



Legislation Details (With Text)

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**File created:** 5/25/2018      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority

**On agenda:** 6/4/2018      **Final action:** 6/4/2018

**Title:** SUBJECT: Report on Fourth of July Enforcement Strategies and Public Outreach Campaign by the City's Illegal Fireworks Task Force Committee; Approval of Banners on Light Poles on Main Street

**REPORT IN BRIEF**

Provides an update to the City Council on the City's efforts to combat illegal fireworks within the City limits and the public outreach efforts being made to deter people from using, selling and possessing illegal fireworks and approves the placement of banners on light poles on Main Street.

**RECOMMENDATION**

City Council - Adopt a motion receiving the informational report on the City's efforts to combat illegal fireworks and approving the request to place banners on light poles downtown from June 5, 2018 to July 6, 2018.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Fire Codes.pdf, 2. Fire Seal.pdf

Date	Ver.	Action By	Action	Result
6/4/2018	1	City Council/Public Finance and Economic Development Authority/Parking Authority	approved	Pass

*Report Prepared by: Steve Carrigan, City Manager*

**SUBJECT: Report on Fourth of July Enforcement Strategies and Public Outreach Campaign by the City's Illegal Fireworks Task Force Committee; Approval of Banners on Light Poles on Main Street**

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**RECOMMENDATION**

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**ALTERNATIVES**

1. Approve as recommended by staff; or
2. Deny; or
3. Continue to a future council meeting, to be determined by motion of the City Council.

## AUTHORITY

Merced City Charter section 200.

## CITY COUNCIL PRIORITIES

The Fourth of July Enforcement Strategies and Public Outreach Campaign align with the City Council's goals of promoting public peace, welfare and safety.

## DISCUSSION

The use of illegal fireworks during the Fourth of July holiday has progressively increased over the past few years and become problematic for residents of our City. Last year, following the Fourth of July holiday, City Councilmember Kevin Blake asked staff to put together a plan to address the issues related to the use of illegal fireworks. In January, several staff members were asked to form the City's inaugural Illegal Fireworks Task Force Committee. The purpose of this committee is to formulate enforcement strategies to curb the use, sales and possession of illegal fireworks within the City's limits during the Fourth of July holiday and to develop a public outreach campaign to educate the public and deter people from using, selling and possessing illegal fireworks.

The Illegal Fireworks Task Force Committee will give a presentation informing the City Council and the public of its public outreach campaign. In addition, Interim Police Chief Chris Goodwin and Fire Chief Michael Wilkinson will discuss efforts being made by their respective departments to combat the use, sales and possession of illegal fireworks starting now through July 6, 2018.

This year, the Fourth of July holiday falls on a Wednesday. The retail sales period for Safe and Sane fireworks will open at Noon on Thursday, June 28<sup>th</sup> and will close at Noon on Friday, July 6<sup>th</sup>. During that time period, Safe and Sane fireworks may be used and fireworks stand operators who have received a permit from the City to operate may sell Safe and Sane fireworks during the following hours:

Thursday June 28 <sup>th</sup>	6:00 a.m. to 10:30 p.m.
Friday June 29 <sup>th</sup> - Saturday June 30 <sup>th</sup>	6:00 a.m. to Midnight
Sunday July 1 <sup>st</sup> - Monday July 2 <sup>nd</sup>	6:00 a.m. to 10:30 p.m.
Tuesday July 3 <sup>rd</sup> - Wednesday July 4 <sup>th</sup>	6:00 a.m. to Midnight
Thursday July 5 <sup>th</sup>	6:00 a.m. to 10:30 p.m.
Friday July 6 <sup>th</sup>	6:00 a.m. to Midnight

Merced is a zero tolerance City for the use, sale and possession of illegal and dangerous fireworks. Only Safe and Sane fireworks are permitted to be used, sold or possessed within the City limits during the time periods set forth above. These fireworks are easily recognizable because they are labeled with a Safe and Sane firework seal issued by the California State Fire Marshall. Pursuant to Merced Municipal Code section 8.22.020 (g), in addition to any other remedy available by law (i.e., criminal prosecution), any person or entity who, in a 12-month period, possesses, uses, stores, sells and/or displays dangerous fireworks (i.e., those that do not have the State Fire Marshall's Safe and Sane firework seal) is subject to an administrative fine as follows:

First Violation	\$1,000
Second Violation	\$1,500
Third and subsequent Violations	\$2,000

In addition to the above administrative fines, individuals possessing illegal or dangerous fireworks are subject to criminal prosecution and additional fines. A list of criminal violations that will be enforced before, during and after this Fourth of July holiday related to the use, possession and/or sale of illegal and dangerous fireworks is attached to this agenda item.

### **IMPACT ON CITY RESOURCES**

None.

### **ATTACHMENTS**

1. List of Merced Municipal Code and Health and Safety Code Fireworks Violations
2. Safe and Sane Fireworks Seal issued by the California State Fire Marshal