



City of Long Beach
Working Together to Serve

R-14

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Date: July 24, 2018

To: Honorable Mayor and Members of the City Council

From: Councilwoman Suzie Price, Third District *SP*
Councilwoman Jeannine Pearce, Second District *JP*
Councilman Daryl Supernaw, Fourth District *DS*
Councilman Al Austin, Eighth District *al*

Subject: Request Report on Feasibility of Implementing Expanded
Fireworks Enforcement/Administrative Remedies

RECOMMENDATION:

The City Council is requesting that the City Manager provide a report back on how the City can expand its enforcement of fireworks violations through ordinance changes, the City's ability to enhance and/or develop an administrative citation process for fireworks violations, include more technology based ways of reporting fireworks violation, evaluate the possibility of utilizing video to enforce violations, and evaluate the feasibility of video evidence of fireworks violations provided to the City by residents being used in enforcement and/or citations. Data and research compiled by the individual council offices should be utilized as a reference.

INTRODUCTION:

Every year in the weeks and months building up to the 4th of July, as well as weeks and months following, there are major concerns from residents throughout the City with fireworks creating negative impacts to neighborhoods, and community quality of life. Fireworks cause injuries and damages to property, they frighten pets, create added risk of fires in residential neighborhoods and are illegal in all of Long Beach.

This year, led by the Long Beach Fire Department (LBFD), the City continued to expand their efforts to address fireworks violations, and have made positive progress. More community outreach and public information campaigns through social media and traditional media was done this year, in addition to a campaign to protect pets from the Long Beach Animal Care Services (ACS). As always, all public safety officers were on duty during the 4th of July. The LBFD and ACS should be commended on their proactive efforts.



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Between July 1 and July 5 this year, there were 979 fireworks related calls to the City's Dispatch Center, whereas last year there were 1,227 fireworks related calls; this represents a 30 percent decrease in fireworks related calls. For the 24-hour period of July 4, the Dispatch Center handled 3,246 calls (9-1-1 and the non-emergency line), and 1,419 calls-for-service. In comparison, on an average day, the Dispatch Center will handle approximately 2,379 calls (both 9-1-1 and the non-emergency line), and nearly 820 calls-for-service which represents more than 35 percent increase on Independence Day. During the peak time between 8:30 pm and 9:15 pm, the Dispatch Center received 408 combined calls (an average of 9 calls a minute). Staffing in the Dispatch Center from 7:00 pm to 11:00 pm was augmented by 40 percent for the anticipated increase in call volume.¹

Additionally, on the beaches and waterways during July 4th, our Marine Safety personnel conducted and responded to 122 swim rescues including: 62 oceanfront rescues; 30 Bayshore rescues; 14 Marine Park rescues; and 16 Colorado Lagoon rescues.²

The Long Beach Police Department, through a firework enforcement investigation on June 20, 2018 located several thousand pounds of illegal high-powered fireworks with a street value of approximately \$250,000. They should be commended on these significant enforcement efforts.

These fireworks were confiscated by the Long Beach Fire Investigations Team and the Bureau of Alcohol, Tobacco and Firearms (ATF) Arson Unit Task Force for safe disposal through the State Fire Marshal's Office. Separately, three other investigations resulted in one arrest, one citation, and the confiscation of approximately 3,000 lbs. of fireworks, narcotics, a handgun, magazines and ammunition. On July 4th, police enforcement also resulted in 26 felony and misdemeanor arrests, and 32 fireworks and misdemeanor citations.

Significant work to address these violations have clearly been effective at reducing the incidence, but there remain additional methods that could

¹ <http://www.longbeach.gov/press-releases/fireworks-enforcement-and-4th-of-july-in-long-beach/>

² <http://longbeach.gov/press-releases/city-of-long-beach-reviews-public-safety-efforts-for-the-independence-day-holiday/>



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continue this positive progress. Recently, a group of Third District residents conducted extensive research and developed a number of recommendations for consideration by City leadership. Among them were the possibility of implementing an administrative citation process for fireworks violations; the use of video recorded by residents to enforce fireworks violations; expanded public information campaigns to reduce incidents of violations, provide additional ways for violations to be reported through technology like texting cell phone videos, utilizing the Go Long Beach app, and using video evidence for citations and enforcement.

Cities throughout the state have adopted additional, more aggressive approaches to illegal firework use,³⁴⁵ demonstrating that more can be done. Based on the impact on quality of life for our residents, the timing is ripe for Long Beach to adopt new tools based on best practices from other municipalities.

An administrative citation, being a civil citation and not punishable by jail nor appearing on a criminal record, would be established with the goal of improving quality of life by promoting and protecting the public health, safety, and welfare for residents. As an alternative to criminal prosecution, the use of an Administrative Citation could improve compliance and give the City another method to use in seeking consistent compliance with fireworks ordinances in addition to its current tools of enforcement.

FISCAL IMPACT:

There is no financial impact as a result of the recommended action.

³ <https://www.cityofrc.us/civicax/filebank/blobdload.aspx?blobid=3385>

⁴ <https://www.ci.seaside.ca.us/649/Illegal-Fireworks-Enforcement>

⁵ <http://www.sanjoseca.gov/fireworks>