

CITY OF COSTA MESA, CALIFORNIA

C O U N C I L P O L I C Y

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| REGULATIONS GOVERNING FIREWORKS | 400-2 | 5/3/04 | 1 of 2 |

BACKGROUND

The Costa Mesa Municipal Code contains regulations governing the issuance of fireworks permits and the discharge of fireworks. These regulations are found in sections 9 -179 through 9 -190. The City Council is authorized to enact further measures governing fireworks.

PURPOSE

The City Council wishes to adopt additional regulations governing the sale and discharge of fireworks in order to increase the protection and well being of our citizens. The Council intends to tighten the safety regulations while still allowing our residents the limited use of fireworks.

POLICY

The City Council of Costa Mesa believes that the City residents can safely utilize fireworks to celebrate their patriotism when done according to reasonable safety regulations. Various youth oriented organizations should be permitted to sell fireworks to raise funds for support of valuable youth activities that contribute to the general strength, health and enjoyment of our residents. These goals can be obtained by limiting the number of fireworks stands and strictly prohibiting the sale of all dangerous fireworks.

REGULATIONS

1. The sale of “spinners” and similar fireworks and the sale of any fireworks that are intended to be “hand held” are prohibited. This prohibition shall be effective immediately for the sale of these devices individually or in homogeneous packages, and their sale within group packages containing an assortment of various fireworks devices shall be prohibited beginning in year 2006. The Fire Chief shall prepare (and update as needed) a list of the common names of the various fireworks devices that are “hand held” and “spinners.” This list will be made available to fireworks manufacturers, distributors and other interested persons.
2. No fireworks sale permit shall be issued to any organization that did not have a permit for year 2003.
3. No more than 4 permits each year may be issued to organizations based at a single school located within the City or where Costa Mesa residents constitute 50% or more of the students at a school located within 1 mile of the City boundary.

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1. The total number of permits for fireworks sale stands each year shall not exceed 40. The Finance Department will use a lottery system to allocate the permits if more than 40 qualified applications file for permits in any year.
5. No permits shall be issued for any year unless the fireworks industry satisfies two requirements. First, it must prepare and distribute flyers in both English and Spanish explaining fireworks safety and water quality protection to all Costa Mesa schools for their students prior to June 15th. Before distribution, a sample of the flyer shall be submitted to the City Fire Chief for his comments. Sufficient number of these flyers must also be provided to the operators of the fireworks stands for distribution to all buyers. Second, the fireworks industry must provide to the Fire Department a sufficient number of signs for posting in City parks advising the public about the City's fireworks regulations.