

CITY OF COSTA MESA
COSTA MESA FIRE DEPARTMENT
INTEROFFICE MEMORANDUM

DATE: APRIL 7, 2010

TO: ALLAN ROEDER, CITY MANAGER

FROM: MIKE MORGAN, FIRE CHIEF AND CHRIS SHAWKEY, POLICE CHIEF 

SUBJECT: FIRE CHIEF AND POLICE CHIEF POSITION AND DISCUSSION REGARDING EXTENDING HOURS OF FIREWORKS SALES ON JULY 4TH AND LIFTING THE CURRENT RESTRICTION ON SALES OF HAND-HELD FIREWORK DEVICES.

Background:

Currently the City of Costa Mesa allows the sale of firework devices listed by the California State Fire Marshal as "safe and sane" with the exception of "hand-held" and "spinner" devices. The current timeframe for the sale of these devices is: July 1 through July 3 from 10:00 a.m. until 10:00 p.m., and July 4 from 9:00 a.m. until 8:00 p.m.

The City Council of Costa Mesa is considering changing these parameters to:

1. Extend the time of sale on July 4 from 8:00 p.m. to 9:00 p.m., and
2. Allow the sale of "hand-held" devices, specifically sparkler devices and morning glory devices.

Recommendation:

The Fire Chief and Police Chief of Costa Mesa recommend that the City Council reject both proposed changes based upon the following discussion:

1. Sunset on July 4, 2010 occurs at 8:09 p.m. with darkness ensuing at 9:13 p.m. By extending the time of sale until 9:00 pm, residents and nonresidents will be encouraged to drive their vehicles well into the dark hours of July 4 either to purchase last-minute devices or to restock on fireworks devices.

- a. Residents and visitors to the City historically celebrate and ignite firework devices on and adjacent to City streets.
 - b. Visibility on and adjacent to City streets is severely hampered by darkness combined with lingering smoke clouds created by the ignition of fireworks devices.
 - c. Darkness and decreased visibility, created by lingering smoke, combined with increased traffic activity will likely lead to:
 - i. An increase in vehicle vs. pedestrian accidents
 - ii. An increase in vehicle vs. vehicle accidents
 - iii. An increase in the response time of emergency personnel
 - d. Alcoholic beverage consumption is common to 4th of July celebrations and extended sales hours will likely increase the number of alcohol impaired motorists driving to restock firework devices, in darkness and decreased visibility, resulting in:
 - i. An increase in vehicle vs. pedestrian accidents
 - ii. An increase in vehicle vs. vehicle accidents
2. Sparklers are responsible for the vast majority of legal firework-related injuries. The most common situation for injuries occurs when lit sparklers are given to unsupervised children, many of whom may not understand the risks. The devices burn at high temperatures, as hot as 1800° F to 3000° F depending on the fuel and oxidizer used, are more than sufficient to cause severe skin burns or ignite clothing, and more closely resemble a welding rod than a toy! For comparison purposes: Water boils at 212° F, cakes bake at 350° F, wood ignites at 575° F, and glass melts at 900° F.
- a. Nearly half of all fireworks related injuries are sustained by children under the age of 15.
 - b. Over half of fireworks related injuries, sustained by children under the age of 5, are caused by sparklers – sparklers cause more injuries to children under the age of 5 than any other type of firework device.
 - c. Sparklers, fountains, and novelties accounted for 36% of emergency room visits from firework devices in 2007.



3. Staffing Considerations: The police department is currently operating twelve sworn positions below its authorized strength, and the fire department has reduced its minimum staffing levels. Both departments do not have overtime allocated to handle the increased workload the 4th of July holiday generates. Given our reduced staffing levels, it is not in the best interests of the city to discuss anything that would likely increase the use of fireworks. This would compromise the ability of on-duty personnel to respond to the already high volume of calls for service that day.

Summary:

The professional advice from the Fire Chief and Police Chief of the City of Costa Mesa is that we keep the time restrictions and hand-held device restrictions as they are – this will encourage people to be in their locations before dark, discourage driving in less than ideal conditions, and continue to reduce injuries to children and others caused by hand-held fireworks devices.