



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: DECEMBER 17, 2024

FROM: FIRE DEPARTMENT WARDS: ALL

SUBJECT: AFTER ACTION FOR FIREWORKS ACTIVITIES FOR JULY 4, 2024, AND RECOMMENDATION TO USE sUAS (DRONE) TECHNOLOGY TO ASSIST WITH FIREWORKS ENFORCEMENT AND AMEND AND UPDATE THE RIVERSIDE MUNICIPAL CODE (RMC) 1.18 FOR FIREWORKS TO INCLUDE SOCIAL HOST LIABILITY

ISSUE:

Receive an update on the efforts by the City of Riverside Fire Department (RFD), the City of Riverside Police Department (RPD), and Code Enforcement to reduce the use of illegal fireworks for the upcoming 2025 Fourth of July Holiday, and review recommendations for drone-based fireworks enforcement as well as proposed amendments to the RMC to include Social Host Liability.

RECOMMENDATIONS:

That the City Council:

1. Receive an update on fireworks enforcement activities for 2024;
2. Consider a recommendation to utilize sUAS technology for fireworks enforcement;
3. Provide funding for advanced night operation training;
4. Provide funding for the purchase of four (4) new DJI M30 Drones;
5. Consider a recommendation to amend RMC 1.18 to include Social Host Liability;
6. Consider a recommendation that the Finance Department forward all outstanding citations to the City Attorney's Office (CAO) for collection via the Franchise Tax Board (FTB) Intercept Program, and that RFD, RPD, and Code collaborate in assigning resources so the CAO can effectively process the citations; and
7. Provide direction to staff regarding options for fireworks enforcement.

COMMITTEE RECOMMENDATION:

The Safety, Wellness, and Youth Committee convened on November 20, 2024, with Chair Perry, Vice Chair Conder, and Member Mill in attendance, to review an informational report on the 2024 fireworks enforcement activities and explore options to enhance enforcement efforts moving forward. Following discussion and a formal motion, the Committee:

1. Received an update on fireworks enforcement activities for 2024;
2. Provided a recommendation to utilize sUAS technology for fireworks enforcement;
3. Provided a recommendation to amend RMC 1.18 to include Social Host Liability;
4. Provided a recommendation that the Finance Department forward all outstanding citations to collections; and
5. Recommended that the update be presented to the City Council.

LEGISLATIVE HISTORY:

Fireworks are illegal in the City of Riverside. The manufacturing, possession, storage, use, or handling of fireworks is prohibited under Riverside Municipal Code 16.32.375, Section 5601.1.3.

On May 21, 2024, the Riverside City Council adopted Ordinance 7664, which established penalties for violations of Section 1.18.040 at \$1,500.00, along with a disposal fee as determined by the State.

BACKGROUND:

According to the Consumer Product Safety Commission, in 2023, over 9,700 injuries related to fireworks were treated in emergency rooms, and there were eight reported deaths. To combat illegal fireworks activity within the city, the Riverside Fire Department (RFD), Police Department (RPD), and Community and Economic Development Department (CEDD) / Code Enforcement Division are collaborating on a fireworks education and enforcement campaign. The campaign's goal is to ensure residents understand that all fireworks are prohibited in Riverside and that violations may result in administrative citations as well as restitution costs for any resulting damages.

Relevant Municipal Codes on Fireworks:

1. Prohibition of Fireworks:
The manufacturing, possession, storage, use, or handling of fireworks is prohibited in the City of Riverside under RMC Section 16.32.370, Section 5601.1.1.
2. Penalties for Violations:
Under RMC Chapter 1.18, Section 1.18.040, any person in violation of this chapter or RMC Section 16.32.375 involving 25 pounds or less of fireworks is subject to an administrative citation of \$1,500 and a disposal fee as determined by the state.
3. Authority to Issue Citations:
Under RMC Chapter 16.32, Section 104.1.1, the fire code official and their designee are authorized to issue citations to individuals who operate or maintain an occupancy, premises, or vehicle in violation of this code by allowing a hazard to exist or failing to take immediate action to abate the hazard when ordered or notified to do so.
4. Assistance from Other Agencies:
Under RMC Chapter 16.32, Section 16.32.080, police and other enforcement agencies are authorized to provide necessary assistance in fire investigations or enforcement when requested.

DISCUSSION:

A. Fireworks Update for 2024:

The lead personnel for the fireworks task force were Fire Captain Mendoza, Police Sergeant Elliot, and Code Enforcement Manager Gary Merk. Abatement activities this year focused on public education, prevention, and enforcement. Specific actions taken to promote a safe Fourth of July included:

1. The Riverside Office of Communications, RFD, and RPD released Public Safety Announcements (PSAs) about fireworks, aired throughout June and July.
2. Electronic billboards at the Auto Mall near Adams Street and the 91 Freeway, as well as the Marketplace at Mission Inn Avenue and the 91 Freeway, displayed the “No Fireworks” message starting in June.
3. RFD and RPD utilized social media to identify illegal fireworks sales activity.
4. The fine for illegal fireworks was increased by the City Council to \$1,500. RFD, RPD, and Code Enforcement partnered to enforce violations.
5. Staffing was increased from June 29 to July 4, 2024. RFD overstaffed eight (8) fire apparatus to stand by at Mt. Rubidoux and one (1) at the La Sierra fireworks shows on July 4.
6. Fire management staff were on duty and on-call for emergencies, with three battalion chiefs on duty on July 4 and four additional chief officers available on-call.
7. All fourteen (14) fire stations maintained a visible presence on July 4 to enforce RMC 16.31.100 and educate the public about the dangers of fireworks.
8. Five (5) to seven (7) task force groups were active nightly.
9. Response and Citation totals between Fire and Code for June 30, 2024, and July 4, 2024:

Total Radio Calls	Total On-View	Total 311 Calls	Total Citations Issued	Total Fireworks Seized	Total Collected from Citations
344	99	87	24	1,800 pounds	\$3,645

Citation Summary:

- Twenty-four (24) citations sent to Finance.
- No citations have been sent to collections.
- Four (4) citations have been paid for in full.
- Twenty (20) citations remain outstanding between Finance and Code Enforcement

Citation Ward Breakdown:

Ward 1	Ward 2	Ward 3	Ward 4	Ward 5	Ward 6	Ward 7
4	0	2	1	2	5	10

Fire Incidents on July 4, 2024:

- One (1) structure fire
- Thirteen (13) vegetation fires
- One (1) vehicle fire
- One (1) trash fire

CAO FTB Intercept Program

In 2023, the CAO established the first ever FTB Intercept Program to collect judgments and fines owed to the City. The FTB Intercept Program is effective because it:

- Intercepts tax refunds: It captures tax refunds owed to individuals who have outstanding debts to the City, ensuring these debts are paid.
- Encourages timely payment: By intercepting refunds, it incentivizes individuals to pay their debts promptly to avoid losing their refund.
- Improves collection rates: This program significantly increases the likelihood of collecting outstanding debts owed to the City.

Illegal Fireworks Summary:

Despite education and outreach efforts, illegal fireworks remain a significant safety issue, impacting emergency services in the City of Riverside. To reduce community risk, ongoing collaboration among stakeholders is critical, including support for enforcement, mitigation efforts, and continued public education to ensure safety.

B. sUAS Technology for Fireworks Enforcement:

The RFD and RPD recommend enhancing enforcement of RMC 1.18 by incorporating sUAS (drone) technology.

1. Fireworks Enforcement:

- Certified drone pilots would conduct flights during the week leading up to and on July 4 in areas with high incidents of illegal fireworks.
- Drones would monitor and video-record activity to establish connections between illegal activities and specific residences or individuals.
- Written reports would detail observations, enabling the City Attorney's Office (CAO) to issue administrative citations based on the evidence.

2. Personnel Needs:

- Assign one drone team (two personnel: one pilot and one safety officer) per ward for maximum responsiveness.
- Due to the challenges of nighttime operations, sUAS pilots must attend a three-day advanced training course focusing exclusively on nighttime operations.
- Course cost: \$30,000
- Personnel costs: \$121,168.00

3. Equipment Needs:

- RPD's current drone fleet is insufficient to meet operational goals.
- Purchase four (4) DJI M30 drones at a total cost of \$56,106.93 to ensure effective coverage.

C. Riverside Municipal Code 1.18 Update:

The CAO will draft an amendment to RMC 1.18 to include Social Host Liability. The proposed ordinance will make it unlawful for any social host to allow, by invitation or consent, the use of fireworks on their property. It will also hold parents or guardians liable for juveniles found in violation of RMC 1.18.

STRATEGIC PLAN ALIGNMENT:

Items contributing to Envision Riverside 2025 Strategic Priorities:

No. 2 Community Well-Being

- Goal No. 2.6 Strengthen community preparedness for emergencies to ensure effective response and recovery.
- 1. **Community Trust** – Providing enforcement for fireworks keeps our community safe and ensures community trust between the City of Riverside and its residents.
- 2. **Equity** – The increased fee provides a deterrent to all Ward residents, which will keep all communities within the City of Riverside safe.
- 3. **Fiscal Responsibility** – The City of Riverside is attempting to reduce illegal fireworks to prevent injuries and fire loss to all residents within the community.
- 4. **Innovation** – The City of Riverside team uses all tools available, including Administrative Citations to keep the community safe.
- 5. **Sustainability & Resiliency** – The City of Riverside dedicates sufficient resources to enforce the Riverside Municipal Code to keep the community safe.

FISCAL IMPACT:

There is no immediate fiscal impact related to this report. However, based on the recommendations of the Committee, there may be additional funding requests that may be brought forward to Council for approval. Should the enhancements listed below be recommended by the Committee, there may be a fiscal impact of up to \$207,274.93. If this recommendation is approved by Council, staff will present a subsequent report to Council outlining funding details.

RPD has presented some enhancements as an option to increase the effectiveness of fireworks enforcement and training as seen below and outlined in the report:

- sUAS Enhancements: Total cost for RPD to enhance the equipment and training to safely and adequately provide enforcement with sUAS capabilities is \$207,274.93. This includes the estimated \$121,168.00 for personnel, \$56,106.93 for equipment, and \$30,000 for the nighttime operations course.

For reference, below are the historical costs that were incurred during the July 2024 enforcement of fireworks-related activities.

- 2024 fireworks enforcement cost is \$72,860. Funds were included in the operating budgets that were adopted by Council. The breakdown of the costs is illustrated in the table below.

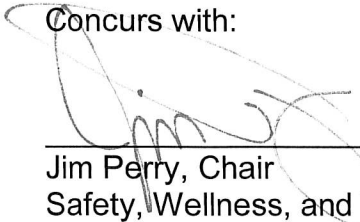
Code Enforcement	Police Department	Fire Department
\$11,255	\$45,074	\$16,531

Prepared by: Brian Guzzetta, Deputy Fire Chief
Approved by: Steve McKinster, Fire Chief
Certified as to availability of funds: Kristie Thomas, Finance Director/Assistant Chief Financial Officer
Approved by: Mike Futrell, City Manager
Approved as to form: Jack Liu, Interim City Attorney

Attachments:

1. Riverside Municipal Code 1.18
2. Safety, Wellness, and Youth Committee Firework Enforcement Update 2024
3. Ordinance No. 7664
4. Riverside Municipal Code 16.32
5. Redline Ordinance – Use of Drone Technology and Social Host Liability

Concurs with:



Jim Perry, Chair
Safety, Wellness, and Youth Committee