

San José Fire Department

The San José Fire Department's core mission is to serve the community by protecting life, property and the environment through prevention and response.



Fireworks Update

Neighborhoods Commission
June 9, 2021

Presented by:

Arthur Belton, Battalion Chief/Assistant Fire Marshal
Fire Department, Bureau of Fire Prevention

Social Host Enhancements Approved



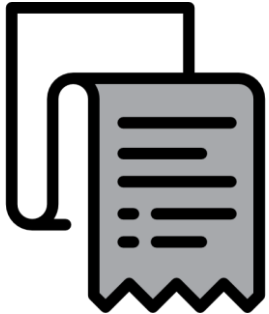
- ✓ Define Social Host
- ✓ Define Public vs. Private Property
- ✓ Define and Impose Liability
- ✓ Establish and Provide Billing Mechanism
- ✓ Outline Administrative Appeal Process
- ✓ Amend 2020-2021 Schedule of Fees & Charges

Municipal Code & Fee Schedule



City of San Jose Municipal Code ([Chapter 10.17 of Title 10](#))

- Continues the ban on sale, use, discharge, and storage of fireworks
- Extends responsibility for violation to social host and property owners who host gatherings where illegal fireworks are discharged.



2020-2021 Fees & Charges

Administrative procedure for City to bill for all costs associated with response to an incident related to or caused by illegal fireworks use.

- Scope of Charges – Actual Cost of Services
- Response Charges Procedure – Billed by Police and/or Fire Chief
- Appeals Process – Method to dispute response charge or amount of charge



Social Host Ordinance

- Before – Fines levied against the person using fireworks or owner if they had knowledge
- Now – Liability extended to social host and property owner(s) jointly and severally
- Who – The social host, property owner and tenant



Intent

- Deter – Anyone hosting gatherings with fireworks
- Encourage – Host to prevent guests from using fireworks
- Fees & Charges – Represent actual cost of emergency service **only**
- Tools – Provides an additional tool for enforcement



Proactive Enforcement Strategies

- ✓ Targeting sellers of illegal fireworks
- ✓ Robust enforcement strategy planned for July 4th
- ✓ Producing a high-visibility social media campaign that builds on success on *Street Racing* reduction efforts



Questions?

Arthur Belton, Battalion Chief/Assistant Fire Marshal
Fire Department, Bureau of Fire Prevention

Fireworks Ordinance Work Plan Status Report
Public Safety, Finance and Strategic Support Committee
April 15, 2021
Item (d) 3