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Title: CONSIDER RESOLUTION NO. 20-086 TEMPORARILY SUSPENDING THE RETAIL SALE OF SAFE & SANE FIREWORKS OR TEMPORARY SUSPENSION OF RETAIL SALE OF SAFE & SANE FIREWORKS AND TEMPORARY SUSPENSION OF DISCHARGE OR USE OF SAFE & SANE FIREWORKS FOR 2020 (CITY COUNCIL)

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Attachments: 1. Reso Suspension Retail Sales, 2. Reso Suspension Retail Sales and Use of Fireworks, 3. Fireworks CMC, 4. Compton Agenda Minutes and Reso

Date	Ver.	Action By	Action	Result
6/2/2020	1	City Council		

Report to Mayor and City Council

Tuesday, June 02, 2020

Discussion

SUBJECT:

CONSIDER RESOLUTION NO. 20-086 TEMPORARILY SUSPENDING THE RETAIL SALE OF SAFE & SANE FIREWORKS OR TEMPORARY SUSPENSION OF RETAIL SALE OF SAFE & SANE FIREWORKS AND TEMPORARY SUSPENSION OF DISCHARGE OR USE OF SAFE & SANE FIREWORKS FOR 2020 (CITY COUNCIL)

I. SUMMARY

At the Council meeting on May 19, 2020, a motion was made for a temporary suspension of issuing fireworks permits, resulting in suspending Safe & Sane fireworks sales this season. Due to an abundance of caution because of the COVID-19 (“coronavirus”) pandemic and to adhere to the safer-at-home order, the fireworks permit process will be suspended and would schedule to resume in 2021.

While the motion clearly suspended the sale of Safe & Sane fireworks, it became apparent after the meeting that there were different interpretations as to whether that motion included the use of Safe & Sane fireworks in Carson. The recommendation provides the option of suspending sales only (Option 1) or suspending both sales and use (Option 2).

II. RECOMMENDATION

TAKE one of the following actions:

- 1) Temporary suspension on all permitting for the retail sale of Safe & Sane fireworks, and

WAIVE further reading and ADOPT Resolution No. 20-086 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO IMPOSE A TEMPORARY SUSPENSION OF THE PERMITTING OF RETAIL SALES OF FIREWORKS FOR THE 2020 PERMITTING SEASON IN ORDER TO PROTECT PUBLIC HEALTH AND SAFETY AGAINST THE SPREAD OF COVID-19"

OR

- 2) Temporary suspension on all permitting for the retail sale of Safe & Sane fireworks **and** temporary suspension of the discharge or use of Safe & Sane fireworks by any person in the City, and

WAIVE further reading and ADOPT Resolution No. 20-086 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO IMPOSE A TEMPORARY SUSPENSION OF THE PERMITTING OF RETAIL SALES OF FIREWORKS AND IMPOSE A TEMPORARY SUSPENSION OF THE DISCHARGE OF SAFE AND SANE FIREWORKS FOR THE 2020 PERMITTING SEASON IN ORDER TO PROTECT PUBLIC HEALTH AND SAFETY AGAINST THE SPREAD OF COVID-19"

III. ALTERNATIVES

TAKE another action deemed appropriate by City Council.

IV. BACKGROUND

In December 2019, an outbreak of a respiratory illness (a disease now known as COVID-19) was identified in Wuhan City, China, has spread and impacted more than 100 countries, now including the United States. On March 4, 2020, Governor Newsom

declared the existence of a state of emergency for the State of California, and on March 17, the Carson City Council passed Resolution 20-053 declaring the existence of a local emergency in response to COVID-19. On March 19, Governor Newsom signed Executive Order N-40-20 issuing a statewide order directing all residents to heed state public health directives to stay home, except as needed.

At the Carson Disaster Council meeting on May 7, the council issued an order authorizing the City Manager to notify the wholesalers and organizations regarding the City's intent to move forward with permitting of fireworks stands and sales pursuant to the Fireworks ordinance, unless otherwise restricted by the State. On May 19, at the City Council meeting, a concern from the dais was voiced regarding issuing permits for fireworks stands. Due to an abundance of caution to keep the community safe and adhere to the safer-at-home order and not to encourage gatherings for the 4th of July, suspending the issuance of fireworks permits was suggested. Since the item was not agenized for May 19, a vote in favor to agenize the suspension for the 2020 season is set for June 2.

Staff has prepared two resolutions for Council's consideration. Both resolutions temporary suspend the permitting of retail sales of Safe & Sane fireworks; therefore, suspending the fireworks permitting process however, one resolution also addresses the suspension of use of fireworks.

Resolutions:

Option 1 - Temporary suspension on all permitting for the retail sale of Safe & Sane fireworks

Option 2 - Temporary suspension on all permitting for the retail sale of Safe & Sane fireworks **and** temporary suspension of the discharge or use of Safe & Sane fireworks by any person in the City

Within the Carson municipal code, section 3101.5(j), the section specifies the qualifications for applicants each permitting season. This section states, "Permits shall be issued first to applicants which held a permit during the immediately preceding Fourth of July season ..."

Because of the extraordinary circumstances due to the global pandemic, staff recommends that applicants who held a Carson 2019 fireworks permit and complied with all requirements of the municipal code shall maintain their priority status for the 2021 fireworks permit season.

It should be noted that on April 28, 2020, the city of Compton Council passed Resolution 25,259 the temporary suspension of the issuance of fireworks permits, which was done to stay consistent with the CDC recommendations of limiting public gatherings and to curtail the limit the spread of the coronavirus. Compton's agenda (fireworks item #10) and resolution are included for reference.

V. FISCAL IMPACT

The fireworks permit program is cost neutral. The \$25,265 fireworks permit revenue

received in 2019, is cost recovery for staff time reviewing and processing applications, conducting site inspections and the safety seminar meeting, issuing fireworks permits and business license tax certificates.

VI. EXHIBITS

1. Resolution 20-086 - Option 1 Suspension Retail Sales (pgs. 4-6)
2. Resolution 20-086 - Option 2 Suspension Retail Sales and Use of Fireworks (pgs. 7-9)
3. Fireworks Ordinance (pgs. 10-28)
4. Compton Agenda Minutes and Resolution (pgs. 29-38)

1.

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