

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Robert Sapien, Jr.

**SUBJECT: FIREWORKS PREVENTION
CAMPAIGN 2024**

DATE: July 3, 2024

Approved



Date

7/5/24

INFORMATION

The purpose of this memorandum provides information on the 2024 Fireworks Prevention Campaign. The City of San José (City) continues its efforts to reduce the use of illegal fireworks locally and regionally on and around the July 4 Independence Day holiday.

The City's Fire, Police, Planning, Building, and Code Enforcement, Parks, Recreation, and Neighborhood Services), and Information Technology Departments, with the support from the City Attorney's Office and the City Manager's Office, continue to provide focused efforts in reducing the illegal use of fireworks through public outreach, education, and enforcement strategies through the 2024 Fireworks Prevention Campaign.

Annually, illegal fireworks result in preventable fires, injuries, and personal liability for the use or the act of being a spectator at illegal fireworks displays. The desired outcomes in these campaigning efforts are to reduce injuries, fires, and illegal fireworks activity; as well as increase the number of actionable reports, education about the dangers of illegal fireworks use, and enforcement actions with associated fines for individuals choosing to use illegal fireworks or property owners that allow the use on their property. Through these strategies, the City is better positioned to reach its residents and visitors traveling to San José regarding the use or observance of all unpermitted fireworks being illegal, dangerous, and punishable by fines and possible jail time. Additionally, the City continues to work in coordination with the County of Santa Clara to disseminate information regarding free professional fireworks shows in San José for those who are looking for a safer alternative to illegal displays.

The City's public outreach and education campaign began on May 16, 2024 throughout the San José area. Banners are on display at fire stations, police buildings, community centers, parks, and public libraries. Billboards, bus shelter ads, lawn signs, and flyers are also on display in identified hot spot areas throughout the city. Outreach efforts incorporate targeted messaging asking residents, "What Do You Have to Lose?" as illegal fireworks are dangerous to life and property. Additionally, messaging is shared to inform residents about the high number of pets that go missing on and around the Independence Day holiday due to fireworks. Information is provided in English, Spanish, Vietnamese, and Chinese (both traditional and simplified), and is strategically placed to maximize messaging for the various community groups that make up San José. The campaign seeks to educate residents on the dangers of illegal fireworks, discourage the

use of fireworks, and encourage the use of the City’s SJ311 online illegal fireworks reporting tool at <https://311.sanjoseca.gov/>.

Targeted stakeholder outreach and education includes social media “toolkits” to provide a consistent, far-reaching educational campaign. The toolkits contain pre-scripted social media messaging and graphics offered in four languages that allow for easy distribution and consumption. The toolkits were sent directly to a newly created contact database featuring more than 400 residents in influential roles across schools, neighborhood associations, and other community groups, as well as City Council offices and various City departments.

The fireworks public outreach and education campaign informs residents of citation fine amounts for the use of illegal fireworks as well as the City’s Social Host Ordinance. The City continues to provide information on the City of San José Ordinance, which prohibits spectatorship of illegal fireworks displays. The **table** below provides information on enforceable violations and associated fines for illegal fireworks spectatorship and usage.

Sale, Use, Possession, Storage, and Spectator of Fireworks Violation Fines:

<i>First Violation</i>	\$1,000
<i>Second Violation</i>	\$2,000 (within 18-month period from date of previous violation)
<i>Third and Subsequent Violations</i>	\$3,000 (within 18-month period from date of previous violation)
<i>Sale of Fireworks</i>	May result in a fine of up to \$50,000 plus jail time, depending on quantity
<i>Illegal Fireworks Spectator*</i>	\$25

This year’s enforcement strategy emphasizes education and enforcement in areas of San José that are most impacted by illegal fireworks activity. The City utilizes hot spot mapping data for targeted print, social media, and digital advertising in the geographic areas that experience the largest incidence of illegal fireworks use. Prior year hot spot mapping data is utilized by emergency services to establish a preemptive presence in high-activity areas of the city to deter use ahead of the Independence Day holiday. Live hot spot data is utilized in real-time by City staff to reassess and redeploy resources based on activity as compared to historical hot spot mapping data. The desired outcomes of the targeted enforcement strategies are a reduction in the use and spectatorship of illegal fireworks, resident and firefighter injuries, total fires, as well as increased reporting that leads to enforcement actions.

The City continues to make reporting illegal fireworks as easy as possible. Residents may report fireworks online through the SJ311 portal, online through the SJ311 app, via a 24-hour hotline at (408) 535-5600, or by dialing 3-1-1 within San José’s city-limits. The online reporting tool is available year-round. Staff reviews all submitted reports, and upon determining sufficient evidence is provided for both the violation and violator, the City’s Code Enforcement Division will issue a citation or warning notice as appropriate.

Community residents are encouraged to attend legal professional fireworks displays and community events being offered throughout the county. The City and County of Santa Clara are providing shared messaging to identify and encourage safe activities for residents to engage in

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that do not include the use of illegal fireworks. These activities are listed on the City's fireworks website and are being publicized through a joint City/County press release and social media sharing.

More information is available at www.sanjoseca.gov/fireworks.



ROBERT SAPIEN, JR.
Fire Chief, Fire Department

For questions, please contact Deputy Fire Chief/Fire Marshal James Dobson at james.dobson@sanjoseca.gov or (408) 535-7794.

