



Memorandum

TO: NEIGHBORHOODS COMMISSION

FROM: Curtis P. Jacobson

SUBJECT: ILLEGAL FIREWORKS

DATE: November 17, 2015

Approved

Date

11/17/15

INFORMATION

On June 23, 2016, the City Council voted on its Council Priorities, ranking the issue of Illegal Fireworks as #6 on the list of priorities. Council directed the Fire Department to:

Establish a new framework to cite, fine, and adjudicate the use, possession, sale, advertisement for sale, transportation, and/or manufacturing of fireworks. Explore use of administrative citations in addition to criminal charges.

The Fire Department has been working since June on the new framework. The Department is working together with the Police Department and the Department of Planning, Building and Code Enforcement on this issue. The drafting of a new ordinance is in progress, and the Department's goal is for the end product to align with Santa Clara County's ordinance for issuing administrative citations.

Due to workload issues and the need for timely response to other issues such as the Emergency Medical System feasibility study, the Fire Department expects to return to Council in March of 2016 with recommendations for updating the ordinance.

It is important to note that illegal fireworks are not just a problem in San José, but in every major city in the State of California. We are collaborating with our colleagues across the state to find a long-term solution to the importation of illegal fireworks into our communities. Recently, the Governor allocated special funding to assist cities with the disposal of illegal fireworks.

The Fire Department greatly appreciates the past opportunities for outreach with the Neighborhoods Commission and the input from the Commission in the past. We will provide updates on progress to you through your staff in the months leading up to the Council meeting.

/s/

CURTIS P. JACOBSON
Chief, San José Fire Department