



Agenda Report

Fullerton City Council

MEETING DATE: JUNE 17, 2025

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: JON RADUS, CHIEF OF POLICE

PREPARED BY: LAUREN PARKHOUSE, SENIOR. ADMINISTRATIVE ANALYST

SUBJECT: FULLERTON MUNICIPAL CODE AMENDMENTS REGARDING ILLEGAL FIREWORKS DISCHARGE AND FINES

SUMMARY

Staff requests City Council adopt an urgency ordinance regarding illegal fireworks discharge and fines as well as introduce a regular ordinance to codify the amendments.

PROPOSED MOTION

1. Introduce and adopt Urgency Ordinance No. XXXX.

ORDINANCE NO. XXXX - AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON AMENDING CHAPTER 7.26 OF THE FULLERTON MUNICIPAL CODE TO UPDATE FIREWORKS REGULATIONS AND APPROVING A CEQA EXEMPTION DETERMINATION

2. Introduce Ordinance No. XXXX for first reading and waive further reading of the ordinance.

ORDINANCE NO. XXXX - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON AMENDING CHAPTER 7.26 OF THE FULLERTON MUNICIPAL CODE TO UPDATE FIREWORKS REGULATIONS AND APPROVING A CEQA EXEMPTION DETERMINATION

ALTERNATIVE OPTIONS

- Approve the Proposed Motion
- Other options brought by City Council.

STAFF RECOMMENDATION

Staff recommends the Proposed Motion.

CITY MANAGER REMARKS

None.

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statements:

- Fiscal and Organizational Stability
- Public Safety.

FISCAL IMPACT

This item could potentially increase revenue due to fines but has no known expenditures directly related to the proposed ordinance.

BACKGROUND AND DISCUSSION

Fullerton voters approved Measure X on November 6, 2012, which adopted Ordinance No. 3183 establishing the sale and use of safe and sane fireworks. City Council adopted Resolution No. 2022-18 on March 1, 2022 establishing Rules and Regulations for safe and sane fireworks sale and use in the City of Fullerton. City Council now desires updating fireworks regulations in Fullerton Municipal Code Chapter 7.26 to address host and parental liability, increase administrative fines and reimburse for State Fire Marshal costs associated with disposal of dangerous illegal fireworks.

The fireworks discharge significantly increases the risk of fire ignition and spread in the City of Fullerton. Fireworks regulation violations create an immediate and significant danger to health and safety. Illegal fireworks usage continues as a pervasive issue, despite enforcement efforts. Discharging commercial-style fireworks mortars has become increasingly prevalent, leading to heightened concerns for public safety, fire risk and property damage.

Public Safety and Fire Risk Concerns

Most recent data from the National Fire Protection Association and U.S. Consumer Product Safety Commission highlights fireworks dangers.

- Emergency rooms treated approximately 9,700 fireworks-related injuries in 2023.
 - 60% of injuries affected individuals ages 0 to 24 years.
 - Eight reported fireworks-related fatalities.
- Fireworks started an estimated 31,302 fires across the U.S. in 2022, including:
 - 3,504 structure fires, 887 vehicle fires, 26,492 outside fires and 418 unclassified fires.
 - Fireworks have been a contributing factor in numerous wildfires, with dry conditions in Southern California exacerbating the risk.

Fullerton needs stricter enforcement measures to prevent catastrophic fires and protect residents and property given the City's proximity to wildfire-prone areas.

Proposed Code Amendment and Enforcement Strategies

The proposed amendment includes the following key provisions:

- Prohibits “hosts” from permitting or failing to prevent the sale, use or discharge of dangerous illegal fireworks on their property or on an adjacent public or private street or sidewalk.
- Establishes parental liability. Every parent, guardian or other person who has the legal care, custody or control of a minor and knows, or reasonably should know, that such minor is in violation of the ordinance, may receive administrative citation in addition to any administrative citation issued to the minor.
- Enhances administrative fines.
- Incorporates statutory mandate that State Fire Marshal receive reimbursement for costs associated with illegal fireworks disposal as defined by the State.

The Fullerton Police Department proposes enforcement strategies including:

- Expanded deterrent and enforcement tools, such as:
 - Enhanced public education campaign through City social media channels, utility invoice inserts, bulletins and the local TV broadcast channel to:
 - increase awareness of the dangers and penalties associated with illegal fireworks
 - increase awareness of the new ordinance and enforcement.
 - Utilize the Fullerton Police Department UAS Team to detect, track and collect illegal fireworks activity evidence in real time, if available.
 - Law enforcement, fire department and code enforcement coordination.

Attachments:

- Attachment 1 – Draft Urgency Ordinance No. XXXX
- Attachment 2 – Draft Ordinance No. XXXX

cc: City Manager Eric J. Levitt