



Ohio Revised Code

Section 3743.27 Fountain device retailer operations.

Effective: February 7, 2022

Legislation: House Bill 172 - 134th General Assembly

(A) A licensed fountain device retailer is authorized to possess fountain devices and sell fountain devices at retail pursuant to this section:

(1) A licensed retailer's displays for fountain devices shall be limited to three hundred square feet. No single fountain device display shall exceed one hundred fifty square feet, and each display must be placed at least twenty-five feet from any other highly flammable materials.

(2) A licensed retailer's possession and storage of fountain devices shall comply with the national fire protection association standard "NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles (2006 Edition)."

(3) A licensed retailer shall only possess and sell fountain devices as packaged merchandise with covered fuses.

(4) A licensed retailer's fountain devices that are displayed for sale shall be under the visual supervision of an employee of the licensed retailer or other responsible party while the licensed retail location is open to the public.

(5) A licensed retailer's possession, storage, and sale of fountain devices shall comply with the state fire marshal's rules adopted pursuant to section 3743.28 of the Revised Code.

(6) No licensed retailer shall sell fountain devices to a person who is under eighteen years of age.

(7) No licensed retailer shall knowingly sell fountain devices to a person who is obviously under the influence of alcohol or a drug of abuse, as defined in section 4506.01 of the Revised Code.

(8) A licensed retailer shall comply with divisions (A) and (B) of section 3743.47 of the Revised Code.



(9) A licensed retailer shall possess and sell fountain devices only at the location described in the application for licensure and the sale shall be from the inside of a licensed building and from no structure or device outside a licensed building. At no time shall a licensed retailer sell fountain devices outside of a licensed building.

(10) A licensed retailer shall prohibit smoking in the licensed location.

(B) No licensed fountain device retailer shall negligently fail to furnish a safety pamphlet to a purchaser of 1.4G fireworks as required by division (A) of section 3743.47 of the Revised Code.

(C) No licensed fountain device retailer shall negligently fail to have safety glasses available for sale as required by division (B) of section 3743.47 of the Revised Code.