

Ohio's New Fireworks Law for Consumers



Yes – Beginning July 1, 2022, Ohioans can legally discharge 1.4G consumer fireworks in Ohio on certain days UNLESS the relevant political subdivision has chosen to ban their use. (Ohioans are NOT permitted to purchase or discharge 1.3G display fireworks.)

What dates and times can consumers legally discharge 1.4G fireworks?

Beginning in July 2022, unless limited by local laws, Ohioans can discharge consumer fireworks on the following dates and times:

- **July 3, 4, and 5, and the Friday, Saturday and Sunday immediately before and after July 4th (4 p.m.-11 p.m.)**
- **Labor Day weekend (4 p.m.-11 p.m.) [1st Monday of September and the Saturday and Sunday immediately preceding that Monday]**
- **Diwali (4 p.m.-11 p.m.)**
- **New Year's Eve (4 p.m.-11:59 p.m.)**
- **New Year's Day (12 a.m.-1 a.m.; 4 p.m.-11 p.m.)**
- **Chinese New Year (4 p.m.-11 p.m.)**
- **Cinco de Mayo (4 p.m.-11 p.m.)**
- **Memorial Day weekend (4 p.m.-11 p.m.) [last Monday is May and the Saturday and Sunday immediately preceding that Monday]**
- **Juneteenth (4 p.m.-11 p.m.) [June 19]**

Where can fireworks be discharged?

Consumers can discharge fireworks on their own property or on another person's property if the owner of that property has given express permission for fireworks to be discharged on their property.

CAUTION: Local political subdivisions may ban fireworks or restrict the dates and times that fireworks can be used.

Even though state law allows consumers to discharge 1.4G fireworks on the above dates and times, political subdivisions (villages, cities, townships or counties) can ban the use of

fireworks within their boundaries. They can also restrict the dates and/or times that fireworks can be used by consumers within their boundaries. If a political subdivision takes such action, the local law controls in that area. So, consumers should check their local laws to make sure consumer discharge of fireworks is legal in their area.

What rules apply to the use of 1.4G fireworks by consumers?

Ohio Revised Code (R.C.) § 3743.45 (as effective July 1, 2022) and Ohio Fire Code (OFC) § 5626 (effective July 3, 2022). Relevant OFC provisions outline how 1.4G consumer fireworks must be used and stored by consumers. Some provisions in the rules include:

- **No person under the age of 18 is permitted to handle or discharge fireworks.**
- **Persons under the age of 18 cannot be within 150 feet of the discharge point of aerial fireworks.**
- **Aerial devices cannot be discharged within 150 feet of spectators (this includes aerial shells, roman candles, cakes, and bottle rockets).**
- **Non-aerial devices cannot be discharged within 50 feet of spectators (this includes fountains, firecrackers, and ground effect devices).**

Note: These separation distances – for both aerial and non-aerial devices – are increased for certain types of locations such as hospitals, schools, healthcare and residential facilities, apartment and multi-tenant buildings, military installations and railroads.

- **No person can store in excess of 125 pounds (net weight of pyrotechnic composition) of fireworks unless they have additional safety measures and safeguards in place for such storage.**

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- Fireworks cannot be discharged indoors.
- Fireworks cannot be aimed at or discharged toward any person or object (such as buildings).
- Fireworks cannot be discharged on public property or private school property.
- Fireworks cannot be discharged if drought conditions exist or in an area where a red flag warning is in place or other weather hazard exists.
- Fireworks cannot be discharged within 150 feet of property housing livestock unless 5 days advance written notice is provided to the owner of the property where the livestock is housed.

In addition, relevant R.C. provisions state that no person can use fireworks while in possession or control of, or under the influence of, any intoxicating liquor, beer, or controlled substance. A person who violates this is guilty of a first-degree misdemeanor.

What are some safety tips for the discharge of fireworks?

Fireworks are extremely dangerous – so, please be safe and follow basic safety protocols. Each year, thousands of people are injured in fireworks-related incidents and sadly, many die as a result. In addition, fireworks start an average of 18,500 fires each year resulting in extensive damage to structures, vehicles, and property. The Consumer Product Safety Commission offers the following guidelines for safety:

- Never allow young children to handle fireworks.
- Anyone using fireworks or standing nearby should wear protective eyewear.
- Never hold lit fireworks in your hands.
- Never light fireworks indoors.
- Only use fireworks away from people, houses, and flammable material.
- Do not try to re-light or handle malfunctioning fireworks.
- Soak both spent and unused fireworks in water for a few hours before discarding.
- Keep water or a fire extinguisher nearby to fully douse fireworks that don't discharge or in case of fire.

Where can Ohioans buy fireworks?

Only fireworks purchased in Ohio may be discharged in Ohio. Consumers may purchase fireworks from any of the licensed sales locations throughout the state. When purchasing fireworks, the retailer must provide consumers with safety glasses (for free or at a nominal charge) and with a safety pamphlet.

The State Fire Marshal is part of the Ohio Department of Commerce, Ohio's chief regulatory agency. The Department is focused on promoting prosperity and protecting what matters most to Ohioans. We ensure businesses follow the laws that help them create jobs and keep Ohioans safe. To learn more about what we do, visit our website at com.ohio.gov.

Section 3743.45 | Purchase, use, and local regulation of consumer-grade fireworks.

Ohio Revised Code / Title 37 Health-Safety-Morals / Chapter 3743 Fireworks

Effective: July 1, 2022 Latest Legislation: House Bill 172 - 134th General Assembly

(A) Any person who intends to obtain possession in this state of 1.4G fireworks purchased in this state shall obtain possession of the 1.4G fireworks only from a licensed retailer, licensed manufacturer, or licensed wholesaler and shall be subject to this section.

(B) Any person authorized under this section to possess 1.4G fireworks in this state may discharge, ignite, or explode those fireworks on private property, with authorization from the property owner, on the following days each year:

- (1) The first day of January;
- (2) Chinese new year's day;
- (3) The fifth day of May;
- (4) The last Monday in May, and the Saturday and Sunday immediately preceding that day;
- (5) The nineteenth day of June;
- (6) The third, fourth, and fifth days of July;
- (7) The first Friday, Saturday, and Sunday before and after the fourth day of July;
- (8) The first Monday of September, and the Saturday and Sunday immediately preceding that day;
- (9) Diwali;

(10) The thirty-first day of December.

(C) Fireworks discharged, ignited, or exploded pursuant to this section shall not be considered a public exhibition.

(D) A county, with respect to the unincorporated territory of the county, a township, with respect to the unincorporated territory of the township, or a municipal corporation may do either of the following:

(1) Restrict the dates and times a person may discharge, ignite, or explode fireworks purchased pursuant to this section.

(2) Ban the discharge, ignition, or explosion of fireworks purchased pursuant to this section. A resolution adopted by a board of township trustees under this division prevails over a conflicting resolution adopted under this division by the board of county commissioners in the county within which the township is located.

(E) This section does not limit the enforcement of any ordinance, resolution, or statute that regulates noise, disturbance of the peace, or disorderly conduct.

Last updated July 1, 2022 at 4:04 AM

Available Versions of this Section

September 23, 2008 – House Bill 562 - 127th General Assembly

September 29, 2015 – Amended by House Bill 64 - 131st General Assembly

July 1, 2022 – Amended by House Bill 172 - 134th General Assembly

Section 3743.451 | Rules for consumer-grade fireworks use.

Ohio Revised Code / Title 37 Health-Safety-Morals / Chapter 3743 Fireworks

Effective: February 7, 2022 Latest Legislation: House Bill 172 - 134th General Assembly

(A)(1) The state fire marshal shall adopt rules in accordance with Chapter 119. of the Revised Code regulating the time, manner, and location of 1.4G fireworks discharged, ignited, or exploded under section [3743.45](#) of the Revised Code. The rules may include provisions requiring that all fireworks be used only in accordance with manufacturer's instructions and provisions for all of the following:

(a) The use of aerial fireworks;

(b) Separation distances between the location of fireworks discharges, ignitions, or explosions and adjacent structures, roadways, railroads, airports, publicly owned or controlled places, and places where hazardous materials are manufactured, used, or stored;

(c) Fireworks usage at common areas of multitenant properties;

(d) The suspension of fireworks discharges, ignitions, or explosions during times of drought or similar conditions;

(e) The proximity of fireworks discharges, ignitions, or explosions to persons under eighteen years of age;

(f) Any other matters similar to those listed in division (A)(1) of this section.

(2) The state fire marshal shall file the rules required by this division with the joint committee on agency rule review pursuant to division (C) of section [119.03](#) of the Revised Code not later than one hundred eighty days after the effective date of this section.

(B)(1) Nothing in division (A) of this section shall be construed to limit the authority of a county, township, or municipal corporation under division (D) of section [3743.45](#) of the Revised Code to restrict the dates and times or ban the discharge, ignition, or explosion of fireworks purchased under section [3743.45](#) of the Revised Code.

(2) Rules adopted pursuant to this section shall permit consumers, who are at least eighteen years of age, to safely and responsibly use 1.4G fireworks on their own private property, or any private property to which they have express consent from the property owner.

(3) Rules adopted pursuant to this section shall not be constructed as a de facto ban on the consumer discharge of fireworks. It is the intent of the general assembly to allow consumers to discharge 1.4G fireworks in a safe and reasonable manner.

Last updated December 9, 2021 at 4:15 PM

[Available Versions of this Section](#)

February 7, 2022 – Enacted by House Bill 172 - 134th General Assembly