



Legislation Details (With Text)

File #: 20-0603 **Version:** 1 **Name:** CD8 - Fireworks action plan
Type: Agenda Item **Status:** Approved
File created: 6/19/2020 **In control:** City Council
On agenda: 6/23/2020 **Final action:** 6/23/2020

Title: Recommendation to request the following recommendations of the Illegal Explosives and Fireworks Action Plan to address the illegal use of fireworks and explosives in Long Beach:

- 1) Request City Attorney to draft an ordinance that would include a person who owns, rents, leases or otherwise has possession of a premises as a responsible party for the illegal use, discharge, possession, storage or sale of fireworks on the premises;
- 2) Request City Attorney and City Manager to report back to the City Council with options for increasing the penalties for anyone cited or arrested for fireworks violations;
- 3) Request City Attorney and City Manager to report back to the City Council on the feasibility of including an administrative citation process for illegal fireworks use, to allow for additional enforcement capability in Long Beach;
- 4) Request City Manager to assess the feasibility of establishing an online portal or GoLongBeach app feature for residents to submit video evidence of fireworks violations for referral to the City Prosecutor;
- 5) Request City Manager to assess the feasibility of utilizing OpenData or crowdsourcing to create a publicly accessible heat map of incidents of illegal fireworks and explosives in Long Beach;
- 6) Request City Manager to assess the feasibility of establishing a fireworks hotline for residents to report illegal fireworks and explosives; and
- 7) Request City Manager to provide an update on public education efforts this year that all fireworks are illegal in Long Beach.

Sponsors: COUNCILMAN AL AUSTIN, EIGHTH DISTRICT, COUNCILWOMAN MARY ZENDEJAS, FIRST DISTRICT, VICE MAYOR DEE ANDREWS, SIXTH DISTRICT, COUNCILMEMBER REX RICHARDSON, NINTH DISTRICT

Indexes:

Code sections:

Attachments: 1. 062320-NB-25sr.pdf, 2. 062320-NB-25 Correspondence.pdf

Date	Ver.	Action By	Action	Result
6/23/2020	1	City Council	approve recommendation	Pass

Recommendation to request the following recommendations of the Illegal Explosives and Fireworks Action Plan to address the illegal use of fireworks and explosives in Long Beach:

- 1) Request City Attorney to draft an ordinance that would include a person who owns, rents, leases or otherwise has possession of a premises as a responsible party for the illegal use, discharge, possession, storage or sale of fireworks on the premises;
- 2) Request City Attorney and City Manager to report back to the City Council with options for increasing the penalties for anyone cited or arrested for fireworks violations;
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- 6) Request City Manager to assess the feasibility of establishing a fireworks hotline for residents to report illegal fireworks and explosives; and
- 7) Request City Manager to provide an update on public education efforts this year that all fireworks are illegal in Long Beach.

While all fireworks are illegal in Long Beach, neighborhoods throughout the City are experiencing a noticeable and significant increase this year in the use of fireworks and illegal explosives. By almost all accounts, the explosions have started earlier, with more frequency, and with greater noise and disruption than in previous years.

The illegal fireworks and explosions negatively impact the quality of life for almost all residents, but they can have a particularly detrimental effect on veterans and other survivors of PTSD, as well as small children. These illegal explosives also cause great distress to numerous pets.

Long Beach dedicates significant resources each year to educate the public that all fireworks are illegal in the City, as well as on enforcement efforts through the Police and Fire Departments.

Last year, nearly 10,000 pounds of fireworks were recovered by the Long Beach Fire and Police Departments between Memorial Day and the 4th of July. Long Beach PD investigations resulted in eight arrests and 30 citations in the weeks leading up to July 4th last year, and on Independence Day made six felony arrests, 11 misdemeanor arrests and 36 fireworks-related citations.

Residents throughout our City are asking for additional measures to help address the daily barrage of explosions and nuisance from illegal fireworks, and have looked at additional steps that have been taken in other cities, as examples.

For example, some cities hold the property owner or lessee of a residential property responsible for to be cited for the unlawful and public nuisance of allowing the use of fireworks on their premises. Long Beach has successfully utilized this approach with other public nuisances, such as the Social Hosting Ordinance.

The City Prosecutor has also indicated that his office can take follow-up actions if they receive video evidence and other supporting information of illegal fireworks activity. The City can help facilitate this process by establishing an online portal or GoLongBeach app feature for residents to submit this video evidence.

Based on community input, a review of best practices in other cities, and ongoing discussions, we ask the City Council to approve this Illegal Explosives and Fireworks Action Plan, to help enhance Long Beach's efforts to curtail this significant public nuisance and health and safety concern.

STATEMENT OF URGENCY: Council consideration is timely to take action prior to the 4th of July holiday.

No fiscal impact was able to be conducted due to the urgency and time sensitivity of this item.

Approve recommendation

AL AUSTIN
COUNCILMAN, EIGHTH DISTRICT

MARY ZENDEJAS
COUNCILWOMAN, FIRST DISTRICT

DEE ANDREWS
VICE MAYOR, SIXTH DISTRICT

REX RICHARDSON
COUNCILMEMBER, NINTH DISTRICT