



Rules and Laws Regarding Fireworks May 30, 2017

The City of San José recognizes that many residents have traditionally celebrated special events with fireworks. However, it's important to the general public's safety and well-being as well as the protection of property that all celebrations be done in a manner that is safe, legal and courteous to everyone residing in the community.

The State Fire Marshal's Office regulates fireworks activities and further allows local authorities to institute more stringent requirements if desired. The City of San Jose has outlawed ALL fireworks including "safe & sane" types unless a permit has been issued by the State Fire Marshal. The City Municipal Code (SJMC), Section 10.17.100 (A)(B)(C) states the following:

Except where otherwise expressly provided in this Code, it shall be unlawful for any person to sell, use, or discharge any fireworks.

Except where otherwise expressly provided in this Code or under a permit issued by the California State Fire Marshal, it shall be unlawful for any person to offer for sale or store any fireworks.

Except where otherwise expressly provided in this Code, it shall be unlawful and a public nuisance pursuant to Chapter 1.13 of this Code for any property owner or tenant to allow or permit the sale, use and discharge of fireworks on their property when the property owner or tenant knows or should know of the sale, use or discharge of fireworks at the property.

Applicable fines for violating Section 10.17.100 are as follows:

1 st violation	\$500.00
2 nd violation (within 12 months of previous violation)	\$700.00
3 rd and subsequent violations (within 12 months of previous violation)	\$1,000.00

The City's Fire Prevention Bureau issues pyrotechnic display permits that comply with strict safety regulations. A fireworks display event may be conducted by a licensed pyro-technician that has been reviewed, approved and permitted.

ANY individual who possesses, stores, sells, or uses ANY fireworks is in violation of the law and subject to arrest. VIOLATION OF THESE LAWS CAN RESULT IN A FINE OF UP TO \$1,000 AND POSSIBLY TIME IN JAIL.

These laws have been written in the interest of public safety. Each year fireworks injure thousands across the United States and in our local communities and have caused fires resulting in significant property loss. The San José Fire Department and San José Police Department respectfully request your cooperation in obeying the laws regarding fireworks and helping us keep our community safe.

/s/

Ivan D. Lee, Deputy Fire Chief
Fire Marshal, City of San José

Bureau of Fire Prevention

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