



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** FEBRUARY 3, 2026

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** LUCINDA WILLIAMS, CITY CLERK

**PREPARED BY:** LUCINDA WILLIAMS, CITY CLERK

**SUBJECT:** 2026 SAFE AND SANE FIREWORKS SALES

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### **SUMMARY**

Fullerton voters reinstated the sale, possession and discharge of safe and sane fireworks in Fullerton on November 6, 2012 and re-affirmed the practice on November 3, 2020. This report presents the 2025 Safe and Sane Fireworks Sales Annual Report and seeks approval for the 2026 fireworks sales process.

### **PROPOSED MOTION**

1. Receive and file 2025 Safe and Sane Fireworks Sales Annual Report.
2. Adopt Resolution No. 2026-XXX.

RESOLUTION NO. 2026 – XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADOPTING RULES AND REGULATIONS FOR THE RETAIL SALE, POSSESSION AND DISCHARGE OF "SAFE AND SANE" FIREWORKS PURSUANT TO FULLERTON MUNICIPAL CODE SECTION 7.26.010

### **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

The City receives revenue from the fireworks lottery and sales permit processes determined by the number of applications received. The City collected \$868 lottery application fees and \$45,285 sales permit fees in Fiscal Year (FY) 2025-26. The FY 2025-26 Budget includes firework lottery and sales permit revenues. These amounts do not fully recoup the City costs to implement this program.

## BACKGROUND AND DISCUSSION

Fullerton voters approved Measure X, which adopted City Ordinance No. 3183 and reinstated the legal sale, possession and discharge of safe and sane fireworks on November 6, 2012. Voters re-affirmed the sale of safe and sane fireworks on November 3, 2020, rejecting Measure U which proposed banning the sale, possession and discharge of safe and sane fireworks. 2025 marked the thirteenth year of sales, possession and discharge of safe and sane fireworks under the reinstated rules and regulations.

City Council adopted Resolution No. 2022-018 in 2022 which amended the fireworks sales lottery drawing process to reserve five sales permits for Youth Sports Partner League organizations and the remaining ten sales permits for all other qualified lottery participants.

### *Process*

The City Clerk's Office accepts fireworks lottery applications during the month of March. The City then holds two lottery drawings during the City Council meeting on the third Tuesday in April to select groups to advance to the sales permit phase. The City conducts one lottery drawing for all qualified Youth Sports Partner League applicants to select five Youth Sports Partner League organizations to advance to the sales permit process and five alternates for the Youth Sports Partner League permits. The City then conducts a separate lottery drawing for all other qualified applicants to select ten organizations to advance to the sales permit process and five alternates for the other organization permits.

Current practice allows one representative group per educational institution (elementary through university level) as designated by the school principal, dean or other head of the institution to submit a lottery application. The representative group may be a group from within the institution or an external booster club in support of an official school program even if the external organization operates under a separate tax identification number.

### *Timeline*

Resolution No. 2022-018 opens the lottery application filing period on the first business day in March and closes on the last business day in that same month. The resolution also established the dates and times for fireworks sales and discharge.

City Council traditionally conducts the lottery drawing during the public portion of the Closed Session of the second City Council meeting in April.

Staff proposes the following timeline for the 2026 safe and sane fireworks sales:

|                         |   |
|-------------------------|---|
| February 3, 2026        | City Council approves 2026 timeline and process |
| March 2 – 31, 2026      | Lottery applications accepted                   |
| April 21, 2026          | Lottery drawing at City Council meeting         |
| April 22 – June 4, 2026 | Fire Marshal accepts permit applications        |
| June 5 – 30, 2026       | Permits processed / Stands drop                 |
| July 1 – 4, 2026        | Fireworks sales                                 |
| July 5, 2026            | Stock removal                                   |
| July 13, 2026           | Stand removal by this date                      |
| September 1, 2026       | Permittee financial reports due.                |

### *Fees*

City Council updated fees in 2024 to recoup more cost of service for processing fireworks sales permits, outreach and enforcement and directed staff to include future fee increases in the budget process. The lottery application fee remained at \$28 in 2025 and the permit fee increased to \$3019 per permit. The 2026 permit fee will increase by \$149.

### *Proposed 2026 Fireworks Sales Lottery Changes*

Staff updated the 2018 resolution to propose reserving three fireworks sales permits to assign to the athletic program at each Fullerton high school (Fullerton High School, Troy High School and Sunny Hills High School). Each school principal would identify the group (school staff, booster club, etc.) to apply for an athletic program sales permit and conduct sales. Principals may also designate one non-athletic program group affiliated with a high school to apply for the general lottery drawing.

All high school groups would submit a qualified lottery application by the close of the application period. The three high school athletic program applications would automatically advance to the sales permit phase provided they submitted a qualified lottery application. Any other qualified high school applicants will enter the general lottery drawing.

### Attachments:

- Attachment 1 – Draft Resolution No. 2026-XXX
- Attachment 2 – Draft Resolution No. 2026-XXX Redline

- Attachment 2 – Ordinance No. 3183
- Attachment 3 – Resolution No. 2022-018
- Attachment 4 – 2025 Fireworks Sales Annual Report

cc: Interim City Manager Eddie Manfro