



City of Rialto

Legislation Text

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For City Council Meeting [May 11, 2021]

TO: Honorable Mayor and City Council

APPROVAL: Sean Grayson, Acting City Manager

FROM: Brian Park, Interim Fire Chief

Request City Council to Approve the Firework Ad Hoc Committee Recommendation for 2021 Fireworks Enforcement Plan and Consider any Other Measures for Reducing the Significant Adverse Effects of all Fireworks on our Community.

(ACTION)

BACKGROUND

In July 2020, City Council approved the creation of an ad hoc committee to research and make recommendations related to the ever-increasing use of illegal fireworks in the City. Because of the significant impact of fireworks in Rialto, the committee intends to develop a comprehensive, long-range plan to stop the significant adverse effects of all fireworks on our community. The committee made a presentation to city council in January 2021.

The committee has been meeting regularly every two weeks on Wednesdays for 1-1.5 hours since the beginning of 2021 and has made great progress toward decreasing the use of illegal fireworks within the City of Rialto (attendance outlined in attachment 1).

ANALYSIS/DISCUSSION

Public Information Dissemination:

The avenues the committee has identified for public information dissemination are social media publications and Rialto Unified School District. All information is to be presented in a bilingual format and will be age appropriate.

Firework public service announcements recommended for Middle and High School age students can be found at: <https://www.youtube.com/watch?v=bv9mXINZBL8>

The public service announcements recommended for Elementary School age students will be relayed to all Elementary Assistant Principals and Program Specialists in the following format:

To promote fire safety and injury prevention this 4th of July, we are asking you to please send this link out to your elementary school teachers <https://sparky.org>

Sparky.org provides opportunities for children to do activities, play games, and learn about injury prevention.

We would like to remind students to Play It Safe This 4th of July!

Sincerely,

Rialto Fire Department

Firework Enforcement Plans:

The Rialto Police Department (RPD) has been working diligently in close collaboration with the Rialto Fire Department (RFD) to provide the most comprehensive and effective firework enforcement plan for the 2021 firework season. The following is a summary of the proposed enforcement plan.

- Start enforcement on June 16th from 1600-2200 Wednesday, Thursday, Friday, and Saturday. RPD will provide 4 Scat team officers, and RFD will provide four investigators to pair up with the Scat team officers.
- On June 30th, enforcement would be ramped up until July 5th with overtime. RPD would like to wait until it gets closer to this date to finalize the schedule.
- The plan on July 4th would be to target geographical areas based on past trends with the designated officers and fire investigators focusing on writing citations over mass collection.
- Participate in the countywide firework interdiction program operation (attachment 2).

Community Partnerships:

The Firework Committee has done an excellent job of determining the community services, departments, and organizations who will be most affected by the campaign against illegal fireworks and have worked toward lessening any unforeseen burdens.

This year the Committee wanted to take a unique approach to bring all stakeholders together to reduce or prevent the use of illegal fireworks. The Firework Committee wants to promote the non-profit's firework booths by posting what the non-profit is and its booth location. Informing citizens to buy safe and sane and not illegal fireworks.

RFD is working with all the fire departments in San Bernardino County to reduce or eliminate illegal fireworks in the county. This is the first time the fire departments in San Bernardino have joined to combat illegal fireworks taking a regional approach to this widespread problem that has plagued the county for the last 20 plus years. Together we are stronger, and we believe this partnership will strengthen enforcement capabilities.

Firework/Illegal/Suspicious Activity Reporting System:

City Staff has been working diligently with the City of Rialto Esri consultant to create a firework reporting app. This new reporting app will bring in new technology allowing residents to report from their phone or computer. The reporting app brings convenience, reduces the impact on the 911 system, allows for more accurate reporting, and gives instant, precise information to the officers and fire investigators to catch violators in the act. Once completed, it may be required to tie in all city apps that other departments provide to create one location that community members can use for reporting any issue they are having, such as a code enforcement issues, a pothole, a fireworks problem, graffiti, or to file a complaint.

Past vs Present:

Previous enforcement plans:

- Enforcement period mid-June through the end of July
- The fire department took the lead on enforcement planning
- The fire department and Police department sometimes worked together, and other times created separate plans.
- Had a fireworks hotline number to reduce the impact on the 911 system
- Focused on collecting illegal fireworks
- Extra up-staffed units for fireworks were spread throughout the city.

2021 Recommendations for Improvement:

- Keep same enforcement period
- Have Fire and PD create a cohesive plan together
- Replace hotline number with reporting app that can be used year-round for reporting and tracking.
- Focus on writing citations to try to create a more significant impact on violators
- Firework enforcement units will focus efforts in hot spot areas as a team

Legal Recommendations:

The City, along with other agencies in the region have been challenged with the citation and adjudication process. Working toward a standardized approach across the region, the committee has reviewed neighboring city and community enforcement plans and the Firework Committee is recommending the following changes and is seeking legal advice on the following points:

1. Increase Fines
2. Contactless Tickets
3. Municipal code amendments

ENVIRONMENTAL IMPACT

The request is not a Project as defined by Section 15378 of the California Environmental Quality Act (CEQA) Guidelines. A "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. By definition, a Project does not include: The creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment according to Section 15378 (b)(4) of the CEQA Guidelines.

GENERAL PLAN CONSISTENCY

The City of Rialto General Plan establishes various guiding principles, goals, and objectives through which the City looks to improve the community and protect the quality of life for our residents. The proposed item supports the General Plan in the following areas:

Goal 5-3: To Increase the City's fire protection capabilities and implement fire prevention regulations and standards that minimize potential fire hazards and fire losses.

LEGAL REVIEW

The City Attorney has reviewed and supports this staff report

FINANCIAL IMPACT

Operating Budget Impact

Funding is budgeted and available not to exceed \$50,000 for personnel costs for firework enforcement, including \$20,000 for Fire Department staffing in account 010-500-5174-1020; Project No. SE1602-10; and \$30,000 in Police Department staffing from multiple Divisions within the Department; Project No. SE1602-10.

Capital Improvement Budget Impact

There will be no Impact to the Capital Improvement Budget.

Licensing

This Action does not require a business license.

RECOMMENDATION

Staff recommends that the City Council Approve the Firework Ad Hoc Committee Recommendation for 2021 Fireworks Enforcement Plan and consider any other measures for reducing the significant adverse effects of all fireworks on our Community.