

Agenda Report

May 5, 2025

TO: Honorable Mayor and City Council

FROM: Fire Department

SUBJECT: **ADOPT A RESOLUTION AMENDING THE FISCAL YEAR 2025
GENERAL FEE SCHEDULE TO ESTABLISH FEES RELATED TO
VIOLATIONS FOR THE POSSESSION AND DISCHARGE OF
FIREWORKS**

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the actions proposed herein are not a "project" subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 21065 and within the meaning of Section 15378(b) and statutorily exempt pursuant to State CEQA Guidelines Section 15273 (Rates, Tolls, Fares, and Charges); and
2. Adopt a resolution amending the Fiscal Year (FY) 2025 General Fee Schedule to establish fees related to violations for the possession and discharge of fireworks pursuant to Pasadena Municipal Code Sections 14.30.030 and 14.30.040.

BACKGROUND:

Fireworks are illegal in Pasadena. Fireworks have led to injuries, fires, and arrests. The City's ordinance allows for both administrative and criminal enforcement of fireworks-related offenses and for the demand of payment for all costs associated with the safe disposal of confiscated fireworks.

Every year, Pasadena police and firefighters team up for special fireworks enforcement patrols starting in June, before the Fourth of July holiday. Officers will seize fireworks in efforts to protect the public. The Police and Fire Departments engage in several early outreach efforts to the community to combat illegal fireworks activity, to increase public awareness, and to reduce potential for bodily harm and minimize overall risk of fire loss to the community. This year's efforts will include:

- Early activation of Fireworks Task Force and patrols prior to July 4
- Approximately 3,900 Hazardous Vegetation Inspections
- Use of Pasadena Fire personnel patrolling high risk areas
- Robust messaging campaign
- Engagement of all media outlets in English and Spanish
- June Press Conference

Early outreach, education, public awareness and confiscation to reduce fireworks activity, injuries, and fires, have noticeably reduced fireworks related activities in recent years. In 2024, only 48 pounds of fireworks were seized compared to 118 pounds in 2023. Additionally, there were only 13 citations issued in 2024, compared to 23 citations in 2023. To continue to discourage violations in advance of the upcoming July 4th activities for 2025, Fire Department staff recommend increasing fines as a mechanism to enforce these laws, and to help offset the costs associated with potential incidents. The fines will also assist in offsetting costs of increased fire personnel staffing required to operate the enhanced deployment model surrounding July 4th activities. If approved, the fees will go into effect on June 5, 2025.

Pursuant to Pasadena Municipal Code (PMC) Chapter 14.30, possession, sale, use or discharge of fireworks without valid permit and license is unlawful. Fireworks can cause serious injuries and millions of dollars in property loss that can occur from wildfires sparked by fireworks. Currently, there is no set fee schedule for fireworks violations. The default fine in the City's general fee schedule is \$100.00 per citation as a Property Based Code Violation (fee 531) under State Fish and Wildlife Fees. A second offense is \$200.00 (fee 532), and a third and subsequent offense is \$500.00 (fee 533). Government Code section 36901 limits the maximum monetary punishment for violation of city ordinances to \$1000 per violation. Additionally, Government Code section 53069.4 limits the maximum administrative fine to \$1000 per violation

"Safe and sane fireworks" means any fireworks that have been approved by the United States Consumer Product Safety Commission and that have been carefully examined and tested by the State Fire Marshal and determined by the State Fire Marshal that the fireworks meet and are in compliance with the general and specific standards for design, construction, performance, and labeling for safe and sane fireworks. (Health & Saf. Code, § 12529.)

Additionally, all fireworks examined by the State Fire Marshal and determined to come within the definition of "dangerous fireworks" in Section 12505 shall be classified as dangerous fireworks. (Health & Saf. Code, § 12561.)

Staff propose establishing the following fees to go into effect on June 5, 2025:

Municipal Code Section 14.30.030 - Possession, storage or sale of pyrotechnic device without valid permit and license unlawful.

	Proposed FY 2025 Rate
Possession Only of a Safe and Sane Firework, as defined in Health and Safety Code section 12529	
PMC 14.30.030 - First Violation of Possession Only of a Safe and Sane Firework	\$250.00
PMC 14.30.030 - Second Violation of Possession Only of a Safe and Sane Firework	\$500.00
PMC 14.30.030 - Each Additional Violation of Possession Only of a Safe and Sane Firework	\$750.00
Possession Only of a Dangerous Firework, as defined in Health and Safety Code sections 12505 and 12561	
PMC 14.30.030 - First Violation of Possession Only of a Dangerous Firework	\$300.00
PMC 14.30.030 - Second Violation of Possession Only of a Dangerous Firework	\$600.00
PMC 14.30.030 - Each Additional Violation of Possession Only of a Dangerous Firework	\$800.00

Municipal Code Section 14.30.040 - Discharge or utilization of pyrotechnic device or production effect without permit unlawful.

	Proposed FY 2025 Rate
Discharge Only of a Safe and Sane Firework, as defined in Health and Safety Code section 12529	
PMC 14.30.040 - First Violation of Discharge Only of a Safe and Sane Firework	\$500.00
PMC 14.30.040 - Second Violation of Discharge Only of a Safe and Sane Firework	\$750.00
PMC 14.30.040 - Each Additional Violation of Discharge Only of a Safe and Sane Firework	\$1,000.00
Discharge Only of a Dangerous Firework, as defined in Health and Safety Code sections 12505 and 12561.	
PMC 14.30.040 - First Violation of Discharge Only of a Dangerous Firework	\$650.00
PMC 14.30.040 - Second Violation of Discharge Only of a Dangerous Firework	\$850.00
PMC 14.30.040 - Each Additional Violation of Discharge Only of a Dangerous Firework	\$1,000.00

COUNCIL POLICY CONSIDERATION:

The proposed actions are consistent with the City Council's Strategic Goals to ensure public safety, and consistent with planning goals of maintaining fiscal responsibility, supporting and promoting the quality of life, and local economy.

ENVIRONMENTAL ANALYSIS:

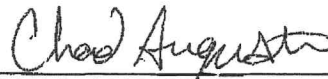
CEQA excludes, from environmental review, actions that are not "projects" as defined by CEQA Guidelines Section 21065 and within the meaning of Section 15378(b). Sections 21065 and 15378(b) define a project as an action which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Section 15378 excludes from the definition of "project" organizational or administrative activities that will not result in direct or indirect physical changes in the environment. The action to amend the Pasadena Municipal Code is an administrative activity that will not result in direct or indirect physical changes in the environment, and therefore is not a "project" as defined by CEQA. Since the action is not a project subject to CEQA, no environmental document is required.

Amending the City's FY 2025 Adopted General Fee Schedule is statutorily exempt from CEQA pursuant to State CEQA Guidelines Section 15273 (Rates, Tolls, Fares, and Charges), which provides a statutory exemption for the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies.

FISCAL IMPACT:

In FY 2025, based on the total number of citations issued in prior years, the additional revenue generated by the proposed rate adjustments will not have a material impact to the Fire Department's current Operating Budget. There is no anticipated impact to other operational programs or capital projects as a result of this action.

Respectfully submitted,



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