Quick match fuses are prohibited. Such permissible fireworks shall be used only on private property with the prior approval of the owner of the property.

Disposal of Fireworks: Used fireworks should be placed in a metal container for 24 hours before discarding in the household trash. The container holding the used fireworks should be at least 15 feet away from any structure or combustible items. (Fencing, deck, etc.). Used fireworks can also be placed in a bucket or pale of water to soak and insure there will be no reignition.

Never place used fireworks in a paper/plastic bags or plastic trash cans within 24 hours after use.

Un-used fireworks can also be soaked in water for 24 hours to prevent future use, then discarded in the household trash.