



APPROVED  
BY THE CITY COUNCIL

JUN 15 1999

OFFICE OF THE  
CITY CLERK

1.5

DEPARTMENT OF  
FIRE

DENNIS SMITH  
FIRE CHIEF

CITY OF SACRAMENTO  
CALIFORNIA

June 8, 1999

1231 I STREET  
SUITE 401  
SACRAMENTO, CA  
95814-2979

PH 916-264-5266  
FAX 916-264-7079

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: ORDINANCE AUTHORIZING SALE AND USE OF FIREWORKS FOR THE  
MILLENNIUM CELEBRATION**

**LOCATION AND COUNCIL DISTRICT:** City-wide

**STAFF RECOMMENDATION:**

It is recommended that the City Council adopt the attached ordinance adding sections to Title 15 of the Sacramento City Code relating to the sale and use of safe and sane fireworks.

**CONTACT:** Dennis Smith, Interim Fire Chief, 264-5268

**FOR COUNCIL MEETING OF:** June 15, 1999

**SUMMARY:**

This report proposes an addition to Title 15 of the Sacramento City Code relating to the sale and use of "safe and sane" fireworks. The addition authorizes the sale of fireworks in the City of Sacramento from December 28, 1999 through December 31, 1999. Use of fireworks is authorized from December 28, 1999 through January 1, 2000. Only fireworks defined as "safe and sane" are allowed for sale and use.

**COMMITTEE/COMMISSION ACTION:**

The Law and Legislation Committee heard this item on June 1, 1999 and recommended that it be forwarded to the City Council for adoption of the attached ordinance.

## **BACKGROUND INFORMATION:**

### CURRENT ORDINANCE

Chapter 15 of the Sacramento City Code regulates the sale and use of fireworks within the City of Sacramento. The primary concern of the fireworks regulation is the public's safety and welfare, not only to those selling and using fireworks, but to the general public as well. To accomplish this, the City:

- Prohibits the use and sale of fireworks not defined as "safe and sane";
- Requires a permit for those selling fireworks;
- Establishes insurance requirements for those selling fireworks;
- Requires sellers to attend an operator safety seminar;
- Prohibits the sale of fireworks to minors;
- Limits the dates and times for the lawful sale and use of fireworks.

Current City Code allows the sale of fireworks from June 28 through July 5 of the calendar year, between the hours of 9:00 a.m. and 10:00 p.m. The anticipated celebration of the new millennium on December 31, 1999 and January 1, 2000 would not fall within those dates. In the interest of public safety, inclusion of the millennial dates is warranted.

### PROPOSED ADDITION TO THE ORDINANCE

Assembly Bill 2090, enacted in 1998, allows the sale of certified "safe and sane" fireworks from December 26, 1999 through January 1, 2000, if so authorized by a city ordinance. AB 2090 also allows an ordinance to restrict the hours of use.

The proposed ordinance addition authorizes the sale of "safe and sane" fireworks from December 28, 1999 through December 31, 1999, from 9:00 am. to 8:00p.m. each day. Use of fireworks is authorized from 9:00 a.m. on December 28, 1999 through 11:59 p.m. of January 1, 2000.

A draft of the proposed ordinance addition was reviewed with representatives of legal firework manufacturers for the purpose of answering questions and receiving input on the proposed additions.

**FINANCIAL CONSIDERATIONS:**

The inspection of firework booths in December will require additional staff time. It is anticipated that permit fee revenue will cover the city's staffing costs.

**ENVIRONMENTAL CONSIDERATIONS:**

This project is exempt from the requirements of the California Environmental Quality Act (CEQA) under Section 15305. The project involves minor changes to existing land use limitations and will not result in the potential for adverse environmental effects.

**POLICY CONSIDERATIONS:**

Chapter 15 of the City Code is meant to ensure the safety and welfare of citizens during the sale and use of fireworks. The proposed addition to that ordinance allows the sale and use of fireworks during a likely period of celebration, while maintaining control of their distribution and use.

**ESBD CONSIDERATIONS:**

This report does not involve the procurement of supplies or services.

Respectfully Submitted By:

*For* Maurice C. O'Neal Jr.  
Dennis Smith  
Interim Fire Chief

Recommendation Approved:

Ruby Masuoka  
ROBERT P. THOMAS  
City Manager

**APPROVED**  
BY THE CITY COUNCIL

**JUN 15 1999**

OFFICE OF THE  
CITY CLERK

**ORDINANCE NO. 99-033**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**AN ORDINANCE ADDING SECTIONS 15.03.379-1 AND 15.03.379-2 TO THE SACRAMENTO CITY CODE, AUTHORIZING THE SALE AND USE OF SAFE AND SANE FIREWORKS IN THE CITY OF SACRAMENTO FROM DECEMBER 28, 1999 THROUGH JANUARY 1, 2000**

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

**SECTION 1.**

Sections 15.03.379-1 and 15.03.379-2 are hereby added to the Sacramento City Code to read as follows:

15.03.379-1 Safe and sane fireworks--Sale from December 28, 1999 through December 31, 1999.

Notwithstanding the provisions of Section 15.03.375, it shall not be unlawful to sell or display within the city those fireworks defined and classified as "safe and sane fireworks" in the State Fireworks Law (Sections 12500 et seq. of the Health and Safety Code) during that time period beginning at 9:00 a.m. on December 28, 1999 and ending at 8:00 p.m. on December 31, 1999, provided that all other provisions of this chapter shall apply to sales of "safe and sane fireworks" pursuant to this section. Sale of fireworks pursuant to this section shall be permitted only from 9:00 a.m. to 8:00 p.m. on December 28, 1999, through December 31, 1999. The provisions of Section 15.03.382 notwithstanding, all applications for permits to sell fireworks pursuant to this section shall be filed on or before October 1, 1999, on forms supplied by the fire chief. Other relevant dates in the application process shall be established by the fire chief.

Notwithstanding the provisions of Section 15.03.386(e), all unsold stock of fireworks in the hands of the retailer after 8:00 p.m. on December 31, 1999, shall be returned to the

---

**FOR CITY CLERK USE ONLY**

ORDINANCE NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

distributor or wholesaler on January 2, 2000.

15.03.379-2 Safe and sane fireworks--use from December 28, 1999 through January 1, 2000.

Notwithstanding the provisions of Section 15.03.375, it shall not be unlawful to possess, use, or discharge within the city those fireworks defined and classified as "safe and sane fireworks" in the State Fireworks Law (Sections 12500 et seq. of the Health and Safety Code) during that time period beginning at 9:00 a.m. on December 28, 1999 and ending at 11:59 p.m. on January 1, 2000, provided that all other provisions of this chapter shall apply to possession, use, display or discharge of "safe and sane fireworks" pursuant to this section.

DATE PASSED FOR PUBLICATION:  
DATE ENACTED:  
DATE EFFECTIVE:

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

- 2 -

\_\_\_\_\_  
**FOR CITY CLERK USE ONLY**

ORDINANCE NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

THE DAILY RECORDER

...Since 1911...

1115 H Street P.O. Box 1048  
Sacramento, California 95812  
Telephone (916) 444-2355  
Fax (916) 444-0636

This space for filing stamp only

RECEIVED  
CITY CLERKS OFFICE  
CITY OF SACRAMENTO

JUN 15 1 38 PM '99

SAC. CITY CLERK PO#8070060934  
915 I St., Rm. 304/ V. HENRY  
Sacramento CA 95814

DJC8924362

Proof of Publication

(2015.5 C.C.P.)

State of California )  
County of Sacramento ) ss

AD 8874

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of THE DAILY RECORDER, a daily newspaper published in the English language in the City of Sacramento, County of Sacramento, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Sacramento, State of California, under date of May 2, 1913, Case No. 16,180. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

06/11/99

EXECUTED ON : 06/11/99  
AT LOS ANGELES, CALIFORNIA

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

  
.....  
Signature

City of Sacramento  
Ordinances

On June 8, 1999, the following ordinance(s) were considered by the Sacramento City Council and will be considered for final adoption at the regular meeting of June 15, 1999. In accordance with Sacramento City Charter Section 32, the titles are herein published:  
An ordinance adding Sections 15.03.379-1 and 15.03.379-2 to the Sacramento City Code, authorizing the sale and use of safe and sane fireworks in the City of Sacramento from December 28, 1999 through January 1, 2000.

Ordinance amending the districts established by the Comprehensive Zoning Ordinance No. 2550, Fourth Series, as amended by rezoning property located at southwest corner of Fruitridge Road and Stockton Boulevard in the C-2 Zone; (P97-127); (APN: 027-0072-003, 015, 016)

Anyone interested in the full text of the above ordinance(s) may contact the Office of the City Clerk, City Hall, 915 "I" Street, Room 304, phone (916) 264-5427.

SACRAMENTO CITY COUNCIL  
BY: VALERIE A. BURROWES  
CITY CLERK  
AD NO.: 8874  
SAC-DJC8924362/AD 8874

06/11