



Agenda Report

Fullerton City Council

MEETING DATE: MAY 4, 2021

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: CITY MANAGER'S OFFICE

PREPARED BY: LUCINDA WILLIAMS, CITY CLERK

SUBJECT: SAFE AND SANE FIREWORKS SALES LOTTERY PROCESS

SUMMARY

Council Member Jung, supported by Mayor Whitaker, requested that City Council review and discuss the safe and sane fireworks sales lottery process.

RECOMMENDATION

Provide direction.

PRIORITY POLICY STATEMENTS

This item matches the following Priority Policy Statements:

- Fiscal and Organizational Stability
- Public Safety.

FISCAL IMPACT

No fiscal impact.

DISCUSSION

On November 6, 2012, Fullerton voters reinstated the legal sale, possession and discharge of safe and sane fireworks with the passage of Measure X and adoption of City Ordinance No. 3183. 2020 marked the eighth year of sales, possession and discharge of safe and sane fireworks under the newly adopted rules and regulations. City Council Resolution No. 2016-11 outlines the most recent rules and policies for the fireworks sales lottery and permit process.

Lottery Process

In accordance with Resolution No. 2016-11, the City Clerk's Office accepts fireworks lottery applications each year during the month of March. In April, staff randomly selects 15 lottery applicants and five alternates to proceed to the fireworks sales permitting phase. Applicants must fall under one of the following categories:

- 1) A tax-exempt charity, nonprofit or other organization meeting the following criteria:
 - Established for at least one year
 - Formed primarily for veteran, patriotic, welfare, civic or business betterment, religious, athletic, youth or charitable purposes specifically to benefit the citizens of Fullerton
 - Meets principally and permanently within the City for at least the past year
 - Provides benefits and/or services to Fullerton citizens as its primary operation.
- 2) School (elementary through university level) or student group, club, booster group or organization formed to support any school program.

Current practice allows one representative group per educational institution (elementary through university level) to apply. The representative group may come from within the institution or a booster club operating outside of the school in support of an official school program, even if the outside organization operates under a separate tax identification number. In 2016, City Council adopted Resolution No. 2016-11 which includes language to clarify the "one group per school" rule.

Timeline

City of Fullerton Resolution No. 2016-11 opens the lottery application filing period on the first business day in March and closes the application period on the last business day in that same month. The resolution also established the dates and times for fireworks sales and discharge.

The key dates in the 2021 fireworks sales lottery and permit processes are as follows:

February 2, 2021:	City Council approves 2021 timeline and process
March 1 – 31, 2021:	Lottery applications accepted
April 20, 2021:	Lottery drawing at City Council meeting
April 21 – June 4, 2021:	Permit applications accepted by Fire Marshal
June 5 –30, 2021:	Permits processed / Stands drop
July 1 – 4, 2021:	Fireworks sales
July 5, 2021:	Stock removal
July 13, 2021:	Stand removal by this date
September 1, 2021:	Permittee financial reports due

Fees

The 2017-18 budget included increased fees for the fireworks lottery and permit applications to better capture actual costs for permit processing and additional safety personnel on duty on the Fourth of July. The lottery application fee increased to \$28 and the permit fee increased to \$1,686.

Modifications for 2021

In 2020, Staff implemented modifications to the inspection scheduling process to better utilize limited staff time for inspections and increased outreach efforts. The City made no modifications to the 2021 fireworks sales process.

Attachments:

- Attachment 1 – Ordinance No. 3183
- Attachment 2 – Resolution No. 2016-11
- Attachment 3 – 2020 Fireworks Sales Annual Report