



Agenda Report

Fullerton City Council

MEETING DATE: FEBRUARY 2, 2021

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: KENNETH A. DOMER, CITY MANAGER

PREPARED BY: LUCINDA WILLIAMS, CITY CLERK

SUBJECT: 2021 SAFE AND SANE FIREWORKS SALES

SUMMARY

On November 6, 2012, Fullerton voters reinstated the sale, possession and discharge of safe and sane fireworks within City limits. On November 3, 2020, the voters re-affirmed the sale of safe and sane fireworks. This report presents the 2020 Safe and Sane Fireworks Sales Annual Report to City Council and seeks approval of the 2021 fireworks sales timeline.

RECOMMENDATION

1. Receive and file 2020 Safe and Sane Fireworks Sales Annual Report.
2. Confirm timeline for 2021 fireworks sales application process.

PRIORITY POLICY STATEMENTS

This item matches the following Priority Policy Statements:

- Fiscal and Organizational Stability
- Public Safety.

FISCAL IMPACT

The City will receive revenue from both the fireworks lottery and permit processes, based on the number of applications received. In Fiscal Year 2019-20, the City Clerk's Office collected \$868 in lottery application fees and \$34,890 in permit fees.

DISCUSSION

On November 6, 2012, Fullerton voters reinstated the legal sale, possession and discharge of safe and sane fireworks with the passing 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.

Process

The City Clerk's Office accepts fireworks lottery applications during the month of March. In April, Staff randomly selects 15 lottery applicants and five alternates to proceed to the fireworks sales permitting phase.

Current practice allows one representative group per educational institution (elementary through university level). The representative group may be a group 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 on the last business day in that same month. The resolution also established the dates and times for fireworks sales and discharge. Due to COVID-19 closures, the City extended the application deadline two times with a final application deadline of June 1, 2020.

City Council normally conducts the lottery drawing during the public portion of the Closed Session of the second City Council meeting in April. However, due to COVID-19 closures and safety concerns, the Mayor and Staff held the lottery drawing on June 4, 2020 outside City Hall with the community groups applicants invited to attend.

Assuming no COVID-19 delays in the process for 2021, Staff proposes the following timeline for the 2021 safe and sane fireworks sales (Staff remains prepared to adjust the timeline for any COVID-19 protocols announced during the application process.):

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

In June 2020, City Council approved updated fees to reflect the cost of service for processing fireworks sales permits, outreach and enforcement. The lottery application fee remained at \$28 and the permit fee increased to \$2,326.

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.

Staff has no modifications recommendations for the 2021 sales process.

Attachments:

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