



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL** **DATE: OCTOBER 3, 2017**  
**FROM: FIRE DEPARTMENT** **WARDS: ALL**  
**SUBJECT: 2017 FIREWORKS ENFORCEMENT UPDATE**

## **ISSUE:**

Receive an update on the Fire, Police, and Code Enforcement efforts to reduce the use of illegal fireworks for 2017.

## **RECOMMENDATIONS:**

That City Council receive this report on the Fire, Police, and Code Enforcement efforts to reduce the use of illegal fireworks.

## **LEGISLATIVE HISTORY:**

All fireworks are illegal in the City of Riverside.

1. The manufacturing, possession, storage, use or handling of fireworks is prohibited in the City of Riverside under Section 16.32.100 of the Riverside Municipal Code (RMC).
2. RMC Chapter 1.18, Section 1.18.040 Penalties: In addition to any remedy available at law, any person in violation of any provision of this Chapter or Section 16.32.375 of this Code involving 25 pounds or less of fireworks is subject to the issuance of an administrative citation of one-thousand dollars (\$1,000.00) and a disposal fee as set by the state.
3. RMC Chapter 16.32, Section 104.1.1 Citations: The fire code official and his or her designee are authorized to issue a citation to persons operating or maintaining an occupancy, premises, or vehicle subject to this code who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises or vehicle when ordered or notified to do so.
4. RMC Chapter 16.32, Section 16.32.080 Assistance from Other Agencies: Police and other enforcement agencies shall have authority to render necessary assistance in the investigation of fires or enforcement when requested to do so.

## **BACKGROUND:**

Over the past three years, the City has increased outreach efforts to make certain Riverside residents understand that all fireworks are illegal in the City. Illegal fireworks are the cause of multiple structure, vehicle, and wildland fires annually. Those responsible for the use of fireworks can be fined as well as held liable for damages and emergency response costs.

On November 15, 2016, City Council adopted an Ordinance amending Section 1.17.231 of the Riverside Municipal Code and adding Chapter 1.18, to strengthen the consequences of using illegal fireworks in the City limits by:

1. Increasing fines from \$500 to \$1,000.
2. Citing parents, guardians, or others in custody or control of any person under the age of 18, are subject to receiving an administrative citation in addition to the citation issued to an offending minor.
3. Citing property owners who knowingly allow fireworks activity on their property are subject to receiving an administrative citation.
4. Providing that in addition to Fire and Code Enforcement personnel, Police officers may issue these citations.

On June 13, 2017, the Fire and Police Departments presented an enhanced fireworks enforcement plan to the City Council. The plan outlined expanded educational outreach utilizing social media, public safety announcements, community engagement at meetings, and events leading up to the July 4<sup>th</sup> holiday.

## **DISCUSSION:**

### *Public Outreach*

Public Service Announcements (PSA) – Police, Fire, and Riverside TV developed several PSAs covering the dangers of fireworks, the negative impacts on our community, and the \$1,000 fine if someone was caught in violation of the RMC. These PSA's were broadcast both on the City's TV station and through the use of several social media accounts managed by the different departments. Social media sites such as Facebook, Next Door, Instagram, Twitter, etc. were used to facilitate enforcement discussions, to post the "Fireworks are Illegal" message, and broadcast the PSA's

In the weeks preceding the holiday, "Fireworks are Illegal" flyers (Attachment 2) and posters were distributed to schools and at community events throughout the City. In addition, banners were displayed on all fire stations. The electronic billboards at the Marketplace and Auto Mall adjacent to the 91 Freeway featured fireworks safety messages throughout the holiday season, and the fireworks flyer was inserted in the June utilities mailer to reach over 100,000 Riverside households.

### *311 Call Center*

A "Fireworks" option was added to the 311 App to provide citizens with another option to report illegal fireworks activity.

Call Center staff were given additional training regarding calls in reference to illegal fireworks activity. The 311 App also gives citizens the opportunity to anonymously report incidents. The Fireworks Task Force received the complaints daily from 311, and used the information to establish “hot spots” for patrol efforts and follow up efforts when specific addresses were provided.

The 311 Call Center received 371 firework service requests between June 5, 2017 and July 10, 2017.

### *Enforcement Efforts*

Warning Letters with the “Fireworks are Illegal” flyer were hand carried to addresses reported to be involved with fireworks. The officers who delivered the information took the time to discuss the issues with the resident when someone was home, and if not, the information was left at the address in an envelope.

### *Rewards Program*

On June 27, 2017, the City Council approved offering a reward in the amount of \$1,000 for information leading to the determination of the identity of, and the apprehension of, any person or persons responsible for willful misconduct involving the use of illegal fireworks resulting in injury or death to any person or destruction of property. The 311 Call Center received two calls this year inquiring about the reward for reporting illegal fireworks usage. However, the callers were not willing to testify with the Administrative Hearing Officer and have their identities known publicly; thus, no rewards were issued or are currently pending.

### *Summary of Illegal Fireworks Activity*

The Fire and Police departments received 746 calls for service at the emergency dispatch facility for reported firework activity. The 746 calls include both 911 calls and calls to the non-emergency number. This year a decrease in call volume was noted from the previous year and an increase in call volume was received at the 311 Call Center. The Fire Department responded to 15 fire calls and 1 emergency medical service call (fireworks related, resulting in a significant injury).

Approximately 805 pounds of fireworks were confiscated and dropped off at local fire stations for proper disposal. After the 4<sup>th</sup> of July, the fireworks were collected and stored at a temperature controlled storage unit, which remains in the possession of the Police department. Photos, case reports and supporting documentation were sent to the State of California with the request to transfer all confiscated fireworks to a State of California disposal facility. Police and Fire are currently waiting to hear back from the State Fire Marshal’s office.

Year	Calls for Service	Fires	Injuries	Citations	Patrol Contacts	Fireworks Confiscated
<b>2015</b>	768	10	0	29	205	620 pounds
<b>2016</b>	955	9	6	20	160	780 pounds
<b>2017</b>	746	15	1	126	304	805 pounds

The Fireworks Task Force, which includes staff members from Fire, Police and Code Enforcement, issued 126 Administrative Citations and made various warnings to those in violation throughout the City. The task force received several tips on reported firework activity throughout

the holiday season. Often times the task force received reports of illegal firework activity in a designated area, however when they arrived on scene they would find no evidence of fireworks but they would find a group of people congregating on a street. In these circumstances, the public was warned and educated on the city's ordinance and the dangers involved with lighting fireworks.

### Administrative Citations Issued for Fireworks Violations

Neighborhood	Count
Airport	18
Arlanza	6
Arlington Heights	1
Arlington South	7
Casa Blanca	13
Downtown	5
Eastside	14
Grand	1
Hunter Industrial Park	1
La Sierra	24
La Sierra	1
La Sierra Acres	8
La Sierra Hills	4
La Sierra South	3
Magnolia Center	2
Mission Grove	1
Northside	2
Orangecrest	1
Presidential Park	2
Ramona	11
University	1
<b>Total Cites</b>	<b>126</b>

Date	# OF CITES ISSUED
Friday, June 23, 2017	4
Saturday, June 24, 2017	3
Tuesday, June 27, 2017	2
Wednesday, June 28, 2017	1
Thursday, June 29, 2017	6
Friday, June 30, 2017	2
Saturday, July 01, 2017	12
Sunday, July 02, 2017	11
Monday, July 03, 2017	19
Tuesday, July 04, 2017	66

GRAND TOTALS	
Ward	Count
1	9
2	14
3	20
4	16
5	17
6	27
7	23
<b>Total Cites</b>	<b>126</b>

To date, of the 126 administrative citations issued for fireworks violations, 22 have been paid in full, 20 have arranged for a payment plan, 11 have been appealed, and 73 have been referred to collections for non-payment.

Administrative Citation Status	Quantity	Payment Received
Paid in full:	22	\$22,000
Payment Plan Set Up:	20	\$4,212
Appealed	11	\$0
Sent to Collections:	73	\$0
<b>Total:</b>	<b>126</b>	<b>\$26,212</b>

## *Appeals Process*

The instructions for appealing a citation is written on the back of each administrative citation. The appeals process provides the right to a hearing before an administrative hearing officer. A person wishing to appeal a citation shall complete the following steps;

1. The Administrative Citation shall be paid in full within 30 days of receiving a citation or a hardship waiver should be submitted and accepted by the city within 10 days of receiving a citation.
2. A written request for an appeal must be made to the City of Riverside Fire Department within 30 days of receiving a citation. An appeals request exceeding 30 days will constitute as a waiver to receive an administrative hearing.
3. The request for an appeal will result in an administrative hearing before a hearing officer.
4. If any person is aggrieved by the decision of the administrative hearing officer, such person may contest that decision by filing an appeal to be heard by the Superior Court. The appeal must be filed within 20 days following the date of the administrative citation.
5. If an appeal is not filed in court in a timely manner, the result of the administrative hearing stands and the citation cannot be appealed.

## *Collections Process*

The Police and Fire departments are utilizing the Finance Department to collect unpaid citations. The Finance Department utilizes a software system to track collection history. The collection process begins after the customer's right to appeal expires or after the administrative hearing takes place.

1. After 31 days of being past due, a 10% penalty is automatically posted to the citation amount and a late notice is sent to the customer.
2. After 60 days of being past due a "Final Notice" is sent to the customer.
3. After 90 days of being past due, a staff member telephones the customer at the number on file. If the customer has not responded to the collection efforts, the account is referred to an outside collections agency.

Code Enforcement utilized their current collections process to collect firework administrative citations. Code Enforcement utilizes a company called Revenue Experts to collect citations. The process for collecting their citations are as follows;

1. After 30 days of being past due, a 10% penalty is automatically posted to the citation amount and a late notice is sent to the customer.
2. After 60 days of being past due a second "Past Due Notice" is sent to the customer.
3. After 90 days of being past due, Revenue Experts sends an additional late notice.
4. The citation remains open and the department director will determine if the citation is a candidate for a lien.

## *Payment Plans*

For citations issued by the Police and Fire department, a payment plan may be initiated at any time before the customer is referred to an outside collections agency. Customers who are interested in setting up a payment plan are assessed a one-time \$10.00 set up fee and a \$6.00 monthly processing fee. The minimum monthly payment is set at \$50.00 per month. The

administrative citation must be paid in full within 24 months, unless a financial hardship extension is granted.

For citations issued by Code Enforcement, the customer is directed to call Revenue Experts to work out a suitable payment plan.

### *Campaign Costs*

The total cost for the 2017 illegal fireworks prevention and enforcement campaign was \$22,875.03. The Uptown Kiwanis club donated \$5,000 to the Fire Department. \$3,521.36 of the donation was utilized to purchase the marketing fliers.

	Fire	Police	Code Enforcement	Marketing	Total
<b>Staffing/Marketing costs</b>	\$3,401.16	\$12,816.44	\$3,076.07	\$3581.36	\$22,875.03

The Police Chief and Community & Economic Development Director concur with this report.

### **FISCAL IMPACT:**

There is no fiscal impact with the receipt of this report.

Prepared by: Michael D. Moore, Fire Chief  
Certified as to  
availability of funds: Adam Raymond, Chief Financial Officer/City Treasurer  
Approved by: Alexander T. Nguyen, Assistant City Manager  
Approved as to form: Gary G. Geuss, City Attorney

### Attachments:

1. Presentation
2. Flyer
3. Activity Calls by Neighborhood
4. Activity Map