

661—265.26(100) Plan review and inspection—guidelines.**265.26(1) Inspections.**

a. Any retailer or community group offering for sale at retail any consumer fireworks, as described in APA 87-1, shall do so in accordance with NFPA 1124. Every location and any building or structure where the retail sales of consumer fireworks are conducted or where consumer fireworks are stored is subject to an inspection at any time while engaged in the retail sale of consumer fireworks.

b. Prior to the sale of consumer fireworks, each retail location shall satisfy one of the following requirements:

(1) A site inspection of the retail location by the state fire marshal or the state fire marshal's designee.

(2) Attestation at the time of the application by the person submitting the application that the retail location will comply with NFPA 1124 and these rules, including rule 661—265.25(100).

c. If a retail location license is revoked, the location shall satisfy the requirements of subparagraph 265.26(1)“*b*”(1) prior to engaging in the sale of consumer fireworks the following year. The retail location shall not satisfy subparagraph 265.26(1)“*b*”(2) to sell consumer fireworks.

265.26(2) Reserved.

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