



# GREATER NAPLES FIRE RESCUE DISTRICT FIREWORKS AWARENESS

## Frequently Asked Questions

Florida Statutes Chapter 791

Collier County Land Development Code Section 5.04.05

Collier County Code of Laws and Ordinances Chapters 54, 55, and 58

### Q: Are fireworks legal in Florida?

A: Florida Statute [Chapter 791](#) prohibits the sale and use of fireworks, with the following exceptions:

- Sparklers, novelties, and trick noisemakers not defined as fireworks may be sold or used at any time.
- Fireworks may be sold at wholesale to other manufacturers or distributors.
- Fireworks may be sold and used for the following reasons:
  - Supervised public fireworks displays that are approved by the Board of County Commissioners for fair associations, amusement parks, and other organizations or groups of individuals.
  - Signal, illumination, or ceremonial purposes for railroads, quarries, theaters, sporting events, or military or air force organizations.
  - Frightening birds from agricultural works and fish hatcheries.



Example novelties and trick noisemakers approved for sale

### Q: Who is responsible for enforcing the State's prohibition on the use of Fireworks?

A: Florida Statutes [Chapter 791](#) identifies that enforcement of the State's fireworks laws remains with "local law enforcement departments and officials charged with the enforcement of the laws of the state."

A: The seizure of any fireworks for sale, stored, or held in violation of state statutes is the responsibility of each sheriff or any other police officer.

### Q: Why do I see tents selling sparklers before Independence Day and New Year's Eve?

A: Florida Statutes [Chapter 791](#) allows "seasonal retailers" to sell sparklers two times per year.

A: Collier County applies local zoning regulations in [Land Development Code section 5.04.05](#) related to these temporary seasonal sales through a requirement for temporary use permits.



# GREATER NAPLES FIRE RESCUE DISTRICT

## FIREWORKS AWARENESS

Each temporary seasonal sale permit holder within the Greater Naples Fire Rescue District (GNFD) must comply with state statutes and must obtain a permit from GNFD.

**Q: Are there any other limitations on the sale or use of fireworks?**

A: The sale and/or use of fireworks or incendiary devices may be prohibited during drought conditions after the following actions:

- The Collier County Board of County Commissioners may declare that a local emergency exists during extreme drought conditions. To limit fire hazards, this emergency declaration may include a ban on outdoor ignition sources. These “burn bans” specify whether the sale and/or use of fireworks or incendiary devices is included in the prohibition (Collier County Code of Laws and Ordinances [Chapter 58-1](#)).
- If the Governor of the State of Florida declares a state of emergency due to extended drought and potential for wildfires that includes all or parts of Collier County, a prohibition against the sale or use of fireworks becomes effective for 30 days commencing with the declaration of a state of emergency (Collier County Code of Laws and Ordinances [Chapter 58-27 D.1.i](#)).

A: Collier County Code of Laws and Ordinances [Chapter 54-335 \(s\)](#) prohibits possessing or discharging fireworks within or into preserve boundaries.

### REFERENCES

- [Florida Statutes Chapter 791](#)
- Collier County Code of Laws and Ordinances:
  - [Section 54-335 \(s\)](#)
  - [Section 55-4](#)
  - [Section 58-1](#)
  - [Section 58-27 D.1.i](#)
- Collier County Land Development Code:
  - [Section 5.04.05](#)
- Approved sparklers list:  
<http://www.myfloridacfo.com/division/sfm/BFP/ApprovedSparklerLists.htm>
- Images from: [2004 Fireworks and Sparkler Enforcement Guide](#)