



## Legislation Text

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*Report Prepared by: Billy Alcorn, Fire Chief, Merced Fire Department*

**SUBJECT:** Report - Fourth of July Illegal Fireworks Enforcement Strategies and Public Outreach Campaign by the City of Merced and Adopt a Motion Approving the Placement of Banners on Light Poles in Downtown Merced and G Street to Support Prevention Efforts

### 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 in downtown Merced and G 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 and on G Street from June 16, 2020 to July 6, 2020.

### 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 Illegal Fireworks 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. Three years ago, following the Fourth of July holiday, City Councilmembers asked staff to put together a plan to address the issues related to the use of illegal fireworks. Two years ago, the City established a fireworks task force to address the illegal firework challenges in the City of Merced. 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.

City of Merced staff will give a presentation informing the City Council and the public of its public outreach campaign. In addition, Police Chief Tom Cavallero and Fire Chief Billy Alcorn will discuss efforts being made by their respective departments to combat the use, sales and possession of illegal fireworks starting now through July 6, 2020.

This year, the Fourth of July holiday falls on a weekend. The retail sales period for Safe and Sane fireworks will open at Noon on Friday, June 28th and will close at Noon on Saturday, July 6th. 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:

Day	Date	Time
Sunday	June 28	Noon - 10:30 p.m.
Monday	June 29	6 a.m. - 10:30 p.m.
Tuesday	June 30	6 a.m. - 10:30 p.m.
Wednesday	July 1	6 a.m. - 10:30 p.m.
Thursday	July 2	6 a.m. - 10:30 p.m.
Friday	July 3	6 a.m. - Midnight
Saturday	July 4	6 a.m. - Midnight
Sunday	July 5	6 a.m. - 10:30 p.m.
Monday	July 6	6 a.m. - Noon

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 Marshal'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.

## **IMPACT ON CITY RESOURCES**

None at this time.

## **ATTACHMENTS**

1. Presentation