

# PROOF OF PUBLICATION

STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

HEATHER BRANTLEY

CITY OF SACRAMENTO  
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SACRAMENTO CA 95814

ORDINANCE  
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HEARING/CLOSE/SALE DATE: 06/17/25

The undersigned says:


I am over the age of 18 years and a citizen of the United States. I am not a party to and have no interest in this matter. I am a principal clerk of the SACRAMENTO BULLETIN\*, a newspaper of general circulation in the City of Sacramento, Sacramento Public Notice District, the County of Sacramento, and the State of California, as adjudicated in Sacramento Superior Court Case No. 00SC01155. The notice, a printed copy of which appears hereon, was published on the following date(s): Jun 24, 2025

I declare under penalty of perjury that the foregoing is true and correct. Executed at Los Angeles, California on 06/24/25.

  
signature

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## ORDINANCE 2025-0014

Adopted by the Sacramento City Council  
June 17, 2025

An Ordinance Amending Chapter 8.48 of the Sacramento City Code, Relating to Fireworks, and Declaring the Ordinance to be an Emergency Measure to Take Effect Immediately Upon Adoption

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

### SECTION 1.

Section 8.48.005 of the Sacramento City Code is hereby amended to read as follows:

#### 8.48.005 Definitions.

The following definitions apply in this chapter:

“City manager” means the city manager or designee.

“Dangerous fireworks” has the same meaning as in California Health and Safety Code section 12505.

“Fire chief” means the chief of the Sacramento Fire Department or designee.

“Fireworks” has the same meaning as in California Health and Safety Code section 12511

“Host” means a person who either:

1. Controls private property, including but not limited to, an owner, tenant, landlord, or property manager; or

2. Organizes, supervises, officiates, conducts, or is otherwise in charge of the activity on the property.

“Police Chief” means the chief of the Sacramento Police Department or designee.

“Promote” means to aid, abet, organize, advertise, publish notice, or otherwise encourage.

“Response costs” means costs associated with law enforcement, fire, medical, or other emergency personnel responding to, remaining at, and leaving the scene of a gathering, including but not limited to:

1. Salaries and benefits of code enforcement, law enforcement, fire, medical, or any other emergency personnel;

2. Administrative costs;

3. The cost of any medical treatment of injuries to any code enforcement, law enforcement, fire, medical, or other emergency personnel;

4. The cost of using any city equipment;

5. The cost of repairing any damaged city equipment or property; and

6. Any other costs related to enforcement of this chapter.

“Safe and sane fireworks” has the same meaning as in California Health and Safety

Code section 12529.

### SECTION 2.

Section 8.48.010 of the Sacramento City Code is hereby amended to read as follows:

**8.48.010 General prohibition against manufacture, possession, sale, or use of fireworks.**

Except as otherwise provided in this chapter, no person shall manufacture, possess, sell, use, display, or discharge any fireworks within the city.

### SECTION 3.

Section 8.48.020 of the Sacramento City Code is hereby amended to read as follows:

**8.48.020 Certain public displays - exception.**

Public displays of fireworks may be conducted with permission of the fire chief if the displays will take place under the supervision and direction of a person who is duly licensed by the state of California to conduct a fireworks display. The applicant shall apply for such permission at least 10 days in advance of the date of the display for which the permit is sought. The application must be in the form prescribed by the fire chief and must include the name and address of the applicant, the date and nature of the event, and any other information as the fire chief may reasonably require.

The fire chief shall grant the permit as applied for or with conditions, unless the chief finds that to do so would be contrary to the public health, safety, and welfare. The decision of the fire chief shall be in writing and mailed, postage prepaid, to the applicant.

Every application for permission to conduct a public fireworks display must be accompanied by a nonrefundable fee as established by resolution of the city council. This fee shall be in addition to any fee or tax imposed by Chapter 3.08 of this code.

Every applicant shall agree to hold the city, its officers, and employees harmless from any claims for damages or other costs arising from the activity authorized by the permit.

### SECTION 4.

SECTION 8.48.030 of the Sacramento City Code is hereby amended to read as follows:

**8.48.030 Liability insurance.**

A. The applicant for a public display permit shall furnish to the fire chief proof of coverage by a general liability insurance policy that covers the premises at which the fireworks will be displayed, the operations involved in displaying the fireworks, personal injury, contractual liability, independent contractors, and property damage. No permit shall be issued until the applicant furnishes the fire chief with endorsements and evidence of insurance for each policy required, executed by the company issuing the policy, and approved as to form by the city attorney.

B. A public display permittee shall maintain, at no cost to the city, a commercial general liability insurance policy or special events liability insurance policy insuring the public against any loss or damage listed in

subsection A that may result to any person or property from the public fireworks display or activities of the public display permittee; and coverage shall not include a fireworks exclusion. Coverage shall be at least as broad as ISO CGL Form 00 01 on an occurrence basis for personal injury, including death of one or more persons, property damage, with limits of not less than \$1,000,000 per occurrence.

C. The city, its officials, and employees shall be covered by policy terms or endorsements as additional insureds in regard to general liability arising out of activities performed by or on behalf of the public display permittee. The insurance coverage of the public display permittee shall be the primary insurance as it pertains to the city, its officials, and employees; and the insurance coverage must contain a provision that no other insurance carried by an insured party shall be called upon for contribution.

D. Both the public display permittee and the insurer must give the city 30 days' prior written notice of cancellation or material change in the policy language or terms. Notice shall be served on the city clerk.

E. The public display permittee shall furnish the city with a certificate of insurance for each policy required, executed by the company issuing the policy, and approved as to form by the city attorney. The required insurance must be maintained throughout the term of the public display permit. The city may suspend, modify, or revoke a public display permit if current certificates of insurance and required endorsements have not been provided or if the insurance has not been maintained.

F. Notwithstanding any other provision of this chapter, the failure of the public display permittee to carry the required insurance policy or policies in force and to properly renew the policy or policies during the term of the permit shall automatically revoke the permit as of the date of expiration of the policy or policies. A payment of the full amount of the permit fee required by section 8.48.020 shall be made to the city before the revoked permit may be reinstated.

#### **SECTION 5.**

Section 8.48.050 of the Sacramento City Code is hereby amended to read as follows:

##### **8.48.050 Safe and sane fireworks-Exception.**

A. It is not unlawful to possess safe and sane fireworks during the time period beginning at noon on June 28th and ending at 10 p.m. on July 4th of that same year.

B. It is not unlawful to sell safe and sane fireworks as provided in section 8.48.120.

C. It is not unlawful to use, display, or discharge safe and sane fireworks between 9 a.m. and 10 p.m. during the time period described in subsection A above.

#### **SECTION 6.**

Section 8.48.090 of the Sacramento City Code is hereby amended to read as follows:

##### **8.48.090 Safe and sane fireworks - permits- prerequisite for issuance.**

A. No permit to sell safe and sane fireworks shall be issued to any person except

nonprofit organizations or corporations organized primarily for veteran, patriotic, welfare, civic betterment or charitable purposes.

B. Each such organization shall have its principal and permanent meeting place within the city limits and shall have been organized and established in an area that is presently within the city limits for a minimum of one year continuously preceding the filing of the application for the permit and shall have a bona fide membership of at least 20 members.

C. No organization shall submit more than two applications for permits to sell fireworks within the city and all unincorporated areas of Sacramento County for which the Sacramento Fire Department is the fire authority having jurisdiction. Submittal of more than two applications shall be grounds for denial of all applications.

D. City permits authorizing the sale of safe and sane fireworks are not transferable.

E. Relocation of temporary stands from the location for which the permit was initially issued to a different location may be approved if the application is made to the fire chief on or before June 1st and the location change has been approved in writing by the fire chief and the city's chief building inspector.

#### **SECTION 7.**

Section 8.48.100 of the Sacramento City Code is hereby amended to read as follows:

##### **8.48.100 Safe and sane fireworks - permits - application.**

A. All applications for permits to sell safe and sane fireworks shall be in writing to the fire chief on forms supplied by the city. Applications may be filed beginning January 2nd of each year up to and including February 15th of the same year. Applications must identify the proposed location of the fireworks stand; the name, address, and telephone number of one or more responsible adults who will be in charge of and responsible for the fireworks stand during the period fireworks are sold, displayed, or stored; and other information as may be required by the fire chief.

Applications must include an assurance that, if the permit is issued to the applicant, the applicant shall, at the time of receipt of such permit, deliver to the city administration a \$50,000/100,000 public liability and \$25,000 property damage insurance policy and products liability insurance of \$300,000 with riders attached to the policies designating the city as an additional insured. No policy will be acceptable which contains a provision allowing a deductible amount.

B. Applicants for such permits shall be notified by the fire chief on May 1st of each calendar year regarding the approval or disapproval of their permit applications. All organizations whose permits have been approved shall have until May 15th of that year to pick up their permit.

C. Every application for a permit shall be accompanied by a nonrefundable application fee established by resolution of the city council. The application fee shall be in addition to any fee or tax imposed by chapter 3.08.

D. The fire department shall electronically transmit applications to the city building division and, if any, the fire district in whose

jurisdiction the proposed fireworks stand will be located.

#### **SECTION 8.**

Section 8.48.110 of the Sacramento City Code is hereby amended to read as follows:

##### **8.48.110 Operation safety seminar.**

Each year, one or more adult representatives from each organization that is granted a permit to sell fireworks shall attend a safety seminar conducted by the fire department and the fireworks industry. The seminar must be approved by the fire chief. Failure of an organization to have a responsible adult individual(s) attend the seminar will result in the revocation of the permit to sell fireworks.

#### **SECTION 9.**

Section 8.48.120 of the Sacramento City Code is hereby amended to read as follows:

##### **8.48.120 Operation of stand.**

A. No person shall sell fireworks to any person under the age of 18.

B. Sale of fireworks may begin at noon on June 28th and shall not continue after 9 p.m. on July 4th of the same year. Sale of fireworks shall be permitted only from 9 a.m. to 10 p.m. daily, except June 28th, when the hours shall be noon to 10 p.m.

C. No person other than the permittee organization shall operate the stand for which the permit is issued or share or otherwise participate in the profits of the operation of such stand.

D. No person other than members of the permittee organization or the spouses, parents, or adult children of such members shall sell or otherwise participate in the sale of fireworks at such stand.

E. No person under the age of 18 shall sell or participate in the sale of fireworks.

F. At the time of purchase, the seller shall provide each customer city-approved information on the safe use and disposal of fireworks.

G. No person shall be paid any consideration by the permittee or any wholesale distributor of safe and sane fireworks at such stand; provided, however, that compensation may be paid for security personnel during non-sale hours and to the party authorizing the location of the stand on its property. The fire chief or their designee may revoke the fireworks storage permit of any wholesale distributor violating the terms of this section, as set forth in section 8.48.150.B.

#### **SECTION 10.**

Section 8.48.130 of the Sacramento City Code is hereby amended to read as follows:

##### **8.48.130 Temporary fireworks stand.**

All retail sales of safe and sane fireworks shall be permitted only from within a temporary fireworks stand, and the sale from any other building or structure is prohibited. Temporary stands shall be subject to the following provisions:

A. No fireworks shall be located within 25 feet of any other building or within 100 feet

of any gasoline pump or distribution point.

B. Fireworks stands need to comply with the provisions of the building code of the City; provided, however, that all stands shall be erected under the supervision of the inspector, who shall require the stands be constructed in a manner that will reasonably ensure the safety of attendants and patrons; and provided further that any electrical installations shall comply with applicable codes.

C. No stand shall have a floor area in excess of 750 square feet.

D. Each stand shall have at least two exits. Each stand in excess of 40 feet in length shall have at least three exits spaced approximately equal distances apart; provided, however, that in no case shall the distance between exits exceed 20 feet. Exit doors shall be not less than 24 inches wide, and no less than 6 feet tall, and shall swing in the direction of exit travel.

E. Each stand shall be provided with two, two and one-half gallon "water type" (minimum rating 2A) fire extinguishers in good working order and easily accessible for use in case of fire.

F. Not later than July 14th of that year, all temporary stands shall be disassembled with all litter cleared from the locations; and all temporary stands shall be removed not later than July 20th of that year.

#### **SECTION 11.**

Section 8.48.140 of the Sacramento City Code is hereby amended to read as follows:

##### **8.48.140 General requirements of permittees.**

A. Stands shall not be closer than 600 feet apart unless separated by a principal arterial roadway.

B. All weeds and combustible material shall be cleared from the stand's location, including a distance of at least 25 feet surrounding the stand.

C. "NO SMOKING" signs shall be prominently displayed on the outside and inside the fireworks stand.

D. Each stand must have an adult custodian in attendance and in charge thereof when the stand is being used for the sale, dispensing, or storage of fireworks.

E. All unsold stock of fireworks in the hands of the retailer after 9 p.m. on July 4th shall be returned to the distributor or wholesaler immediately. On closing of stands, all litter shall be removed from the premises.

F. No fuel-powered generator or similar equipment shall be allowed within 50 feet of a fireworks stand.

#### **SECTION 12.**

Section 8.48.150 of the Sacramento City Code is hereby amended to read as follows:

##### **8.48.150 Revocation of permit - appeal.**

A. The fire chief may revoke, immediately and without notice or hearing, the permit of any permittee who violates sections 8.48.120.A, 8.48.120.B, 8.48.120.E, or 8.48.140.D. If the revocation occurs between June 22nd and July 5th, the fire chief shall inform the permittee that the permittee may seek review of the decision by the city manager on the next business day. At the earliest opportunity, on the next business day after the revocation, the fire chief shall provide the city manager with written notice that a fireworks permit has been revoked, including the permittee's name and a brief statement of the grounds for revocation. The city manager shall meet with the permittee and the fire chief on that day, upon the permittee's request, to review the fire chief's decision. The deci-

sion of the city manager is final. If the revocation occurs before or after the specified period, the appeal procedures of subsection B of this section shall apply.

B. The fire chief may revoke the permit of any permittee who violates any provision of this chapter not specified in subsection A above. The revocation shall not take effect for five days, during which time the permittee may seek review of the fire chief's decision by submitting a written request for review to the city manager. The fire chief shall provide the city manager written notice that a fireworks permit has been revoked, including the permittee's name and a brief statement of the grounds for revocation. The city manager shall meet with the permittee and the fire chief to review the fire chief's decision. The decision of the city manager is final.

C. Any permittee whose permit has been revoked, pursuant to subsection A or B of this section, shall be barred from receiving a permit under this chapter for five years from the date of revocation.

#### **SECTION 13.**

Section 8.48.154 of the Sacramento City Code is hereby deleted.

#### **SECTION 14.**

Section 8.48.160 of the Sacramento City Code is hereby amended to read as follows:

##### **8.48.160 Seizure of fireworks.**

The fire chief may seize, take, remove, or cause to be removed, at the expense of the owner, all fireworks manufactured, offered for sale, exposed for sale, stored, or possessed in violation of this chapter if the violation creates an imminent threat to public health or safety.

#### **SECTION 15.**

Section 8.48.170 of the Sacramento City Code is hereby amended to read as follows:

##### **8.48.170 Host's liability.**

A. Except as may be permitted by state law or authorized by this chapter, it is unlawful for any person to permit, allow, or promote any discharge of dangerous fireworks (including a public display) or unauthorized use of safe and sane fireworks if that person either knows or reasonably should know that an individual is discharging fireworks on his or her residential or other private property, city property, or in an adjacent public right of way, except as provided below in subsection B.2.

B. The provisions this section shall not apply to:

1. The possession, manufacture, storage, display, sale, use, or discharge of fireworks as permitted under federal or state law;

2. A host who initiates contact with law enforcement or fire officials to assist in removing any person from the property terminating the activity in order to comply with this chapter if the request for assistance is made before any other person contacts law enforcement or fire officials to complain about the violation of this chapter.

C. A person who permits, allows or promotes the discharge of dangerous fireworks or the unauthorized use of safe and sane fireworks on private property, city property, public right of way, or on a property under their possession shall be rebuttably presumed to have actual or constructive knowledge of such discharge, if either they are a host who did not take action in satisfaction of subsection B.2 above or they were present at the premises at any time when the discharge of fireworks occurred.

D. Upon a violation of section 8.48.170.A,

code enforcement or law enforcement may issue a written notice to all identifiable hosts that a violation of the fireworks ordinance has occurred and that further violations will result in citations, assessment of response costs, or both.

E. No host shall aid or abet another person's violation of a provision of this chapter in a public right-of-way adjacent to the host's private property. A host aids and abets another person's violation of a provision of this chapter if he or she knows of the other person's unlawful purpose and the host specifically intends to and does, in fact, facilitate, promote, or instigate the other person's commission of that violation.

#### **SECTION 16.**

Section 8.48.180 of the Sacramento City Code is hereby amended to read as follows:

##### **8.48.180 Violation-penalty.**

A. In addition to any other remedy allowed by law, any person who violates a provision of this chapter is subject to criminal sanctions, civil actions, and administrative penalties pursuant to Chapter 1.28.

B. Notwithstanding the provisions of section 1.28.010.D.3, the amount of an administrative penalty for a violation of this chapter is as follows:

1. \$10,000 for a violation of section 8.48.154.

2. For all violations of this chapter other than section 8.48.154, the amount of the administrative penalty is:

a. \$1,000 for the first violation;

b. \$2,500 for the second violation within one year of the first violation;

c. \$5,000 for each additional violation within one year of the first violation; and

d. \$10,000 for each violation at a park, parkway, school, or critical infrastructure.

For purposes of establishing the amount of the appeal fee in accordance with section 1.28.010.D.4.b, an administrative penalty imposed for a violation of this chapter is a Level B violation, regardless of the amount of the penalty.

C. Any host who violates section 8.48.170 is liable for the response costs relating to the violation. All hosts who violate section 8.48.170 in the same incident are jointly and severally liable for the response costs relating to the violation. The amount of response costs constitutes a debt owed to the city.

1. Notice of the response costs shall be served by first-class mail on the hosts liable for such costs. The notice shall contain the following information:

a. The name of the host who is liable for the response costs;

b. The address of the public or private property where the incident occurred;

c. The date and time of the response;

d. The law enforcement, fire, park ranger, or other emergency response personnel who responded; and

e. An itemized list of the response costs.

2. Payment for response costs shall be remitted to the city of Sacramento within 30 calendar days of the date of the notice.

3. The failure of any person to timely pay either the response costs or the assessed administrative penalties constitutes a debt to the city and may result in the matter being referred to the city's department of finance, which may file a small claim in court or, in the alternative, utilize any means within its

power to collect the amount owed. The city may pursue other legal remedies to collect the administrative penalties.

4. Any person who fails to pay the city any response costs or administrative penalty imposed, pursuant to this chapter, on or before the date such costs or penalty are due, shall also be liable in any action brought by the city for all costs incurred in securing payment of the delinquent amount, including administrative costs and attorney's fees. Such collection costs are in addition to any required fees, penalties, interest, and later charges.

5. Notwithstanding all the procedures set forth in this section, the police chief shall have the ability and discretion to enforce violations of this chapter, to impose necessary conditions, to forgive portions of a debt or penalty owed to the city under this chapter, and to coordinate collection and enforcement with the department of finance.

D. Violations of this chapter are hereby declared to be a public nuisance.

E. Any person who violates a provision of this chapter is liable for civil penalties of not less than \$250 or more than \$25,000 for each day the violation continues.

F. Any person who violates a provision of this chapter is guilty of a misdemeanor.

G. All remedies prescribed under this chapter are cumulative and the election of one or more remedies does not bar the city from the pursuit of any other remedy to enforce this chapter.

#### **SECTION 17. Emergency Declaration.**

The city council declares this ordinance to be an emergency measure, to take effect immediate upon its adoption pursuant to Sacramento City Charter section 32(g)(2). The facts constituting the emergency as follows:

The risk of wildfire within the City of Sacramento is profound, and the council must act immediately to ameliorate the risk of wildfire from the use of fireworks. The 14 Southern California wildfires of January 2025 (e.g., the Palisades Fire, the Eaton Fire, the Hughes Fire), which occurred in a winter month, took the lives of 30 people with dozens of others left missing and countless others displaced with more than 16,000 structures, including homes, destroyed in addition to billions of dollars in property damage. Independence Day (July 4th) and its associated increased use of fireworks in summer months are quickly approaching. By enacting this ordinance as an emergency measure, the council will place greater time, place, and manner restrictions upon the storage, display, sale, possession, and use of fireworks, including their discharge, in order to continue Independence Day celebrations while further mitigating the risks of personal injury and property loss from fire to those who live, work, or play in the city of Sacramento.

Adopted by the City of Sacramento City Council on June 17, 2025, by the following vote:

Ayes: Members Dickinson, Jennings, Kaplan, Maple, Pluckebaum, Talamantes, Vang, and Mayor McCarty

Noes: None

Abstain: None

Absent: Member Guerra

Attest:

/s/  
Mindy Cuppy, City Clerk

*The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.*

*Passed for Publication: Not applicable.  
Published: Published in full pursuant to  
Sacramento City Charter, Section 32(d).  
Effective: June 17, 2025  
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A VERIFIED TRUE COPY OF THE ORIGINAL DOCUMENT*