



## Legislation Details (With Text)

**File #:** 2021-369      **Version:** 1      **Name:**  
**Type:** Discussion      **Status:** Agenda Ready  
**File created:** 4/28/2021      **In control:** City Council  
**On agenda:** 5/18/2021      **Final action:**  
**Title:** CONSIDER RESOLUTION NO. 21-065 AND RESCIND RESOLUTION NO. 07-032 TO AMEND THE ADMINISTRATIVE CITATION FINES TO BE ASSESSED FOR VIOLATIONS OF THE CITY'S FIREWORKS ORDINANCE AND INTRODUCE ORDINANCE NO. 21-2114 AMENDING SECTION 3101.10 9 VIOLATIONS OF FIREWORKS REGULATIONS OF CHAPTER 1 (FIRE PREVENTION) OF ARTICLE III (PUBLIC SAFETY) OF THE CARSON MUNICIPAL CODE TO PROVIDE THAT SPECIFIED FINE AMOUNTS BE VARIED BY RESOLUTION (CITY COUNCIL)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. RESO NO. 21-065, 2. Ordinance No. 21-2114, 3. Reso 07-032 Fireworks, 4. CMC 3101.pdf

Date	Ver.	Action By	Action	Result
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## Report to Mayor and City Council

Tuesday, May 18, 2021

Discussion

### SUBJECT:

CONSIDER RESOLUTION NO. 21-065 AND RESCIND RESOLUTION NO. 07-032 TO AMEND THE ADMINISTRATIVE CITATION FINES TO BE ASSESSED FOR VIOLATIONS OF THE CITY'S FIREWORKS ORDINANCE AND INTRODUCE ORDINANCE NO. 21-2114 AMENDING SECTION 3101.10 9 VIOLATIONS OF FIREWORKS REGULATIONS OF CHAPTER 1 (FIRE PREVENTION) OF ARTICLE III (PUBLIC SAFETY) OF THE CARSON MUNICIPAL CODE TO PROVIDE THAT SPECIFIED FINE AMOUNTS BE VARIED BY RESOLUTION (CITY COUNCIL)

### I. SUMMARY

This item is being brought to the City Council at the request and recommendation of the Bingo/Fireworks/Refuse Ad Hoc Committee.

Illegal fireworks continue to be possessed, sold and used rampantly in the City of Carson around the Fourth of July season annually despite being prohibited by the Fireworks Ordinance and punishable by the administrative fines set forth in existing ordinances and

resolutions. In addition to constituting misdemeanors, the City Council finds that it must act to increase the administrative fines for violations of the Fireworks Ordinance involving illegal fireworks in order to increase the deterrent effect of the City's prohibition of illegal fireworks, thereby reducing the number of violations and protecting public safety.

On May 5, 2021, the Bingo/Fireworks/Refuse Ad Hoc Committee met to provide recommendations that would enforce more stringent actions against those causing such disturbances with increased administrative fines to anyone who violates the City's resolution and ordinance policies as well as increased law enforcement presence during the holiday.

## **II. RECOMMENDATION**

TAKE the following actions:

1. ADOPT Resolution NO. 21-065 "A RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF CARSON, CALIFORNIA and RESCINDING RESOLUTION NO. 07-032 AMENDING THE ADMINISTRATIVE CITATION FINES TO BE ASSESSED FOR VIOLATIONS OF THE CITY'S FIREWORKS ORDINANCE"
2. WAIVE further reading AND INTRODUCE Ordinance NO. 21-2114, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 3101.10 (VIOLATIONS OF FIREWORKS REGULATIONS) OF CHAPTER 1 (FIRE PREVENTION) OF ARTICLE III (PUBLIC SAFETY) OF THE CARSON MUNICIPAL CODE TO PROVIDE THAT SPECIFIED FINE AMOUNTS MAY BE VARIED BY RESOLUTION"

## **III. ALTERNATIVES**

TAKE another action that Council deems appropriate.

## **IV. BACKGROUND**

Many cities in California are facing similar challenges with the noise and hazard of illegal fireworks being discharged within their communities and are implementing different programs and tools to address these issues. The City Council wishes to address these concerns while continuing the use and sales of legal safe and sane fireworks. The City Council has voiced its desire to eliminate illegal fireworks being used each year by increasing the administrative fines for violations of the City's Fireworks Ordinances.

On April 3, 2007, the City Council adopted Resolution No. 07-032 pursuant to Carson

Municipal Code (CMC) Section 1203.3(d), providing that any violation of CMC Sections 3101.0, 3101.1, 3101.7, 3101.8, or 3101.9 of the Fireworks Ordinance may be assessed an administrative citation fine of up to \$1,000, except that violations for possessing and/or discharging fifty or fewer individual pieces of non-aerial fireworks shall be not less than \$500 if the violation is that person's first violation for possessing and/or discharging fifty or fewer individual pieces of non-aerial fireworks.

On May 5, 2021, the Bingo/Fireworks/Refuse Ad Hoc Committee met to provide recommendations that would set the administrative fines for violations of the Fireworks Ordinance involving illegal fireworks at \$1,000 for a first violation, \$2,000 for a second violation within one year from the date of the first violation, and \$3,000 for each additional violation within one year from the date of the first violation. In conjunction with an increase in fines, the Ad Hoc Committee asked our Los Angeles Sheriff's Department (LASD) Captain to provide an enhanced Suppression Plan.

City staff is conducting a Request for Proposal for a process server to enable the City to recover a larger portion of administrative fines than have not been collected previously. Staff will also provide Public Information and Community Awareness through all social media platforms, Carson's Cable TV Channel, City of Carson website, flyers distributed throughout the City and a 30 second Public Service Announcement featuring our LASD Sheriff Captain and Los Angeles County Fire Department Captain.

## **V. FISCAL IMPACT**

The total cost of implementation of the enhanced Suppression Plan along with the comprehensive public information and community awareness campaign is approximately \$42,000 that will be funded through Public Safety and Public Information Division budgets. The City will be able to recover a larger portion of administrative fines through an enhanced collection process.

## **VI. EXHIBITS**

1. Resolution No. 21-065 (Pgs. 4-7)
2. Ordinance No. 21-2114 (Pgs. 8-12)
3. Resolution No. 07-032 (Pgs. 13-14)
4. CMC Section 3101.10 (Pg. 15)

1.

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