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DEPARTMENT OF  
FIRE

CITY OF SACRAMENTO  
CALIFORNIA

1231 I STREET  
SUITE 401  
SACRAMENTO, CA  
95814-2979

916-449-5266

GARY COSTAMAGNA  
FIRE CHIEF

June 11, 1991

APPROVED  
BY THE CITY COUNCIL

JUN 11 1991

OFFICE OF THE  
CITY CLERK

City Council  
Sacramento, California

Honorable Members in Session

**SUBJECT: EMERGENCY ORDINANCE RE: CITY FIREWORKS CODE**

SUMMARY

Based on staff analysis, discussion with County fire officials, and representatives from the fireworks industry, the Fire Department is recommending adoption of an emergency ordinance to revise City Code regarding fireworks, Chapter 15, Article III. This proposed code change is similar to an ordinance to be presented to the County Board of Supervisors by the Sacramento County Fire Chiefs.

The Law and Legislation Committee approved staff recommendation by unanimous vote on May 30, 1991.

BACKGROUND

Important safety provisions of this ordinance need to be in place for the 1991 fireworks season, June 28 through July 5, 1991. Therefore, this ordinance needs to be declared an emergency ordinance to take effect immediately.

Fireworks are an ever increasing problem for all fire departments within Sacramento County. The Sacramento County Fire Chief's Association appointed a sub-committee consisting of: Gary Costamagna, Chief, Sacramento Fire Department, Michael Dacy, Chief, Sacramento County Fire Protection, Hal Armstrong, Fire Marshal, Fair Oaks Fire Protection, Michael Dobson, Fire Marshal, Sacramento County Fire Protection, Jack Shepler, Fire Marshal, Sacramento City Fire Department, and representatives from the fireworks industry: Dennis Revell, American West Marketing, John Sullivan and Kathy Castilone, Red Devil Fireworks. Purpose of the committee was to update the County and the City fireworks ordinances and establish a Sacramento Area Fireworks Safety Task Force.

The Sacramento Area Fireworks Safety Task Force proposed the following items:

1. Ban on wire and wooden core sparklers. (This is also proposed at the State level)
2. Limit an organization to two booths within the City/County.
3. Require a representative from each booth to attend an operator safety seminar.
4. Raise the age of sale/purchase from 16 to 18 years of age. (Proposed at State level)
5. Clarify that fireworks stands shall be at least 100 feet from a gasoline pump or distribution point.
6. Require all stands to have at least two exits.
7. Require all stands to post no smoking signs inside and outside of the booth.
8. Allow hours of sale from 9:00 a.m. to 10:00 p.m. daily.
9. Give the fire chief or his/her designee the ability to suspend immediately and without notice, the permit of a stand for certain violations of sections of this ordinance.

In addition to the proposed ordinance the following items have been mutually agreed to between the sub-committee and the fireworks industry:

1. Establish the Greater Sacramento Area Fireworks Safety Task Force which will implement a public safety and education program. This Task Force will be composed of anyone interested in participating. The following groups have been asked to participate as voting members to comprise the Executive Committee:
  - a. A community organization who sells state-approved fireworks in the City/County of Sacramento;
  - b. The Sacramento Fire Department;
  - c. A fire department in the county other than the Sacramento City Fire Department;
  - d. The Sacramento City Police Department;
  - e. The Sacramento County Sheriff Department;
  - f. The Media (this member will be selected by the Board of Directors of the local chapter of Radio & Television News Directors Association);
  - g. A representative from the Fireworks industry;
  - h. A member of City Council; and
  - i. A member from the County Board of Supervisors.
2. Goals for the Greater Sacramento Area Fireworks Safety Task Force are to provide education on:
  - a. Proper and responsible use of state-approved fireworks;
  - b. Identification of legal fireworks;
  - c. Hazards of illegal fireworks; and
  - d. Use or possession of illegal fireworks is illegal and may result in a criminal citation or arrest, including a felony.
3. Each booth under contract with the fireworks industry will contribute \$50.00 to the Task Force.

June 11, 1991

FINANCIAL DATA

No financial impact.

POLICY CONSIDERATION

Adoption of this ordinance supports the consideration of interfacing and networking on mutual services and policy considerations with the County of Sacramento and the State of California.

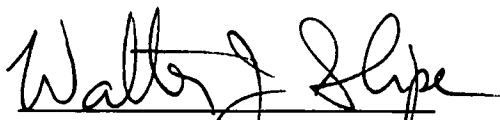
MBE/WBE CONSIDERATION

Every effort will be made to comply with MBE/WBE goals.

RECOMMENDATION

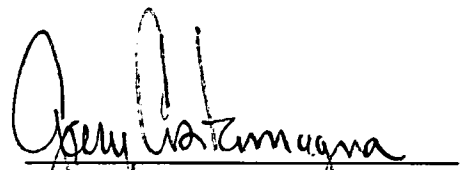
Staff and the Law and Legislation Committee recommends that the City Council adopt the attached emergency ordinance to revise the existing City Code regarding fireworks (Chapter 15, Article III).

RECOMMENDATION APPROVED:

  
Walter Slipe, City Manager

Attachment

APPROVED:

  
Gary Costamagna, Fire Chief

Contact person to Answer Questions:

Jack Shepler  
Fire Marshal, or  
(449-5480)

Charlotte A. Broussard  
Administrative Analyst II  
(449-2094)

June 11, 1991  
All Districts

**ORDINANCE NO.**

91-042

APPROVED  
BY THE CITY COUNCIL

JUN 11 1991

ADOPTED BY THE SACRAMENTO CITY COUNCIL

OFFICE OF THE  
CITY CLERK

ON DATE OF \_\_\_\_\_

**AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 15 OF THE SACRAMENTO CITY CODE RELATING TO REGULATION OF FIREWORKS AND DECLARING SAID ORDINANCE TO BE AN EMERGENCY ORDINANCE TO TAKE EFFECT IMMEDIATELY**

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

Article III of Chapter 15 of the Sacramento City Code is hereby amended to read as follows:

**ARTICLE III. Fireworks**

**§ 15.301 General Prohibition Against Possession, Sale or Use of Fireworks.**

Except as otherwise provided in this article, no person shall possess, sell, use, display or explode any rocket, firecracker, roman candle, squib, torpedo, torpedo cane, fire balloon, wire core sparkler, wooden core sparkler, black cartridge or other combustible device or explosive substance or any kind of fireworks, by whatsoever name known, within the city.

**§ 15.302 Certain Public Displays—Exceptions.**

Public displays of fireworks may be given with permission of the Fire Chief or the Chief's designated representative where such display will take place under the supervision and direction of a State of California licensed operator. The applicant shall apply for such permission at least ten (10) days in advance of the date of the display for which the permit is sought. The application shall be in the form prescribed by the Fire Chief and shall set forth the name and address of the applicant, the date and nature of the event and such other information as the Fire Chief may reasonably require.

The Fire Chief shall grant the permit as applied for or with condition thereto, 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 shall be mailed, postage prepaid, to the applicant. (Ord. No. 2525, §1; Ord. No. 4316, §1; Ord. No. 84-072, §3)

Every application for permission to conduct a public display of fireworks shall be accompanied by a non-refundable fee as established by resolution of the City Council. This fee shall be in addition to any fee or tax imposed by Chapter 23 of this Code. (Ord. No. 4095, §20; Ord. No. 4356, §1; Ord. No. 84-072, §3)

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DATE ADOPTED: \_\_\_\_\_

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

**§ 15.303 Same—Liability Insurance**

Any person, firm or corporation applying for a public display permit shall furnish to the Fire Chief proof of coverage by a policy of public liability and property damage insurance. The policy shall provide limits of bodily injury and property damage liability of not less than one million dollars (\$1,000,000.00) combined single limits for each occurrence annually as payment for damages to persons or property which may result from or be caused by such public display of fireworks, or any negligence on the part of the licensee of his or its agents, servants, employees or subcontractors presenting such public display.

No permit shall be issued until the permittee furnishes the Fire Chief with a "Certificate of Insurance" for each policy required, executed by the company issuing such policy, and approved as to form by the City Attorney. Such policies shall contain a provision which includes the city as an additional insured and declaring said insurance to be primary and that no other insurance carried by an insured party shall be called upon for contribution. Such insurance policies shall contain an endorsement that the company issuing such policy or policies will not allow the same to be canceled without serving, by first class mail, ten (10) days notice of cancellation upon the City Clerk. Notwithstanding any other provision of this Chapter, the failure of the permittee to carry such policy or policies in force and to properly renew said insurance during the time covered by such permit shall automatically revoke the permit as of the date of expiration of such insurance policy or policies. A payment of the full amount of the permit fee required by Section 15.302 shall be made to the City before any such revoked permit may be reinstated. (Ord. No. 4316 §1; Ord. No. 84-072, §3)

**§ 15.304 Same—Appeals**

The decision of the Fire Chief or the Chief's designated representative in acting on an application for permission to conduct a public display of fireworks in accordance with the provisions of this article shall be subject to an appeal by the applicant to the City Manager. Notice of such appeal shall be filed with the City Manager within ten (10) days after the date of the decision regarding such fireworks permits. Upon failure to file such notice within the ten-day period, the action of the Fire Chief or the Chief's designated representative shall be final and conclusive. The applicant may appeal the decision of the City Manager to the City Council by filing a notice of appeal with the City Clerk within ten (10) days after the date of the City Manager's decision. Upon failure to file such notice with the ten-day period, the action of the City Manager, or the Manager's designee, shall be final and conclusive. (Ord. No. 2525, §1; Ord. No. 4316, §1; Ord. No. 84-072, §3)

**§ 15.305 Safe and Sane Fireworks—Exception.**

It shall not be unlawful to possess, sell, use, display or discharge within the City those fireworks as are defined and classified as "safe and sane fireworks" in the State Fireworks Law (Sections 12500, et seq. of the Health and Safety Code) during that time period beginning at 12:00 noon on June 28 and ending at 10:00 p.m. on July 5 of that same year. (Ord. No. 2525, §1; Ord. No. 84-072, §3)

Discharge of "safe and sane fireworks" shall be permitted only between 12:00 noon on June 28 and 10:00 p.m. on July 5 of the same year.

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ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**§ 15.306 Same--Permits--Required.**

It shall be unlawful for any person to sell "safe and sane fireworks" within the City without having first applied and received a City permit therefor. (Ord. No. 2525, §1; Ord. No. 84-072, §3)

**§ 15.307 Same--Same--Prerequisite for Issuance.**

- (a) No permit to sell 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 which 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 twenty members. (Ord. No. 2525, §1; Ord. No. 84-072, §3)
- (c) No organization shall submit more than two applications for permits to sell fireworks within the City of Sacramento and the unincorporated area of Sacramento combined. Submittal of more than two applications shall be grounds for denial of all applications.

**§ 15.308 Same--Same--Application.**

- (a) All applications for permits to sell 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 same year, at which time the filing period for that year will close. Applications shall set forth the proposed location of the fireworks stand being applied for, and other information as may be required by the Fire Chief.

Applications shall be accompanied by 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 \$50/100,000 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 thereunder. No policy will be acceptable which contains a provision allowing a deductible amount.

- (b) Applicants for such permits shall be notified by May 1st of each calendar year by the Fire Chief of the approval or disapproval of such applications for such permit. All organizations whose permits have been approved shall have up to and including May 15th of that year to pick up such permit. (Ord. No. 2525, §1; Ord. No. 84-072, §3)
- (c) Every application for a permit shall be accompanied by a non-refundable application fee established by resolution of the City Council. This application fee shall be in addition to any fee or tax imposed by Chapter 23 of this Code. (Ord. No. 4095, §16; Ord. No. 4356, §1; Ord. No. 84-072, §3)

**§ 15.309 Operator Safety Seminar.**

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

**§ 15.310 Operation of Stand.**

- (a) No person shall sell fireworks to any person under the age of eighteen.
- (b) Sale of fireworks shall begin no earlier than 12:00 noon on June 28th and shall not continue after 10:00 p.m. on July 5th of the same year. Sale of fireworks shall be permitted only from 9:00 a.m. to 10:00 p.m. daily.
- (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 the individuals who are members of the permittee organization or the wives, husbands, 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 eighteen shall sell or participate in the sale of fireworks.
- (f) No person shall be paid any consideration by the permittee or any wholesale distributor of "safe and sane" fireworks for selling or otherwise participating in the sale of fireworks at such stand; provided, however, that compensation may be paid for security personnel during non-sale hours and to the party authorizing location of the stand on its property. The Fire Chief may revoke the fireworks storage permit of any wholesale distributor violating the terms of this section, as set forth in Section 15.313(b). (Ord. No. 2525, §1; Ord. No. 84-072, §3)

**§ 15.311 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 hereby prohibited. Temporary stands shall be subject to the following provisions:

- (a) No fireworks stand shall be located within twenty-five feet of any other building or within one hundred feet of any gasoline pump or distribution point.
- (b) Fireworks stands need not 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 that stands be constructed in a manner which will reasonably insure the safety of attendants and patrons; and provided further that any electrical installations shall comply with all applicable codes.

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DATE ADOPTED: \_\_\_\_\_

- (c) No stand shall have a floor area in excess of seven hundred and fifty square feet.
- (d) Each stand shall have at least two exits. Each stand in excess of forty feet in length shall have at least three exits spaced approximately equidistant apart; provided, however, that in no case shall the distance between exits exceed twenty feet. Exit doors shall be not less than twenty-four inches wide and six feet in height and shall swing in direction of exit travel.
- (e) Each stand shall be provided with two (2) 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. (Ord. No. 2525, §1; Ord. No. 84-072, §3)

**§ 15.312 General Requirements for Permittees.**

- (a) Stands shall not be located closer than six hundred feet apart, unless separated by a principal arterial roadway.
- (b) All weeds and combustible material shall be cleared from the location of the stand, including a distance of at least twenty-five feet surrounding the stand.
- (c) "NO SMOKING" signs shall be prominently displayed on and in the fireworks stand.
- (d) Each stand must have an adult watchman in attendance and in charge thereof when the stand is being used for sale, dispensing or storage of fireworks.
- (e) All unsold stock of fireworks in the hands of the retailer after 10:00 p.m. on the 5th day of July shall be returned to the distributor or wholesaler and removed from the City within ten days. On closing of stands, all litter shall be removed from premises.
- (f) Wholesale storage of fireworks shall be in a building meeting the requirements of a group H-1 occupancy as defined in the Uniform Building Code and can only be stored in the City from June 1st to July 15th. (Ord. No. 2525, §1; Ord. No. 84-072, §3)
- (g) No fuel-powered generator or similar equipment shall be allowed within 50 feet of a fireworks stand.

**§ 15.313 Revocation of permit; appeal.**

- (a) The Fire Chief, or the Chief's designee, may revoke, immediately and without notice or hearing, the permit of any permittee who violates any of the following provisions: Section 15.310 (a), (b), (e), Section 15.312 (d). If the revocation occurs between June 22 and July 5, the Chief shall inform the permittee that the permittee may seek review of the Chief's decision by the City Manager, or the City Manager's designee, on the next business day. At the earliest opportunity on the next business day after the revocation, the Chief shall provide the City Manager with written notice that a fireworks permit has been revoked, including the name of the permittee and a brief statement of the grounds for revocation. The City Manager, or the City Manager's designee, shall meet with the permittee and the Chief on that day, upon the permittee's request, to review the Fire Chief's decision. The



decision of the City Manager shall be final. If the revocation occurs before or after the specified period, the appeal procedures of subsection (b) shall apply.

- (b) The Fire Chief, or the Chief's designee, may revoke the permit of any permittee who violates any provision of this article not specified in subsection (a). Such revocation shall not take effect for five days, during which time the permittee may seek review of the Chief's decision by submitting a written request for review to the City Manager. The Chief shall provide the City Manager with written notice that a fireworks permit has been revoked, including the name of the permittee and a brief statement of the grounds for revocation. The City Manager, or the City Manager's designee, shall meet with the permittee and the Chief to review the Chief's decision. The decision of the City Manager shall be final.
- (c) Any permittee whose permit has been revoked, pursuant to subsection (a) or (b) hereof, shall be barred from receiving a permit under this article for five (5) years from the date of revocation.

**§ 15.314 Seizure of Fireworks.**

The Fire Chief, or the Chief's designee, shall seize, take, remove or cause to be removed, at the expense of the owner, all stocks of fireworks offered or exposed for sale, stored or held in violation of this Article.

**SECTION 2.**

This ordinance is hereby declared to be an emergency ordinance to take effect immediately. The facts constituting the emergency are that important safety provisions of this ordinance need to be in place for the 1991 fireworks season, which begins on June 28, 1991, and ends on July 5, 1991.

DATE ENACTED:

DATE EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 15 OF THE SACRAMENTO CITY CODE RELATING TO REGULATION OF FIREWORKS AND DECLARING SAID ORDINANCE TO BE AN EMERGENCY ORDINANCE TO TAKE EFFECT IMMEDIATELY**

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

Article III of Chapter 15 of the Sacramento City Code is hereby amended to read as follows:

### ARTICLE III. Fireworks

**§ 15.301 ~~Use Prohibited Generally; Exceptions. General Prohibition Against Possession, Sale or Use of Fireworks.~~**

~~Except as otherwise provided in this article, No person, other than as permitted in this division, shall possess, sell, use, display or explode any rocket, firecracker, roman candle, squib, torpedo, torpedo cane, fire balloon, wire core sparkler, wooden core sparkler, black cartridge or other combustible device or explosive substance or any kind of fireworks, by whatsoever name known, within the city, provided that~~

**§ 15.302 ~~Certain Public Displays--Exceptions.~~**

~~Public displays of fireworks may be given with permission of the city manager or his Fire Chief or the Chief's designated representative where such display will take place under the supervision and direction of a competent director who understands explosives State of California licensed operator. The applicant shall apply for such permission at least ten (10) days in advance of the date of the display for which the permit is sought. The application shall be in the form prescribed by the city manager Fire Chief and shall set forth the name and address of the applicant, the date and nature of the event and such other information as the manager Fire Chief may reasonably require.~~

~~The city manager Fire Chief shall grant the permit as applied for or with condition thereto, unless he the Chief finds that to do so would be contrary to the public health, safety and welfare. The decision of the city manager Fire Chief shall be in writing and shall be mailed, postage prepaid, to the applicant. (Ord. No. 2525, §1; Ord. No. 4316, §1; Ord. No. 84-072, §3)~~

**FOR CITY CLERK USE ONLY**

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

Every application for permission to conduct a public display of fireworks shall be accompanied by a non-refundable fee as established by resolution of the City Council. This fee shall be in addition to any fee or tax imposed by Chapter 23 of this Code. (Ord. No. 4095, §20; Ord. No. 4356, §1; Ord. No. 84-072, §3)

~~Every applicant shall agree to hold the City of Sacramento, its officers and employees, harmless from any and all claims for damages or other costs arising out of the activity authorized by the permit.~~

**§ 15.303 Same—Liability Insurance**

~~Each fireworks display permit granted shall be covered by unconditional public liability insurance for not less than the following sums:~~

- ~~(a) For the injury or death to any one person in any one accident: \$100,000.00;~~
- ~~(b) For the injury or death to two or more persons in any one accident: \$300,000.00; and~~
- ~~(c) For the damage or destruction of property in any one accident: \$100,000.00, or at the option of the permittee.~~
- ~~(d) \$500,000.00, single limit for injury, death or property damage.~~

~~Any person, firm or corporation applying for a public display permit shall furnish to the Fire Chief proof of coverage by a policy of public liability and property damage insurance. The policy shall provide limits of bodily injury and property damage liability of not less than one million dollars (\$1,000,000.00) combined single limits for each occurrence annually as payment for damages to persons or property which may result from or be caused by such public display of fireworks, or any negligence on the part of the licensee or his or its agents, servants, employees or subcontractors presenting such public display.~~

~~No permit shall be issued or valid until the permittee shall have furnishes the city revenue and collections officer Fire Chief with a "Certificate of Insurance" for each policy required, executed by the company issuing such policy, and approved as to form by the City Attorney. Such policies shall contain a provision which includes the city as one of the an additional insured and holding the city, its officers and employees harmless from any and all claims for negligence by reason of granting permission to display such fireworks declaring said insurance to be primary and that no other insurance carried by an insured party shall be called upon for contribution. Such insurance policies shall contain an endorsement that the company issuing such policy or policies will not allow the same to be canceled without serving, by first class mail, ten (10) days notice of cancellation upon the City Clerk. Notwithstanding any other provision of this Chapter, the failure of the permittee to carry such policy or policies in force and to properly renew said insurance during the time covered by such permit shall automatically revoke the permit as of the date of expiration of such insurance policy or policies. A payment of the full amount of the permit fee required by Section 15.302 shall be made to the City before any such revoked permit may be reinstated. (Ord. No. 4316 §1; Ord. No. 84-072, §3)~~

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DATE ADOPTED: \_\_\_\_\_

**§ 15.304 Same—Appeals**

The decision of the ~~city manager~~ Fire Chief or his the Chief's designated representative in acting on an application for permission to conduct a public display of fireworks in accordance with the provisions of this article shall be subject to an appeal by the applicant to the City Council Manager. Notice of such appeal shall be filed with the City Clerk Manager within ten (10) days after the date of the decision regarding such fireworks permits. Upon failure to file such notice within the ten-day period, the action of the ~~city manager~~ Fire Chief or his the Chief's designated representative shall be final and conclusive. The applicant may appeal the decision of the City Manager to the City Council by filing a notice of appeal with the City Clerk within ten (10) days after the date of the City Manager's decision. Upon failure to file such notice with the ten-day period, the action of the City Manager, or the Manager's designee, shall be final and conclusive. (Ord. No. 2525, §1; Ord. No. 4316, §1; Ord. No. 84-072, §3)

**§ 15.305 Sale for Use in the City Safe and Sane Fireworks—Exception.**

~~No person shall sell or offer for sale or expose for sale at retail for use. It shall not be unlawful to possess, sell, use, display or discharge within the City any equib, rocket, firecracker, roman candle or fire balloon or other explosive type fireworks or any article for the making of a pyrotechnical display within the city, except that such those fireworks as are defined and classified as "safe and sane fireworks" in the State Fireworks Law (Sections 12-500, et seq. of the Health and Safety Code) during that time period beginning at 12:00 noon on June 28 and ending at 10:00 p.m. on July 5 of that same year may be sold and displayed. (Ord. No. 2525, §1; Ord. No. 84-072, §3)~~

~~Discharge of "safe and sane fireworks" shall be permitted only between 12:00 noon on June 28 and 10:00 p.m. on July 5 of the same year.~~

**§ 15.306 Same—Permits—Required.**

It shall be unlawful for any person to sell "safe and sane fireworks" ~~except those defined herein,~~ within the City without having first applied and received a City permit therefore. (Ord. No. 2525, §1; Ord. No. 84-072, §3)

**§ 15.307 Same—Same—Prerequisite for Issuance.**

- (a) No permit to sell 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 which is presently within the City limits for a minimum of one year continuously preceding the filing of the application for the ~~license permit~~ and shall have a bona fide membership of at least twenty members. (Ord. No. 2525, §1; Ord. No. 84-072, §3)
- (c) ~~No organization shall submit more than two applications for permits to sell fireworks within the City of Sacramento and the unincorporated area of Sacramento combined. Submittal of more than two applications shall be grounds for denial of all applications.~~

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**§ 15.308 Same-Same-Application.**

- (a) All applications for permits to sell fireworks shall be in writing to the ~~assessor-collector, license division, 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 same year, at which time the filing period for that year will close. Applications shall set forth the proposed location of the fireworks stand being applied for, ~~and other information as may be required by the Fire Chief.~~

Applications shall be accompanied by an assurance that, if the ~~license permit~~ is issued to the applicant, the applicant shall, at the time of receipt of such ~~license permit~~, deliver to the city administration a \$50/100,000 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 thereunder. No policy will be acceptable which contains a provision allowing a deductible amount.

- (b) Applicants for such permits shall be notified ~~on March 15th by May 1st~~ of each calendar year by the ~~license division Fire Chief~~ of the approval or disapproval of such applications for such permit. All organizations whose permits have been approved shall have up to and including May 15th of that year to pick up such permit ~~and pay the license fee of twenty-five dollars as provided in Section 23.27.~~ (Ord. No. 2525, §1; Ord. No. 84-072, §3)

- (c) Every application for a permit shall be accompanied by a non-refundable application fee established by resolution of the City Council. This application fee shall be in addition to any fee or tax imposed by Chapter 23 of this Code. (Ord. No. 4095, §16; Ord. No. 4356, §1; Ord. No. 84-072, §3)

**§ 15.309 Operator Safety Seminar.**

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

**§ 15.310 Operation of Stand.**

- (a) ~~No person shall sell fireworks to any person under the age of eighteen.~~
- (b) ~~Sale of fireworks shall begin no earlier than 12:00 noon on June 28th and shall not continue after 10:00 p.m. on July 5th of the same year. Sale of fireworks shall be permitted only from 9:00 a.m. to 10:00 p.m. daily.~~
- (c)(a) No person other than the ~~licensee-permittee~~ organization shall operate the stand for which the ~~license permit~~ is issued or share or otherwise participate in the profits of the operation of such stand.

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DATE ADOPTED: \_\_\_\_\_

(d)(b) No person other than the individuals who are members of the licensee-permittee organization or the wives, or husbands, 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 eighteen shall sell or participate in the sale of fireworks.

(f)(e) No person shall be paid any consideration by the permittee or any wholesale distributor of "safe and sane" fireworks for selling or otherwise participating in the sale of fireworks at such stand, provided, however, that compensation may be paid for security personnel during non-sale hours and to the party authorizing location of the stand on its property. The Fire Chief may revoke the fireworks storage permit of any wholesale distributor violating the terms of this section, as set forth in Section 15.313(b). (Ord. No. 2525, §1; Ord. No. 84-072, §3)

**§ 15.311 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 hereby prohibited. Temporary stands shall be subject to the following provisions:

- (a) No fireworks stand shall be located within twenty-five feet of any other building or within ~~five feet~~ ~~one hundred feet~~ of any gasoline pump or distribution point.
- (b) Fireworks stands need not 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 that stands be constructed in a manner which will reasonably insure the safety of attendants and patrons; and provided further that any electrical installations shall comply with all applicable codes.
- (c) No stand shall have a floor area in excess of seven hundred and fifty square feet.
- (d) Each stand shall have at least two exits. Each stand in excess of forty feet in length shall have at least three exits spaced approximately equidistant apart; provided, however, that in no case shall the distance between exits exceed twenty feet. Exit doors shall be not less than twenty-four inches wide and six feet in height and shall swing in direction of exit travel.
- (e) Each stand shall be provided with ~~two~~ (2) two and one-half gallon "soda and acid type" "water type" (minimum rating 2A) fire extinguishers in good working order and easily accessible for use in case of fire. (Ord. No. 2525, §1; Ord. No. 84-072, §3)

**§ 15.312 General Requirements for Permittees.**

- (a) Stands ~~in excess of two~~ shall not be located closer than six hundred feet apart, ~~unless separated by a principal arterial roadway.~~
- (b) All weeds and combustible material shall be cleared from the location of the stand, including a distance of at least ~~twenty~~ ~~twenty-five~~ feet surrounding the stand.

- (c) "NO SMOKING" signs shall be prominently displayed on ~~and~~ in the fireworks stand.
- (d) Each stand must have an adult watchman in attendance and in charge thereof when the stand is being used for sale, dispensing or storage of fireworks.
- ~~(e)~~(f) All unsold stock of fireworks in the hands of the retailer after ~~12:00 midnight~~ 10:00 p.m. on the 5th day of July shall be returned to the distributor or wholesaler and removed from the City within ten days. On closing of stands, all litter shall be removed from premises.
- ~~(f)~~(g) Wholesale storage of fireworks shall be in a building meeting the requirements of a group E-1-H-1 occupancy as defined in the Uniform Building Code and can only be stored in the City from June 1st to ~~July 12th~~ July 15th. (Ord. No. 2525, §1; Ord. No. 84-072, §3)
- ~~(g)~~ No fuel-powered generator or similar equipment shall be allowed within 50 feet of a fireworks stand.

**§ 15.313 Revocation of permit; appeal.**

- (a) The Fire Chief, or the Chief's designee, may revoke, immediately and without notice or hearing, the permit of any permittee who violates any of the following provisions: Section 15.310 (a), (b), (e), Section 15.312 (d). If the revocation occurs between June 22 and July 5, the Chief shall inform the permittee that the permittee may seek review of the Chief's decision by the City Manager, or the City Manager's designee, on the next business day. At the earliest opportunity on the next business day after the revocation, the Chief shall provide the City Manager with written notice that a fireworks permit has been revoked, including the name of the permittee and a brief statement of the grounds for revocation. The City Manager, or the City Manager's designee, shall meet with the permittee and the Chief on that day, upon the permittee's request, to review the Fire Chief's decision. The decision of the City Manager shall be final. If the revocation occurs before or after the specified period, the appeal procedures of subsection (b) shall apply.
- (b) The Fire Chief, or the Chief's designee, may revoke the permit of any permittee who violates any provision of this article not specified in subsection (a). Such revocation shall not take effect for five days, during which time the permittee may seek review of the Chief's decision by submitting a written request for review to the City Manager. The Chief shall provide the City Manager with written notice that a fireworks permit has been revoked, including the name of the permittee and a brief statement of the grounds for revocation. The City Manager, or the City Manager's designee, shall meet with the permittee and the Chief to review the Chief's decision. The decision of the City Manager shall be final.
- (c) Any permittee whose permit has been revoked, pursuant to subsection (a) or (b) hereof, shall be barred from receiving a permit under this article for five (5) years from the date of revocation.

**§ 15.314 Seizure of Fireworks.**

The Fire Chief, or the Chief's designee, shall seize, take, remove or cause to be removed, at the expense of the owner, all stocks of fireworks offered or exposed for sale, stored or held in violation of this Article.

**SECTION 2.**

This ordinance is hereby declared to be an emergency ordinance to take effect immediately. The facts constituting the emergency are that important safety provisions of this ordinance need to be in place for the 1991 fireworks season, which begins on June 28, 1991, and ends on July 5, 1991.

DATE ENACTED:

DATE EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_





*Public Relations & Public Affairs*

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Public Relations & Public Affairs

June 10, 1991

The Honorable Ann Rudin  
Mayor of the City of Sacramento  
1410 Birchwood Lane  
Sacramento, CA 95822

REGARDING OUR CLIENTS: AMERICAN WEST MARKETING, INC.

SUBJECT: EMERGENCY ORDINANCE RE: CITY FIREWORKS CODE  
AGENDA ITEM: 3.16  
DATE: JUNE 11, 1991

Dear Mayor Rudin:

On behalf of our client, American West Marketing, Inc., the state's newest and largest wholesale distributor of Class C, state-approved fireworks (brand names Red Devil, etc.), I would like to take this opportunity to express my client's strong and unwavering support for the staff report and recommendation on the above-referenced agenda item.

As I have previously shared with you and other members of the Council, Revell Communications has been assisting both American West Marketing, Inc. and another wholesale distributor, Freedom Fireworks, with their community liaison activities as well as with the development and implementation of a statewide fireworks safety and education program. By way of this letter, as well as hopefully in my remarks and testimony before the Council tomorrow evening, I would like to report to you on the status of this statewide safety program and its impact on the Greater Sacramento area.

Before delving into that program and Sacramento's involvement in it, let me put this program as well as our client in their proper perspective. My client has been in this market for approximately two years. Since entering the California market and establishing their headquarters in Southern California, American West Marketing has made significant strides to improve the safety of the overall state-approved fireworks environment. On November 7, 1990, both the undersigned and Mr. Terry Anderson, President of American West Marketing, Inc., appeared and testified before the California State Board of Fire Services wherein (1) we announced that both American West Marketing and Freedom Fireworks were voluntarily withdrawing the wire core and wooden core sparklers from the market in California; (2) both companies requested that the State Fire Marshal remove these items from the list of items presently permitted to be sold in California; and (3) we presented a comprehensive proposal and request for a statewide fireworks safety and education program.

cont.../

REVELL COMMUNICATIONS  
*Public Relations & Public Affairs*

The Honorable Ann Rudin  
June 10, 1991  
Page Two

While we fully anticipate that the new state regulations which are currently under review at the Office of Administrative Law (OAL) will take effect by June 27, 1991, we have advocated on a regional basis for communities to incorporate a similar ban in their local ordinances just in case the state regulations were not in place by this Fourth of July. In addition, we have advocated, as we have here in the Sacramento area, for improved and tougher local ordinances which would ensure a safer and more enjoyable Fourth of July season as well as facilitate stricter enforcement of existing prohibitions against the use and possession of illegal fireworks.

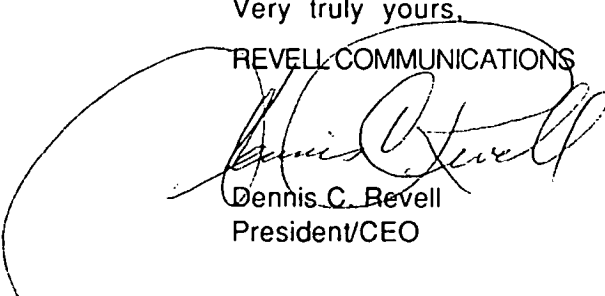
With respect to the statewide safety and education effort being coordinated between our clients, the 2,300 community organizations and the fire service, I am pleased to enclose an information packet describing this program along with a VHS videotape containing copies of the State Fire Marshal's two 30-second PSA's, our clients' 30-second PSA, and the 8 minute safety video produced and developed by our clients and the non-profit organizations.

I have also taken the liberty of enclosing a VHS copy of the video clips of the news coverage that followed the discussion of this ordinance before the Law and Legislation Committee on Thursday, May 30, 1991.

I sincerely hope that the enclosed information will be of assistance to you and that working together, the City Council, the City Staff, my client and all of the Greater Sacramento community groups and organizations can make this 4th of July, as well as every 4th of July safer and more enjoyable than the last.

Very truly yours,

REVELL COMMUNICATIONS



Dennis C. Revell  
President/CEO

DCR:mzf

Enclosure

**CELEBRATE SAFELY**

**COMPARISON REPORT  
FOR  
THE STATE OF CALIFORNIA**

**1988 FIREWORKS FIRES  
VS  
1989 FIREWORKS FIRES  
BY  
DOLLAR LOSS**

**STATISTICS GATHERED BY THE OFFICE  
OF THE CALIFORNIA STATE FIRE MARSHAL**

**(CALIFORNIA FIRE INCIDENT  
REPORTING SYSTEM (CFIRS))**

Distributed by Revell Communications  
1121 L Street, Suite 806  
Sacramento, California 95814  
(916) 443-3816

## INTRODUCTION

According to California state law, as part of the **California Fire Incident Reporting System (CFIRS)**, every local fire official in California must provide the State Fire Marshal with statistical information on every fire in their jurisdiction, irrespective of its cause or severity, whether it is a trash can fire or a house fire, and they must estimate the extent of the property damage and injuries caused by each fire.

Since its inception in 1974, only basic fire data has been collected for the CFIRS reporting process. This will all begin to change in 1991. Until this year, among the range of possible causes or sources that a fire official could assign to a fire were three relating to fireworks: **State-approved Fireworks, (safe and sane), Illegal Fireworks (both classified and unclassified) and Unknown Fireworks.** The new CFIRS reporting process that many fire services will begin to use this year will collect more detailed information. Now there are 33 codes relating to fireworks (both legal and illegal) and the State Fire Marshal will require an investigating officer to actually list the type of firework device which caused the fire, not just its category (legal, illegal or unknown).

## WHAT DO THE CFIRS FIREWORKS STATISTICS SHOW?

Fireworks are an emotional issue. Often times the first casualties of an emotionally-charged issue are (1) "the facts" and (2) the ability to focus on the source of the problem as well as the ability to communicate with one another and find appropriate and logical solutions. Since a fire department is required to report to the State of California every incident that they respond to, most knowledgeable fire statisticians only consider the "number of fires" caused by any one "source" relevant when those fires are examined in light of the property damage and/or injuries they cause. The logic in this approach is quite obvious when one sees that both a trash can fire and a residential house fire are each counted as an incident, but are substantially different in the property damage and injury they cause.

Unfortunately over the last decade, the media and many fire reporting services have not helped matters in that (1) they have reported raw fire incident numbers attributed to the various fireworks categories without reporting the amount of property damage or injuries associated with each of those categories; or (2) they have lumped incidents attributed to state-approved fireworks in with those obviously more damaging and horrific fires and injuries attributed to illegal fireworks and have reported them all as "**fireworks-caused fires and injuries**". Consequently, many people operate under the impression that many, if not most, of the fire losses in California caused by fireworks are the result of state-approved fireworks when in truth and fact, the overwhelming majority are caused by illegal fireworks.

The attached comparison chart compares the statewide fireworks-caused fire statistics for 1988 versus 1989 (latest complete annual statistics). By looking at the chart you will note the following very important improvements in California:

1. There was a significant decrease in the number of fireworks-related fires in general as well as an extraordinary decrease in the amount of dollar loss and the amount of damage caused by all types of fireworks-caused fires;
2. Most importantly, the percentage of loss attributed to state-approved (safe & sane) fireworks went down from 9.76% to 8.34% and the total dollar loss attributable to state-approved (safe & sane) fireworks decreased by over \$269,000; and
3. While the total number of illegal fireworks-caused fires and the total dollar loss attributed to illegal fireworks-caused fires went down, the relative percentage of dollar loss attributable to illegal fireworks went up by almost 7%. Now lest someone try to convince you that this is because there were fewer communities who permitted state-approved fireworks in 1989 than in 1988, and that is the reason, they are wrong. With the exception of one community, there were the exact same number of cities and unincorporated areas which permitted the sale of state-approved fireworks in 1989 as there were in 1988.

Do you remember last summer's headlines ("The 4th is the Sanest on the Books"; "Fourth Fizzles for Fire Fighters"; "Safe Fourth Reported Along Coast"; etc.)? In 1990 both local as well as state fire officials reported an even lower number, in fact a record low number of fireworks-related fires and injuries throughout the state. These same preliminary statistics seem to indicate, that again the overwhelming number of fireworks-caused fires were caused by illegal bottle rockets, firecrackers and other explosive devices.

Clearly, illegal fireworks are the problem in California. A record low number of problems in 1990 associated with state-approved (safe & sane) fireworks is significant in that in 1990 there was a 2% increase in the number of booths operated by non-profit organizations throughout the state (in excess of 2400 statewide); there was an average 10% increase in the funds raised by these non-profits over their sales in 1989; and there were the same number of cities and unincorporated areas which permitted the sale of state-approved fireworks in 1990 as there were in 1989.

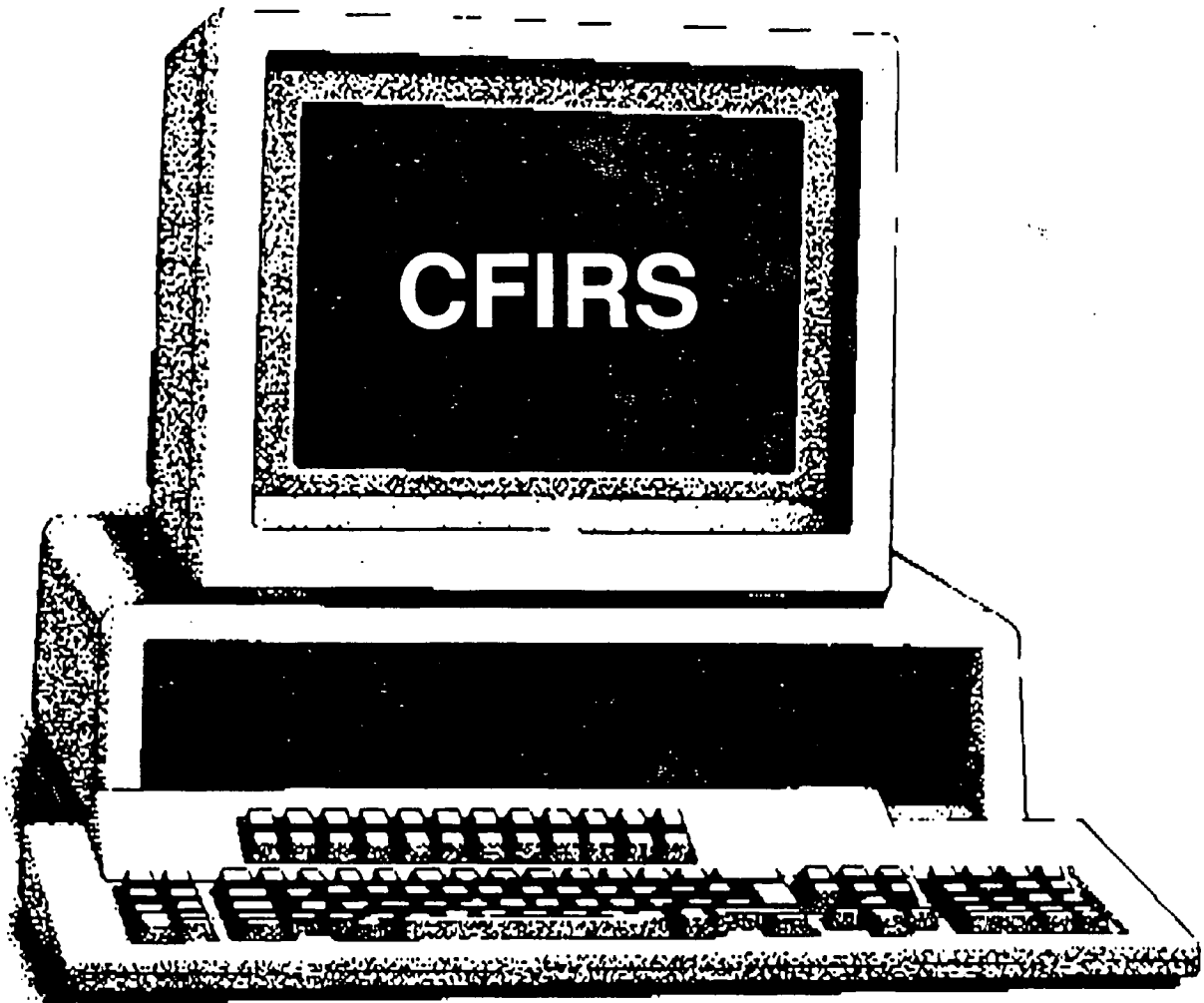
## COMPARISON REPORT FOR THE STATE OF CALIFORNIA

### 1988 FIREWORKS FIRES -- VS. -- 1989 FIREWORKS FIRES BY DOLLAR LOSS

STATISTICS GATHERED BY THE OFFICE OF THE CALIFORNIA STATE FIRE MARSHAL  
(CALIFORNIA FIRE INCIDENT REPORTING SYSTEM (CFIRS))

<u>Definition of Heat</u>	<u>Number of Fire Incidents</u>		<u>\$ Loss Reported</u>		<u>% of Total \$ Loss</u>		<u>Change</u>	<u>Change in \$ Loss</u>
	<u>1988</u>	<u>1989</u>	<u>1988</u>	<u>1989</u>	<u>1988</u>	<u>1989</u>	<u>+ &lt;-&gt;</u>	<u>+ &lt;-&gt;</u>
Unknown	300	154	\$ 435,982	\$ 81,984	10.40%	4.88%	<5.52>	<\$ 353,998>
State-Approved	497	539	\$ 409,489	\$ 140,042	9.76%	8.34%	<1.42>	<\$ 269,447>
Illegal	779	763	\$ 3,348,283	\$1,457,393	79.84%	86.78%	+6.94	<\$1,890,890>
-----								
Totals	1,576	1,456	\$4,193,754	\$1,679,419	100%	100%		<\$2,514,335>





**The New  
CALIFORNIA FIRE INCIDENT REPORTING SYSTEM  
Manual**



James F. McMullen, Chief

## INTRODUCTION

The California Fire Incident Reporting System (CFIRS) was created in 1974, in response to Health & Safety Code section 13110.5 which reads as follows:

The State Fire Marshal shall gather statistical information on all fires occurring within this state. Beginning January 1, 1974, the chief fire official of each fire department, operated by the state, a city, city and county, fire protection district, organized fire company, or other public or private entity which provides fire protection, shall furnish information and data to the State Fire Marshal relating to each fire which occurs within his area of jurisdiction. The State Fire Marshal shall adopt regulations prescribing the scope of the information to be reported, the manner of reporting such information, forms to be used, the time such information shall be reported and other requirements and regulations as he deems necessary.

The State Fire Marshal shall annually analyze the information and data reported, compile a report, and disseminate a copy of such report together with his analysis to any other interested person upon request.

This legislation was brought about by leaders in the fire service who recognized the need to collect statistical data in order to target their resources and education programs to the area of greatest need.....Where were most fires occurring? Who was most at risk? What time of the day were fires starting? What was causing the fires?

CFIRS was developed by the California State Fire Marshal (CSFM) with the assistance of the CFIRS Advisory Committee, composed of representatives from large, small, paid and volunteer fire departments in the state. The original CFIRS was a paper-driven reporting system, requesting basic information about fire incidents. As computers became more readily available and local governments installed them, some of the larger departments began entering their incident information on magnetic tape. These tapes were then submitted to the CSFM for compilation with data from the "paper" reporting departments. This "partial" automation not only assisted the CSFM to collect data more quickly, but allowed local jurisdictions using the automated systems to do their own special studies and map trends in their communities.

Over the years, CFIRS data has assisted the CSFM and the California fire service to develop and support numerous pieces of firesafety legislation and target subjects for much needed public education programs.

## INTRODUCTION (Continued...)

The need for fire incident data has not only continued, but grown. With the passage of legislation regarding the reporting of hazardous materials incidents, and the growing use of medical aid resources of the fire service, more questions have arisen. How many hazardous materials incidents are occurring, where do most of them happen? Are built in fire protections systems working correctly?

In an effort to respond to these and other questions from the Fire Service, Legislature, and public the CSFM, with the assistance from the CFIRS Advisory Committee, has developed a new, expanded, automated fire incident reporting system.

Now, both you and the CSFM will have a better picture of what's burning, and why. This access to more and better information is available to everyone who participates in the New CFIRS. Because each jurisdiction will have its own database of incidents in its community, participants in the New CFIRS will be able to do their own special studies, map the trends in their communities, analyze patterns and determine how best to utilize their resources.

## THE CFIRS REPORTS

Your participation in the CFIRS Program means more than merely complying with the requirements of the Health & Safety Code. It is an opportunity to influence the nature of fire safety legislation and public fire safety education, as well as to protect the lives and property of the people in your community.

Because it is so critical, we recommend that your department establish procedures to insure consistency in how the CFIRS reporting system records are completed. Although you may not alter any of the basic "fields" required by the CSFM, you may decide to incorporate additional information. For example, although not required by the state, local policy may dictate the need for reporting the number of hose lines used, water flow, breathing apparatus and/or special equipment used. Each of these "data fields" can be added to your record locally.

Many departments are already collecting most of the new CFIRS-required information at the incident scene. To facilitate the reporting of this data, a single person at the scene should be detailed the responsibility of collecting and recording all the required information. The report should be completed as soon as possible as any undue delay could adversely affect the accuracy of the report. In completing the report, the incident "recorder" may want to contact others for their input. These sources of assistance might include: fire service personnel at the scene, police and civilians at the scene, dispatcher or alarm personnel, first aid or ambulance personnel, hospital staff, fire and building inspectors, arson investigator, local fire report coordinator, and/or state-level officials responsible for coordinating the reporting system. **Most importantly the report should reflect exactly what happened.**

If additional information on an incident becomes available, or when any of the original information changes or is found to be in error the department must submit a "change" report. An example of an action necessitating a change report would be when a person injured in a fire dies as a result of the injuries within one year of the incident.

Once the incident has been recorded in your computer, the information should be reviewed one last time before it is saved in the local data bank. Quarterly, the reports must be copied from the local data bank on magnetic tape or a diskette and forwarded to the CSFM. Certain elements of your reports will be extracted by the CSFM and transmitted on your behalf to the National Fire Data Center.

Once automated, the data can be presented in a variety of ways, such as summaries, comparisons, and reports. Output reports can be produced by your department and by the California State Fire Marshal. Many localities are enhancing the value of CFIRS by developing data analysis and display programs to meet their own requirements.

## THE REPORTING FORMAT

Each time a fire service unit moves in response to an alarm, an incident report (CFIRS-1) is completed. One section is to be completed for each incident. Two casualty report sections have been provided. The CFIRS-2 section is to be used for fire service casualties. This section includes pertinent information as to how and why the fire fighter became a casualty. The CFIRS-3 section is to be completed for a non-fire service fire casualties. It would also include any other emergency personnel who are not a part of the fire service.

The following is a brief description of the various reporting sections in the CFIRS system:

**CFIRS-1, or "Incident Report"** is used to describe each incident (or call) to which your fire department responds. The type of incident determines how much of the report is completed. Part 4 of this handbook contains all instructions for completing this report.

**CFIRS-2, or "Civilian Casualty Report"** is used to report injuries or deaths to civilians or other emergency personnel that occur in conjunction with an incident. (such as policeman or ambulance attendants)

**CFIRS-3, or "Fire Service Casualty Report"** is used to report injuries or deaths of fire service personnel that occur in conjunction with any incident response.

**CFIRS-HazMat, or "Hazardous Materials Incident Report"** is used to report incidents involving hazardous materials. This section is used in conjunction with the CFIRS-1 section to provide detailed information about hazardous material incidents so data can be gathered to assist local, state and national agencies to deal with this serious problem. All casualties should be documented using CFIRS-2 and CFIRS-3 sections.

## THE REPORTING FORMAT (Continued...)

Samples of information collected for incidents and casualties are shown in Part 3, pages 2-5. Although CFIRS is computer based, and each CFIRS software program will have different data entry screens, the sample records will give you an idea of how much detail the report requires.

The appropriate sections to complete are determined by the nature of the incident(s) being reported. If one or more entries within a section are completed, then all entries within that section should be completed. Particular attention should be given to the captions identifying each section in determining whether to complete a section.

The information throughout this manual on incident and casualty sections will be discussed one line at a time. Each item on each line will be described by its: definition, purpose, entry and example. In addition, for those items requiring a numerical code, the codes and a coded example will be shown. The definition provides a common meaning to ensure consistency in each item's understanding and use. The purpose gives a brief rationale as to why the item of information has been requested, and also indicates how the information could be of additional use. The entry provides guidance on what information to place in the entry block. The example shows how the entry might look for a particular situation.

## CODING BACKGROUND

Fire data collection is not new. Many cities and some states have had data systems for years, some doing their analysis by hand, some using computer systems.

In 1963, the National Fire Protection Association (NFPA) formed a technical committee to devise a uniform system of fire reporting to encourage fire departments to use a common set of definitions. A dictionary of fire terminology and associated numerical codes was developed. This dictionary is known as NFPA Standard #901, Uniform Coding for Fire Protection. As the fire service gained experience with this fire data "language," improvements were made to the CFIRS system. At present, all CFIRS data elements use the 1990 edition of the 901 standard.

# WIIFM – OR, "WHAT'S IN IT FOR ME?"

## The Benefits of Systematic Reporting

You might ask, "If I've been to a fire and I know all about it, why do I need to describe it with CFIRS coding?" You could, of course, just write down a description of the whole incident. But it is very likely that your description of the fire would vary from that of another firefighter on the same scene. Different terminology could be used to describe such information as the cause of the fire, the extent of the fire spread and the type of property involved. You might include a description of some aspects of the fire that the second fire fighter would forget. The purpose of the standard format is to insure that incidents and casualties are described in a similar manner no matter which fire fighter is responsible for recording them. This way the information is more consistent and meaningful.

## What is the Benefit of CFIRS to Fire Fighters?

Every fire department is responsible for managing its operations so that fire fighters can do the most effective job of fire control and fire prevention. Effective performance requires careful planning, which can only take place if accurate information about fires and other incidents is available. Patterns emerge from the analysis of the fire incident data. These can help departments focus on current problems, predict future problems in their communities and measure whether their programs are working.

The same principle is also applicable at the state and national levels. The California Fire Incident Reporting System provides a mechanism for analyzing incident data at each level to help meet fire protection management and planning needs.

## What Happens to Your CFIRS Information

The flow of information in the system is as follows: Local fire departments collect data in a common format using the new CFIRS automated format. Some fire departments enter their data into a departmental computer and then send a tape of their data to the CSFM. Other fire departments send diskettes directly to the CSFM office. At the CSFM the data undergoes quality control. The data is entered into a computer and annually a report is produced showing statewide trends. Fire jurisdictions using the new CFIRS software have the option of entering and collecting data about incidents other than fires and keeping this data at their site. The statewide data is tabulated and a computer tape containing all the fire data is sent to the Federal Emergency Management Agency through the U.S. Fire Administration for compilation with other states' data.

SECTION A	CALIFORNIA FIRE INCIDENT REPORTING SYSTEM										CFIRS 1			
FDD	INCIDENT REPORT										INCIDENT NUMBER	Year	Exp. No.	
CORRECTIONS Change <input type="checkbox"/> Delete <input type="checkbox"/>	Fire Department										MULTI-AGENCY INCIDENT NO.	Agency I.D.	Year	Incident No.
INCIDENT DATE	DISPATCH TIME		ARRIVAL TIME		END TIME		ADD'L DAYS	FIRST IN COMPANY		DISTRICT				
SITUATION(S) FOUND	#1	#2	#3	#4	AUTOMATIC OR MUTUAL AID		METHOD OF ALARM		TYPE WEATHER	AIR TEMPERATURE		PROPERTY MANAGEMENT		
INCIDENT ADDRESS / LOCATION														
ROOM / APARTMENT		ZIP CODE		CENSUS TRACT				FIRE HAZARD SEVERITY ZONE						
TOTAL FIRE SERVICE PERSONNEL RESPONDED				Career	Vol.	NO. APPARATUS RESPONDED		Engine	Truck	Rescue Med.	Other			
CODE	NAME: Last, First, M.I.						AREA		TELEPHONE					
ADDRESS / CITY												STATE	ZIP	
CODE	NAME: Last, First, M.I.						AREA		TELEPHONE					
ADDRESS / CITY												STATE	ZIP	
GENERAL PROPERTY USE		SPECIFIC PROPERTY USE		BUILDING CODE OCCUPANCY TYPE		STRUCTURE TYPE		STRUCTURE STATUS		OCCUPIED AT TIME OF INCIDENT				
FOR MOBILE PROPERTY INVOLVED	Type	Vehicle License No.	State	Year	Make	I.C.C./D.O.T. Permit No.								
Model	Vehicle Identification No.	Drivers' License No.	State											

SECTION B	COMPLETE FOR ALL FIRES												
TYPE OF ACTION(S) TAKEN	#1	#2	#3	#4	FIRE ORIGIN	Area	Level	Horizontal Distance From		FORM OF HEAT	IGNITION FACTOR		
SEX	AGE	SEX	AGE	MATERIAL FIRST IGNITED	Type	Form	CONTRIBUTING FACTOR(S)		#1	#2	METHOD OF EXTINGUISHMENT		
ESTIMATED PROPERTY LOSS				ESTIMATED CONTENTS LOSS				FUEL MODEL	ACRES BURNED				
IF EQUIPMENT INVOLVED IN IGNITION	Type	Model	Year	Serial No.									

SECTION C	COMPLETE FOR STRUCTURE FIRE											
CONSTRUCTION TYPE	ROOF COVERING		NUMBER OF STORES		EXTENT OF DAMAGE				Flame	Smoke		
MATERIAL GENERATING MOST SMOKE		Type	Form	AVENUE OF SMOKE TRAVEL		DETECTION SYSTEM	Type	Power Supply	Performance	Reason For Failure		
EXTINGUISHING SYSTEM		Type	Performance	Reason For Failure	SPRINKLER HEAD(S)		Type	Number Activated				

SECTION D	COMPLETE FOR FIRE SERVICE CASUALTY AND NON-FIRE SERVICE FIRE CASUALTY												
FIRE SERVICE CASUALTY	Injuries		Fatalities		NON-FIRE SERVICE FIRE CASUALTY				Injuries		Fatalities		

SECTION E	COMPLETE FOR E. M. S.													
NUMBER OF PATIENTS		HIGHEST LEVEL OF CARE CAPABLE OF BEING PROVIDED ON SCENE				Fire	Other	HIGHEST LEVEL OF CARE PROVIDED ON SCENE				Fire	Other	
E. M. S. TYPE OF SITUATIONS FOUND	#1	#2	#3	#4	NO. OF PATIENTS TRANSPORTED BY		Fire Dept.	Pvt. Amb.	Coroner	Other				

SECTION F	COMPLETE FOR HAZ MAT															
OES CTRL NUMBER	HAZ MAT RELEASE		Area	Level	RELEASE FACTORS				#1	#2	#3	#4	CONTRIBUTING FACTOR(S)		#1	#2
EST. NO. CHEMICALS RELEASED		TYPE OF EQUIPMENT INVOLVED IN RELEASE		HAZ MAT ACTION(S) TAKEN				#1	#2	#3	#4	DISPOSITION OF INCIDENT				
HAZ MAT LD. SOURCES	Personnel	#1	#2	Reference Material	#1	#2	FIRE SERVICE HAZ MAT CASUALTY		Injuries	Fatalities	NON-FIRE SERVICE HAZ MAT CASUALTY		Injuries	Fatalities		
CHEMICAL OR TRADE NAME				DOT LD. NO.		DOT HAZARD CLASS	CAS NO.									
PHYSICAL STATE	Stored	Released	QUANTITY RELEASED		UNIT OF MEASURE		EXTENT OF RELEASE		SUSPECTED ENVIRONMENTAL CONTAMINATION							
CONTAINER	Type	Material	Description Use	Feature	Capacity	UNIT OF MEASURE		<input type="checkbox"/> ADDITIONAL HAZARDOUS MATERIALS ON BACK								

SECTION G	OTHER ACTION(S) TAKEN				SPECIAL STUDIES: Local								Statewide															
TYPE OF ACTION(S) TAKEN	#1	#2	#3	#4	1a	b	c	d	2a	b	c	d	3a	b	c	d	4a	b	c	d	5a	b	c	d	6a	b	c	d



**SECTION F. Continued**

CHEMICAL OR TRADE NAME				DOT I.D. NO.	DOT HAZARD CLASS	CAS NO.	
PHYSICAL STATE	Stored	Released	QUANTITY RELEASED	UNIT OF MEASURE	EXTENT OF RELEASE	SUSPECTED ENVIRONMENTAL CONTAMINATION	
CONTAINER Type		Material	Description Use	Feature	Capacity	UNIT OF MEASURE	
CHEMICAL OR TRADE NAME				DOT I.D. NO.	DOT HAZARD CLASS	CAS NO.	
PHYSICAL STATE	Stored	Released	QUANTITY RELEASED	UNIT OF MEASURE	EXTENT OF RELEASE	SUSPECTED ENVIRONMENTAL CONTAMINATION	
CONTAINER Type		Material	Description Use	Feature	Capacity	UNIT OF MEASURE	

**COMMENTS**

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NATURAL CONDITIONS -  
700 series. (Continued...)

- 732. Wind.  
Included are hurricane or tornado.
- 733. Waves or tidal action (fresh or salt water).
- 741. Earthquake.
- 742. Volcanic activity.
- 751. Animal activity.  
Included are birds.
- 799. Natural conditions not classified above. Explain on  
Comment section.
- 700. Natural conditions; insufficient information to classify  
further.

FIREWORKS - 800 series.

- 811. Smoke Bomb.
- 812. Base Fountain.
- 813. Party Popper.
- 814. Cone Fountain.
- 815. Wheel.
- 816. Sparkler with wire core.
- 817. Sparkler with wooden core.
- 818. Handle Fountain.
- 821. California Candle with or without handle.
- 822. Torpedo, snap cap.
- 823. Ground spinner, ground flowers.
- 831. Firecracker.  
Included are ladyfingers.
- 832. Destructive device: M-80 or larger.
- 833. Silver Salute, M-70.
- 834. Cherry Bomb.
- 835. Roman Candle.
- 836. Sky Rocket.
- 837. Bottle Rocket.
- 838. Missile Rocket.
- 841. Agricultural and wildlife control devices.
- 851. Public display devices.
- 852. Special effects devices used in the entertainment  
industry.
- 861. Model Rocket. Premanufactured and sealed engine.
- 862. Amateur or experimental rocketry.
- 871. Emergency signaling devices, fusees.
- 872. Military device.  
Included are tracers.
- 873. Railroad Torpedo.
- 881. Homemade devices not made from commercial  
fireworks.
- 882. Commercial device which has been altered or modified.

FIREWORKS - 800 series.  
(Continued...)

- 891. Fireworks, which are legal to possess, use or sell in jurisdiction.
- 892. Fireworks, which are illegal to possess, use or sell in jurisdiction.
- 899. Fireworks not classified above. Explain in Comment section.
- 800. Fireworks; insufficient information to classify further.

**U.S. CONSUMER PRODUCT SAFETY COMMISSION**

**1989**

**SPECIAL STUDY**

**ON**

**FIREWORKS INJURIES**

Source: National Electronic Injury Surveillance System (NEISS)  
U.S. Consumer Product Safety Commission, EPHA Special Study June 23-July 20 1989

# FIREWORKS INJURIES, 1989

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## INTRODUCTION

During 1989, the U.S. Consumer Product Safety Commission (CPSC) conducted a special study of hospital emergency room-treated injuries associated with all types of fireworks. Through the National Electronic Injury Surveillance System (NEISS), injury data was gathered from June 23, through July 20, 1989, to coincide with the peak period for fireworks activity. The study focused primarily on the type of fireworks involved and the number and kind of injuries associated with their use.

## WHAT IS THE SIGNIFICANCE OF A "SPECIAL STUDY"?

The U.S. Consumer Product Safety Commission (CPSC), created with the 1972 passage of the Consumer Product Safety Act (CPSA), is charged with protecting the consumer from "unreasonable risk" of injury from consumer products. Before the Commission can concern itself with reducing the risk from a consumer product the Commission must identify and quantify the risk.

The Commission has regulatory powers effecting all manufacturers, importers, distributors and retailers of consumer products sold for use in the United States. It is essential that the CPSC decisions be based on accurate, timely and comprehensive data. Since there was no national system available to measure consumer product-related injury problems, the National Commission on Product Safety, a study group whose final report led to the creation of the CPSC, designed a surveillance network to monitor acute injuries treated in hospital emergency rooms. That surveillance network has evolved into the National Electronic Injury Surveillance System (NEISS).

NEISS data and NEISS estimates are based upon injuries treated in hospital emergency rooms that patients say are related to products. NEISS's estimates on these consumer product-related injury problems are generalized estimates based upon data input by the "designated coder" (person responsible for filling out the forms) at each of the 66 hospitals throughout the country where NEISS has its computer monitoring equipment. NEISS utilizes a surveillance-type reporting system to monitor these consumer product-related injuries treated in these hospital emergency rooms. In addition, NEISS conducts a number of short term special studies on specific products or injuries of interest. These special studies usually run from one week to one month in duration. During a special study, additional cases and/or additional information is supposed to be gathered by the hospital emergency department staff on these selected cases.

For several years during a 30-day period around the 4th of July, CPSC has had NEISS collect data on all injuries involving all types of fireworks. These special studies concentrated on identifying the type of fireworks involved. Diagrams and illustrations were used to aid in identifying the specific product. **The most recent special study on fireworks was conducted in 1989 for the period of June 23 through July 20.**

cont.../

**Method:**

A questionnaire and a series of photographs depicting three types of firecrackers and nine types of other fireworks were used in these 66 hospital emergency rooms. Each person with a fireworks-related injury was supposed to be asked several questions about the incident and was requested to identify the type of fireworks involved.

A poster depicting a child being injured by a firecracker was also prepared and distributed to the participating emergency rooms to promote interest in the project, remind the emergency room personnel to complete the questionnaire and to encourage victims to participate in the study.

**What Does "Product-Related Injuries" Mean?:**

CPSC and NEISS publish a cautionary note on all NEISS data and estimates that are distributed. That cautionary note states as follows:

**"NEISS data and estimates are based on injuries treated in hospital emergency rooms that patients say are related to products. Therefore, it is incorrect, when using NEISS data to say the injuries were caused by the product.**

Thus, the product's involvement may or may not have caused the accident. An obvious example of this is an actual case where an individual in the Midwest was perched upon a roof of a structure to watch a public fireworks display. The roof gave way causing injury to the individual. Under the NEISS method of reporting, it was reported as a "fireworks-related injury".

**THEN THE CPSC INJURY FIGURES ARE ACTUALLY ESTIMATES NOT THE ACTUAL NUMBER OF INJURIES?**

Yes that's correct! NEISS estimates are based on a probability sample. The number of cases reported to be related to any particular product is projected through a mathematical formula to then represent national estimates of injuries associated with that particular consumer product .

CPSC published a table (see attached table entitled "Table 4 - Estimated Fireworks-Related Injuries by Age and Type of Fireworks") estimating a total of 6,270 injuries for all types of fireworks. You will note at the bottom of Table 4, CPSC states that the sample size or the total number of reported incidents for all types of fireworks injuries during the 1989 special study was 112. A recent review of the NEISS data has concluded that there were actually 117 reported incidents during that time period. Table 5 attached hereto is a breakdown of the actual fireworks-related injuries reported to CPSC via NEISS from June 23 through July 20, 1989. These actual raw figures are the basis for the special study estimates reported by CPSC.

cont.../

### RESULTS OF 1989 SPECIAL STUDY

The NEISS special study conducted in 1989 during the 4th of July holiday season found that the most frequently reported individual firework types that were responsible for injuries were large firecrackers, small firecrackers, rocket type devices and sparklers. The actual number of all fireworks-related injuries reported during the period of the special study was 117. As one can see in reviewing Table 5, assuming that all sparklers will be illegal in California this 4th of July, there were only three injuries "attributed to" or represented to be "related to" what are known as state-approved fireworks in California (2 - cone fountain; 1-spinner). Therefore, the relative percentage attributed to items that will be illegal this 4th of July is 97.4%. Thus, state-approved fireworks represent less than 3% of all the actual injuries that were "attributed to" or represented to be "related to" all types of fireworks.

While many people question the accuracy and the validity of the CPSC/NEISS projections or estimates that are made based upon the 117 actual incidents or injuries, if one places any faith in the estimates at all, one must also recognize that these estimates suggest that illegal fireworks are responsible for all the serious injuries. According to the 1989 NEISS survey, state-approved fireworks such as fountains and ground spinners did not cause any injuries that required even one person to be hospitalized in the entire United States. Furthermore, these same statistics go on to show that illegal, dangerous fireworks are a greater problem where fireworks are banned. The 1989 CPSC/NEISS survey shows that New York, which has never allowed any type of fireworks is experiencing five times as many injuries as California is right now.

Over the years as part of their data collection and analysis, the CPSC has prepared rankings of products, based upon the frequency and severity of the reported incidents. While they have recently ceased this practice, the latest ranking that they released shows all fireworks injuries (both those caused by legal as well as illegal fireworks) are ranked 138th behind such items as playground equipment (12th), pens and pencils (49th), skateboards (53rd), wastebaskets (84th) and baby strollers (92nd).

TABLE 4.

Estimated Fireworks-Related Injuries By Age And  
Type of Firework

Type of Fireworks	All Ages	Age in Years			
		0-4	5-14	15-24	25yrs. and over
All Fireworks	6,270	700	2,050	1,750	1,770
Firecrackers*	2,440	140	820	680	800
Small	980	100	460	180	180
Large M-80's, etc.	1,460	40	360	500	620
Other Common					
Fireworks	3,130	560	1,030	850	690
Sparklers	1,180	520	260	150	250
Rockets	750	40	180	310	220
Shells & Mortars	370	--	--	190	180
Fountains	330	--	150	180	--
Other	500	--	440	20	40
Homemade	280	--	--	140	140
Public Display	250	--	120	--	130
Unknown	170	--	80	80	10

\* Includes a proportional allocation across all age groups of an estimated 750 firecracker injuries for which the size and type of firecrackers were not specified. Because of this, line detail for types of fireworks injuries do not add to the total.

Source: National Electronic Injury Surveillance System (NEISS),  
U.S. Consumer Product Safety Commission, EPHA,  
June 23 - July 20, 1989 (n=112)



**Table 5**  
**ACTUAL FIREWORKS-RELATED INJURIES**  
**REPORTED**  
**TO CPSC (via NEISS) FROM JUNE 23 TO JULY 20, 1989**  
**FOR THE SPECIAL STUDY**  
**ON NATIONAL FIREWORKS INJURIES**

	TOTAL	0-15	5-14	15-24	25 OVER
FIRECRACKERS "B"	10	0	3	5	2
FIRECRACKERS "C"	38	1	17	9	11
ROCKETS	11	3	1	5	2
ROMAN CANDLES	4	0	1	2	1
LOOSE POWDER & HOMEMADE	4	0	0	2	2
MINES	1	0	0	0	1
UNKNOWN	29	4	11	7	7
1/4 STICK DYNAMITE	1	0	0	0	1
CONE FOUNTAINS	2	0	2	0	0
SPINNERS	1	0	1	0	0
SPARKLERS	16	4	6	3	3
-----					
TOTAL	117	12	41	33	30

■ FINAL



# The Sacramento Bee

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FRIDAY, MAY 31, 1991

FOUNDED 1857 • VOLUME 269 • 35¢

## Looks like party's over for kids' Fourth of July sparklers

By Ken Chavez  
Bee Staff Writer

Sparklers — that Fourth of July staple for generations of American children — may be coming to an end in California.

And surprisingly to some, it's the fireworks' maker — along with government officials — that is fanning the flames for the ban.

American West Marketing, the Santa Ana-based parent company of Freedom, Patriot

and Red Devil fireworks, told Sacramento officials Thursday that it is voluntarily pulling the item from its inventory.

"This marks a real turning point for the fireworks industry," Dennis C. Revell, a company spokesman, told City Council members at a hearing Thursday.

He said his firm not only supports a proposal to ban sparklers in the city and to tighten requirements on the sale of all "safe and sane" fireworks, but it is pushing the propos-

al before the county supervisors and the state Office of Administrative Law.

Sparklers, tremendously popular with children, are the biggest-selling item in American West's inventory, Revell said. He declined to say how much money the company, which controls 97 percent of legal fireworks sales outlets in California, would lose.

Revell said the firm came under new ownership 18 months ago and has been working

with city, county and state fire officials to promote safer fireworks.

In 1989, the latest year for which figures are available, 1,226 fireworks-related fires were reported, and the so-called safe and sane fireworks caused at least 38 percent, according to the state fire marshal's office. But 80 percent of the fires resulting in property damage or injuries linked to legal fireworks were caused by sparklers, Revell said.

He said the state could order the ban be-

fore the fireworks selling season begins June 28. Both the city and the county are expected to review the ban within a few weeks.

Councilmen Tom Chinn and Josh Pane both endorsed the sparkler ban, and Councilwoman Lyla Ferris said the proposal is worth considering.

Added Councilwoman Kim Mueller: "Even though sparklers are my favorite fireworks, I would probably end up supporting (the ban). It's important to deal with it."

# No more sparklers for Fourth of July

3102  
The Associated Press

SACRAMENTO — California's Independence Day celebrations may have a little less sparkle this year as state regulators and the industry push for a ban on the popular hand-held fireworks of spluttering sparks.

Sparklers, while popular with children for decades, are just too dangerous, said Sacramento Councilman Tom Chinn, who is supporting a city ordinance that would ban sparklers and tighten regulations on sale of legal fireworks.

"It gets a little bit hot on the end of the stick," he said Friday.

In a move that surprised some, two of the players calling for a sparkle-free Fourth are American West Marketing and Freedom Fireworks Inc., which a company spokesman said distribute most of the legal fireworks sold in California.

"I think that my clients are proud of the products they distribute and sell and from their standpoint these products play a very important part in the celebration of our nation's independence. They recognize an obligation to find effective solutions to problems out there," said spokesman Dennis C. Revell.

The two wholesale distributors will not be selling sparklers this year, meaning that they will be virtually impossible to obtain

legally whether the ban passes or not, Revell said.

Last November, the industry proposed taking sparklers out of the legal "safe and sane" category, a revision that is currently before the state's Office of Administrative Law, said Sandy Simpson, spokeswoman for the state Fire Marshal's Office.

"We were, I'm sure, a little bit surprised but applauded it," Simpson said.

The regulation, if approved, would have an effective date of June 27, she said.

A study of firework-related fires showed that sparklers were a major contributor to injuries in children under 12, she said.

Revell said that in a company study of fireworks-related fires, sparklers "stood out as a focus of concern."

The company will continue to sell base fountains, cones and static displays, but "anything that explodes, goes up in the air or darts uncontrollably about the ground is illegal in California," Revell said.

Several California cities have banned fireworks outright, but Revell and Councilman Chinn said that would be going too far.

"First of all I'm Chinese. It would be against my cultural ancestry if I banned that," Chinn joked, adding that fireworks are a symbol of the Fourth of July celebrations.



*Public Relations & Public Affairs*

**Dennis C. Revell**  
President

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1121 L Street • Suite 806 • Sacramento, CA 95814-3926 • 916/443-3816

**BACKGROUNDER**  
**ON**  
**STATEWIDE FIREWORKS**  
**SAFETY AND EDUCATION PROGRAM**  
**FOR**  
**1991**

The following information is provided for "background purposes only"

Distributed by: Revell Communications, 1121 L Street, Suite 806, Sacramento, CA 95814

## HISTORY

Over the years, a number of individual fire departments, the office of the State Fire Marshal, and elements within the fireworks distribution community have sponsored or participated in the production of public safety messages about illegal and/or state-approved fireworks. However, most of these efforts have not been distinguished by a great deal of cooperation and coordination between the fireworks industry, the non-profit organizations and charities who sell state-approved fireworks, and all of the various levels of the fire protection and prevention community.

On November 7, 1990, American West Marketing and Freedom Fireworks appeared before the quarterly meeting of the State Board of Fire Services and proposed an aggressive, coordinated effort between the fire services, the fireworks distributors and the non-profit organizations. The State Board of Fire Services is an advisory board to the California State Fire Marshal that meets quarterly and provides a state level forum for addressing fire protection/prevention issues of statewide concern. Its membership is composed of representatives of local and county government, fire service labor and management organizations, California Department of Forestry, Office of Emergency Services and the insurance industry. Pursuant to a unanimous resolution of the Board at that meeting, the safety and education proposal was referred to the State Fire Marshal's Public Education Advisory Committee (PEAC) to study the issue and PEAC was to report back with its findings at the February meeting of the Board.

After discussing the scope, direction and limits of a statewide fireworks safety and education effort with numerous fire protection and prevention officers throughout the state, it was suggested that in its first year the program be limited to a general consumer program with the following four goals:

1. The proper and responsible use of state-approved fireworks;
2. How to identify legal fireworks;
3. The hazards of illegal fireworks; and
4. The use or possession of illegal fireworks is illegal and may result in a criminal citation or arrest, including a felony.

At the February 6, 1991 quarterly meeting of the State Board of Fire Services, the PEAC Committee made its report and recommendations to the Board. In addition, a series of approaches and themes were offered so as to gain a more refined sense of direction, strategy and approach for the program.

Of the four goals listed above, the Board voted unanimously to recommend that PEAC be available for reviewing and making recommendations on an industry-developed and - sponsored public education program with respect to goals Numbers 1 and 2 above. In an additional motion, recognizing that the State Board of Fire Services does not endorse the use of any fireworks, the severe risks of fires and injuries posed by the growing use of illegal fireworks in California, and the criminal nature of this activity; the State Board recommended that the State Fire Marshal attempt to develop a public safety and education program on fire safety and illegal fireworks for this Fourth of July concentrating on goals Numbers 3 and 4.

cont.../

The following then is intended to be an outline and description of those items separately developed and produced by the State Fire Marshal, the fireworks distributors and/or the non-profit organizations, all of which were reviewed and edited by the PEAC Committee.

## STATE FIRE MARSHAL'S PROGRAM AGAINST ILLEGAL FIREWORKS

### CONTENT

#### Printed Material

No. of Printed Pieces: \* One Brochure

Title: "Is This Any Way to Celebrate the  
Fourth of July?"  
(English and Spanish Versions)

#### Further Background:

Pursuant to the recommendation the State Board of Fire Services and as a component part of an overall public education effort to stem the growing use of illegal fireworks in California, the Office of the State Fire Marshal developed a new brochure outlining the dangers and safety risks posed by the use of illegal fireworks. The brochure also provides some sound advice to parents about how to talk to their children about illegal fireworks and the emotional, criminal and financial consequences that they and their children might have to face if they fail to take the time or make the effort. The bottom half of the inside copy of the brochure was designed so that the brochure could be used by police and fire departments as well as parents to help identify illegal fireworks.

#### Video Materials

No. of Video Products: \* Two : :30 PSAs

Titles: Illegal Fireworks VER.1

Featuring: Former President  
Ronald Reagan

Illegal Fireworks VER.2

Featuring: Former President  
Ronald Reagan

#### Further Background:

Pursuant to the recommendation of the State Board of Fire Services, the California State Fire Marshal developed two :30 PSA's featuring former President Ronald Reagan. (See enclosed storyboards.)

These PSA's were distributed to the 45 network affiliated and independent television stations throughout the State of California. The State Fire Marshal requested that these PSA's be accorded a reasonable broadcast frequency between June 15 and July 15, 1991.

cont.../

**AMERICAN WEST MARKETINGS', FREEDOM FIREWORKS' AND THE NON-PROFIT ORGANIZATIONS' PROGRAM ON RESPONSIBLE USE OF STATE-APPROVED FIREWORKS**

**CONTENT**

**Printed Material**

- No. of Printed Pieces:
- \* One Safety Brochure  
Title: "Celebrate Safely"  
(Bilingual: English/Spanish)
  - \* One Bill Stuffer  
(For Cable Television Billings)
  - \* Approx. 100 Newspaper Safety Ads  
Title: "Celebrate Safely"
  - \* Safety Signs  
Title: "Put Safety First"
  - \* Yellow Violation Cards

**Video Material**

- No. of Video Products:
- \* One :30 PSA;  
Title: "State-Approved Fireworks"  
Featuring: Ms. Maureen Reagan
  - \* One 8-minute Safety Video  
Title: "Celebrate Safely"  
Featuring: Ms. Maureen Reagan

**Further Background**

Consistent with the promises and commitments made to the State Board of Fire Services on November 7, 1990 and February 6, 1991, American West Marketing and Freedom Fireworks moved forward with a statewide consumer education campaign (in **"open communities"**) that would encourage state-approved fireworks consumers to be responsible and safe in their use and enjoyment of these products. The two companies along with the non-profit organizations will be distributing a new and improved safety brochure along with copies of the new State Fire Marshal's brochure on illegal fireworks to approximately 1000 schools throughout the State of California as well as to all state-approved fireworks consumers. In addition to developing the new safety brochure, they have produced a short, 8-minute safety video which suggests some common sense precautions and safety measures parents and their children should follow when using state-approved fireworks.

They have also produced a :30 PSA encouraging proper, safe and responsible use of state-approved fireworks which will run as a "paid" spot on cable systems in **"open"** communities. (See enclosed storyboard) Over 4,000 spots for this :30 PSA will run on cable systems throughout California in a ten-day period. American West Marketing and Freedom Fireworks will be purchasing additional paid spots on these same cable systems

cont.../



for the State Fire Marshal's two PSA's in order to help facilitate that state agency's public education efforts. Concurrently, these cable systems will be running the 8-minute safety video on their local access or government channels with "bill stuffers" promoting the safety video's air dates.

Currently there are over 26 cable systems throughout the State of California that will be carrying these public service announcements reaching over 200 California cities, over 1.7 million homes, with a potential of 4.6 million viewers. These PSA's will be seen on CNN, MTV, ESPN, TNT, Nickelodeon, the Discovery Channel, USA, Headline News, Lifetime, and VH-1. The PSA's will begin running June 25th and continue through the 5th of July. Their air time will be between 6:00 am and 12 midnight.

"Celebrate Safely", the 8 minute safety video, will run on local origination or government channels in over 240 cities reaching 1.8 million homes with a potential viewership of 4.9 million people.

The two companies along with the non-profit organizations will also be distributing VHS copies of the 8-minute safety video to schools in "open" communities for use in classroom discussions and school safety seminars. They will also be posting the "Put Safety First" safety signs in communities that permit such signage along with facilitating distribution of copies of the State Fire Marshal's yellow violation cards.

The estimated cost of this joint effort of American West Marketing, Freedom Fireworks and the non-profit organizations is in excess of \$3/4 million.

# CELEBRATE SAFELY

*Hosted by Maureen Reagan*



**T**his 4th of July, as in years past, Americans will celebrate the Declaration of Independence and our nation's birthday with parades down Main Streets, community picnics, public fireworks displays and backyard family celebrations with state-approved fireworks. "Celebrate Safely" is part of a statewide consumer awareness and educational campaign designed to encourage parents and their children to be safe and responsible when they celebrate this 4th of July.

*Please, check your cable program guide, bulletin board channel or "Prevue Guide" channel for the date and time "Celebrate Safely" will air on your local cable system.*

## **"Celebrate Safely"**

is a co-production of American West Marketing Company, Inc., Freedom Fireworks, Inc. and over 2,300 local civic organizations and charities throughout California.

**Length:**  
Approximately 8 minutes



## TALK TO YOUR CHILDREN ABOUT ILLEGAL FIREWORKS BEFORE WE HAVE TO

**WHY?** EVERY YEAR DANGEROUS AND ILLEGAL ITEMS SUCH AS CHERRY BOMBS, M-80'S AND FIRECRACKERS CAUSE NUMEROUS INJURIES TO BOTH ADULTS AND CHILDREN AND ILLEGAL BOTTLE ROCKETS CAUSE THOUSANDS OF DOLLARS IN PROPERTY DAMAGE.

PARENTS MAY BE HELD LIABLE FOR ANY DAMAGES OR INJURIES CAUSED BY THEIR CHILDREN'S USE OF ILLEGAL FIREWORKS.

POSSESSION AND/OR USE OF ILLEGAL FIREWORKS IS A MISDEMEANOR PUNISHABLE BY A FINE OF NOT LESS THAN \$500 NOR MORE THAN \$1,000 OR BY IMPRISONMENT IN THE COUNTY JAIL FOR UP TO ONE YEAR OR BOTH.

POSSESSION OF ILLEGAL FIREWORKS THAT COLLECTIVELY CONTAIN IN EXCESS OF 7,500 GRAINS OF POWDER (APPROXIMATELY 1 POUND) IS A FELONY PUNISHABLE BY IMPRISONMENT IN (1) A STATE PRISON; OR (2) A COUNTY JAIL FOR UP TO ONE YEAR; AND/OR A FINE NOT TO EXCEED \$5,000.

**HOW?** WE HAVE PREPARED A LIST OF FOUR SUGGESTED GUIDELINES FOR COMMUNICATING WITH YOUR CHILDREN ABOUT ILLEGAL FIREWORKS.

**SET AN EXAMPLE** THE MOST IMPORTANT THING PARENTS CAN DO FOR THEIR CHILDREN IS TO SET A GOOD EXAMPLE.

IF YOU USE ILLEGAL FIREWORKS AND MAKE IT A NORMAL PART OF YOUR FOURTH OF JULY CELEBRATION, DON'T BE SURPRISED WHEN YOUR CHILDREN MIMIC YOUR BEHAVIOR.

**BE FACTUAL** IT IS IMPORTANT TO ADDRESS THE ISSUE OF ILLEGAL FIREWORKS AT A YOUNG AGE. IF YOUR CHILD ASKS A QUESTION ABOUT ILLEGAL FIREWORKS, BE PREPARED TO RESPOND SIMPLY AND FACTUALLY AND TO LAY THE GROUNDWORK FOR A DIALOGUE LATER ON. REMEMBER ILLEGAL FIREWORKS ARE A YEAR-ROUND PROBLEM NOT JUST ONE THAT OCCURS AROUND THE FOURTH OF JULY.

IN DISCUSSING ILLEGAL FIREWORKS WITH CHILDREN, IT IS ALWAYS BEST TO STRESS THE IMMEDIATE CONSEQUENCES OR IMPACTS ON THEMSELVES AND THE PEOPLE AROUND THEM. USE THIS GUIDE TO HELP THEM IDENTIFY ILLEGAL FIREWORKS AND HOW TO REPORT THEIR USE TO YOUR LOCAL FIRE OR POLICE DEPARTMENT.

**OUTSIDE PEER PRESSURE** TO CHILDREN, PEER PRESSURE IS MORE IMPORTANT THAN ANY OTHER INFLUENCE OUTSIDE THE FAMILY IN EFFECTING THE USE OF ALCOHOL, DRUGS OR ENGAGING IN OTHER DANGEROUS ACTIVITIES SUCH AS THE USE OF ILLEGAL FIREWORKS.

PARENTS CAN ENCOURAGE CHILDREN TO THINK FOR THEMSELVES... TO BE SELF-RELIANT AND INDEPENDENT... TO RECOGNIZE THE TIMES WHEN THEY SHOULD DO WHAT THEIR FRIENDS DO AND THE TIMES WHEN THEY SHOULD STAND ALONE AND DO WHAT THEY THINK IS RIGHT.

### SEEK PROFESSIONAL ADVICE IF YOU NEED IT

IF YOUR CHILD IS ENGAGING IN ACTIVITIES TO WHICH YOU ARE OPPOSED AND CAN'T SEEM TO CONTROL, THE BEST THING TO DO IS SEEK PROFESSIONAL ADVICE IMMEDIATELY.

YOUR LOCAL FIRE DEPARTMENT, POLICE DEPARTMENT OR BURN CENTER IS AN EXCELLENT SOURCE OF HELP. MANY COMMUNITIES HAVE PUBLIC FIREWORKS SAFETY COMMITTEES WHICH HAVE ESTABLISHED LOCAL COMMUNITY SAFETY AND EDUCATION PROGRAMS FOR CHILDREN AND THEIR PARENTS.

"A PUBLIC SAFETY MESSAGE FROM THE CALIFORNIA STATE FIRE MARSHAL."

# NO! — BUT IT CAN HAPPEN TO YOU

EVERY YEAR HUNDREDS OF CALIFORNIANS SEE THEIR DREAMS GO UP IN SMOKE AS A RESULT OF ILLEGAL BOTTLE ROCKETS OR THEIR CHILDREN SERIOUSLY INJURED AS A RESULT OF FIRECRACKERS, M-80'S AND OTHER ILLEGAL FIREWORKS.

THE USE OF BOTTLE ROCKETS AND OTHER ILLEGAL FIREWORKS THAT RISE INTO THE AIR POSE A SERIOUS THREAT TO YOUR COMMUNITY GIVEN THE HIGH PERCENTAGE OF WOODEN ROOFS AND DRY GRASSLANDS THROUGHOUT THE STATE. AT LEAST 87% OF ALL FIRE LOSSES IN CALIFORNIA CAUSED BY FIREWORKS ARE THE RESULT OF THESE TYPES OF ILLEGAL ITEMS.

## ILLEGAL FIREWORKS CAN:

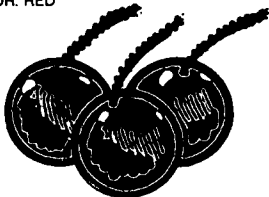
- ★ EXPLODE
- ★ CAUSE SERIOUS BURN AND INJURY
- ★ CONTAIN POISONOUS CHEMICALS
- ★ DISCHARGE BALLS OF FIRE
- ★ BURN AND MELT
- ★ DAMAGE PROPERTY OF OTHERS
- ★ ARE UNRELIABLE AND DANGEROUS

A RECENT SPECIAL STUDY CONDUCTED FOR THE UNITED STATES CONSUMER PRODUCTS SAFETY COMMISSION (CPSC) SHOWED THAT ILLEGAL FIREWORKS SUCH AS FIRECRACKERS, BOTTLE ROCKETS AND M-80'S ACCOUNT FOR THE OVERWHELMING NUMBER OF REPORTED FIREWORKS INJURIES.

# WHAT SHOULD YOU LOOK OUT FOR?

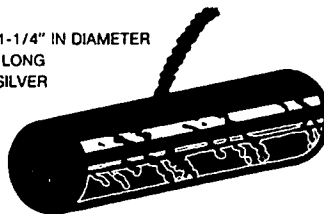
## CHERRY BOMBS

APPROX. 7/8" IN DIAMETER  
COLOR: RED



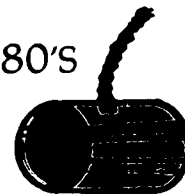
## SILVER SALUTES

3/4" TO 1-1/4" IN DIAMETER  
2" TO 3" LONG  
COLOR: SILVER



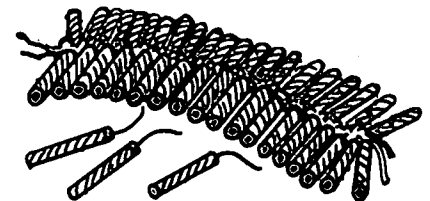
## M-80'S

5/8" IN DIAMETER  
1-1/2" LONG  
COLOR: USUALLY RED,  
YELLOW OR TAN



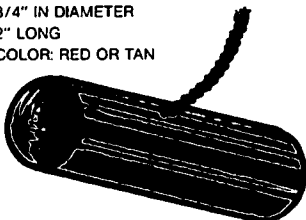
## FIRECRACKERS

1/4" IN DIAMETER  
1-1/2" LONG  
COLOR: VARIED, OFTEN RED, RED & WHITE OR BLUE & WHITE



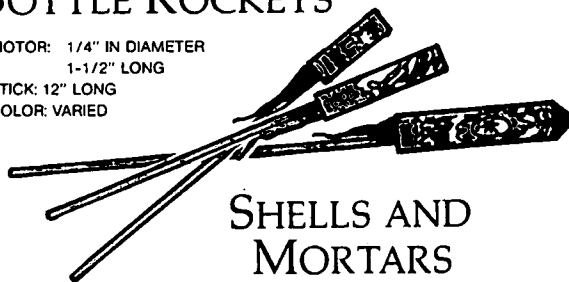
## M-100'S

3/4" IN DIAMETER  
2" LONG  
COLOR: RED OR TAN



## BOTTLE ROCKETS

MOTOR: 1/4" IN DIAMETER  
1-1/2" LONG  
STICK: 12" LONG  
COLOR: VARIED



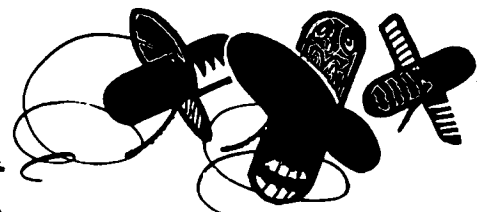
## SHELLS AND MORTARS



SHELL SIZES: TYPICALLY 1-1/2" TO 2" IN DIAMETER.  
IT SHOULD BE NOTED THAT SHELLS MAY  
BE MUCH LARGER THAN THESE "CLASS C" ITEMS.  
COLOR: OFTEN RED OR TAN  
CONSTRUCTION: PAPER OR PLASTIC

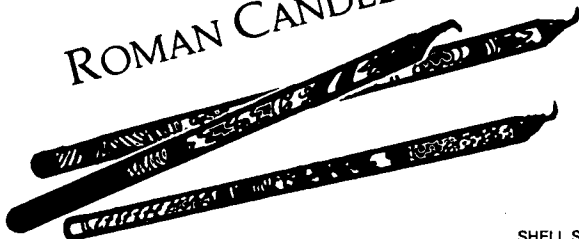
## HELICOPTERS

1" TO 1-1/2" IN DIAMETER  
2" TO 5" LONG  
COLOR: VARIED  
CONSTRUCTION: PAPER OR PLASTIC



## ROMAN CANDLES

3/4" TO 7/8" IN DIAMETER  
16" TO 18" LONG  
COLOR: VARIED



Sizes and colors are typical. This is not intended to mean that all devices will fall within these sizes and colors.

# PARENTS REMEMBER:

LOS PADRES NO OLVIDEN:



**USE ONLY STATE FIRE MARSHAL APPROVED FIREWORKS  
PURCHASED FROM AUTHORIZED BOOTHS.**

**USAR SOLAMENTE LOS FUEGOS ARTIFICIALES APROBADOS POR EL  
JEFE DEL CUERPO DE BOMBEROS DEL ESTADO.  
ADQUIRIDOS EN LOS PUESTOS AUTORIZADOS.**

MAKE THE 4TH OF JULY A FAMILY CELEBRATION BY SUPERVISING YOUR CHILDREN'S USE OF STATE-APPROVED FIREWORKS. YOU MAY BE HELD LIABLE FOR ANY DAMAGES OR INJURIES CAUSED BY YOUR CHILDREN'S MISUSE OF FIREWORKS.

*HAGA QUE EL 4 DE JULIO SEA UNA FIESTA PARA SU FAMILIA SUPERVISANDO COMO SUS HIJOS USAN LOS FUEGOS ARTIFICIALES APROBADOS. LOS PADRES ASUMIRÁN TODA RESPONSABILIDAD POR DAÑOS O LESIONES SUFRIDAS POR EL MAL USO QUE SUS HIJOS HAGAN DE LOS FUEGOS ARTIFICIALES.*

**DON'T USE ILLEGAL FIREWORKS! TO REPORT THE SALE OR USE OF ILLEGAL FIREWORKS, CALL YOUR LOCAL FIRE DEPARTMENT.**

**NO USE FUEGOS ARTIFICIALES ILEGALES! PARA INFORMAR LA VENTA O EL USO DE FUEGOS ARTIFICIALES ILEGALES, COMUNIQUESE CON EL DEPARTAMENTO DE BOMBEROS LOCAL.**

CALIFORNIA STATE LAW PROVIDES THAT STATE-APPROVED FIREWORKS MAY BE PURCHASED ONLY FROM A STATE FIRE MARSHAL LICENSED RETAIL STAND AND THAT A PURCHASE MAY NOT TAKE PLACE EARLIER THAN NOON ON JUNE 28 NOR LATER THAN NOON ON JULY 6.

*LA LEY DEL ESTADO DE CALIFORNIA ESPECIFICA QUE LOS FUEGOS ARTIFICIALES APROBADOS POR EL ESTADO PUEDEN COMPRARSE SÓLO EN UN PUESTO MINORISTA AUTORIZADO POR EL JEFE DEL CUERPO DE BOMBEROS DEL ESTADO Y, QUE NO PUEDEN ADQUIRIRSE ANTES DEL MEDIODÍA DEL 28 DE JUNIO NI DESPUÉS DEL MEDIODÍA DEL 6 DE JULIO.*

EVERY YEAR DANGEROUS AND ILLEGAL ITEMS SUCH AS CHERRY BOMBS, M-80'S AND FIRECRACKERS CAUSE NUMEROUS INJURIES TO BOTH ADULTS AND CHILDREN AND ILLEGAL BOTTLE ROCKETS CAUSE THOUSANDS OF DOLLARS IN PROPERTY DAMAGE.

*TODOS LOS AÑOS ARTÍCULOS PELIGROSOS E ILEGALES, COMO BOMBAS TIPO CEREZA, M-80 Y FUEGOS ARTIFICIALES EN GENERAL, OCASIONAN GRAN CANTIDAD DE LESIONES EN ADULTOS Y NIÑOS. ADEMÁS, LOS COHETES EN BOTELLA CAUSAN MILES DE DÓLARES EN DAÑOS A LAS PROPIEDADES.*



ALWAYS LOOK FOR THE STATE FIRE MARSHAL SEAL ON THE FIREWORKS OR THE BOX THAT IT CAME IN TO BE SURE THAT IT IS STATE-APPROVED. IF YOU HAVE DOUBTS ABOUT THE ITEM, CONTACT YOUR LOCAL FIRE DEPARTMENT.

*SIEMPRE VERIFIQUE QUE LOS FUEGOS ARTIFICIALES QUE ADQUIERE TENGAN EL SELLO DEL JEFE DEL CUERPO DE BOMBEROS DEL ESTADO, EN CADA UNO DE ELLOS O EN SUS CAJAS, PARA ASEGURARSE DE QUE ESTÁ APROBADOS POR EL ESTADO. SI USTED TIENE DUDAS CON ALGÚN ARTÍCULO, SIRVASE COMUNICARSE CON EL DEPARTAMENTO DE BOMBEROS LOCAL.*

SOME COMMUNITIES DO NOT PERMIT THE SALE AND/OR USE OF STATE-APPROVED FIREWORKS WITHIN THEIR JURISDICTION OR MAY HAVE OTHER RESTRICTIONS ON WHERE AND HOW STATE-APPROVED FIREWORKS MAY BE USED. IF YOU HAVE ANY DOUBTS, CHECK WITH YOUR LOCAL POLICE OR FIRE DEPARTMENT.

*ALGUNAS COMUNIDADES NO PERMITEN LA VENTA Y/O USO DE FUEGOS ARTIFICIALES APROBADOS POR EL ESTADO DENTRO DE SU JURISDICCIÓN O TIENEN OTRAS RESTRICCIONES SOBRE DONDE Y COMO USAR LOS FUEGOS ARTIFICIALES APROBADOS. SI USTED TIENE ALGUNA DUDA, COMUNIQUESE CON EL DEPARTAMENTO DE BOMBEROS O DE POLICIA LOCAL.*

**MAKE SURE THAT YOU AND YOUR CHILDREN CELEBRATE  
THE 4TH OF JULY SAFELY BY FOLLOWING  
ALL OF THE SAFETY TIPS.**

*ASEGÚRESE DE CELEBRAR UN 4 DE JULIO FELIZ  
Y SIN PELIGROS JUNTO A SUS HIJOS, SIGUIENDO TODAS  
NUESTRAS SEGURAS SUGERENCIAS.*



A PUBLIC SAFETY MESSAGE FROM AMERICAN WEST  
MARKETING, INC. AND FREEDOM FIREWORKS, INC.

ESTE ES UN MENSAJE PÚBLICO. PARA SU SEGURIDAD, DE AMERICAN WEST MARKETING, INC.  
Y FREEDOM FIREWORKS, INC.



THIS YEAR PLEASE

ESTE AÑO CELEBRE

EN FORMA SEGURA,

**WITH STATE-APPROVED FIREWORKS**

CON FUEGOS ARTIFICIALES APROBADOS POR EL ESTADO

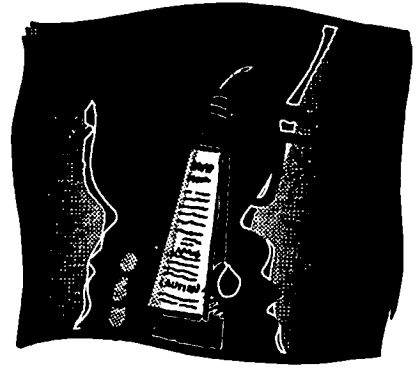
# CELEBRATE SAFELY AND RESPONSIBLY WITH STATE-APPROVED FIREWORKS THIS 4TH OF JULY!



¡ EL 4 DE JULIO FESTEJE EN FORMA SEGURA Y RESPONSABLE CON FUEGOS ARTIFICIALES APROBADOS POR EL ESTADO!

OBSERVE LOCAL LAWS, USE GOOD COMMON SENSE AND ALWAYS READ AND FOLLOW THE DIRECTIONS ON EACH FIREWORK.

OBSERVE LAS LEYES LOCALES, USE EL SENTIDO COMÚN Y SIEMPRE LEA Y SIGA LAS INSTRUCCIONES QUE CADA FUEGO ARTIFICIAL INCLUYE.

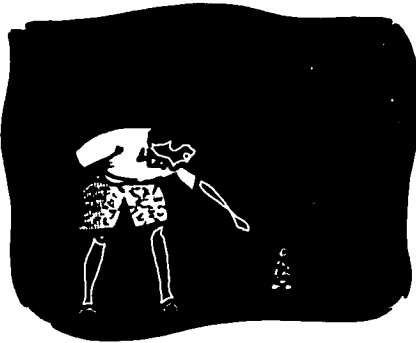


USE ONLY STATE FIRE MARSHALL APPROVED FIREWORKS.

USE SOLAMENTE FUEGOS ARTIFICIALES APROBADOS POR EL "STATE FIRE MARSHAL" JEFE DEL CUERPO DE BOMBEROS DEL ESTADO.

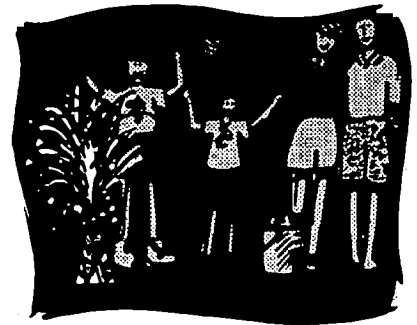


HAVE AN ADULT PRESENT.  
ES NECESARIA LA PRESENCIA DE UN ADULTO.



ONLY USE FIREWORKS OUTDOORS, AWAY FROM HOMES, DRY GRASS OR TREES.

USE LOS FUEGOS ARTIFICIALES AL AIRE LIBRE, ALÉJESE DE LAS CASAS, DEL CÉSPED SECO Y DE LOS ÁRBOLES



PUT USED FIREWORKS IN A BUCKET OF WATER AND HAVE A HOSE READY.

COLOQUE LOS FUEGOS ARTIFICIALES USADOS EN UN CUBO DE AGUA Y TENGA A MANO UNA MANGUERA.



LIGHT ONLY ONE ITEM AT A TIME AND KEEP A SAFE DISTANCE.

ENCIENDA UN FUEGO ARTIFICIAL POR VEZ Y MANTENGASE A DISTANCIA SEGURA.



NEVER POINT OR THROW FIREWORKS AT ANOTHER PERSON.

NUNCA APUNTE O ARROJE LOS FUEGOS ARTIFICIALES A OTRA PERSONA.



## ADDITIONAL REMINDERS:

SUGERENCIAS ADICIONALES:

NEVER ATTEMPT TO RE-LIGHT OR FIX A "DUD."

NUNCA INTENTE VOLVER A ENCENDER O COMPONER UN FUEGO ARTIFICIAL QUE NO FUNCIONÓ.

NEVER CARRY FIREWORKS IN YOUR POCKET.

NUNCA LLEVE FUEGOS ARTIFICIALES EN LOS BOLSILLOS.

ALWAYS STORE FIREWORKS IN A COOL, DRY PLACE.

SIEMPRE MANTENGA LOS FUEGOS ARTIFICIALES EN UN LUGAR FRESCO Y SECO.



## HABLE CON SUS HIJOS ACERCA DE LOS FUEGOS ARTIFICIALES ILEGALES ANTES QUE NOSOTROS TENAMOS QUE HACERLO

**¿POR QUÉ?** TODOS LOS AÑOS ARTÍCULOS PELIGROSOS E ILEGALES COMO LAS BOMBAS ROJAS DE PETARDO, LOS TRONADORES Y LAS CARRILLERAS DE PETARDOS CAUSAN MÚLTIPLES LESIONES TANTO A ADULTOS COMO NIÑOS Y LAS BARRAS TRONADORAS Y CHIFLADORAS ILEGALES CAUSAN MILES DE DÓLARES EN DAÑOS A LA PROPIEDAD.

LOS PADRES PUEDEN SER RESPONSABLES POR LOS DAÑOS O LESIONES OCASIONADOS POR EL USO ILEGAL DE FUEGOS ARTIFICIALES POR PARTE DE SUS HIJOS.

LA POSESIÓN Y/O EL USO ILEGAL DE FUEGOS ARTIFICIALES ES UN DELITO MENOR, PENABLE CON UNA MULTA DE NO MENOS DE \$500 O MÁS DE \$1,000, O RECLUSIÓN EN LA CÁRCEL DEL CONDADO POR HASTA UN AÑO, O AMBAS PENAS.

LA POSESIÓN DE FUEGOS ARTIFICIALES ILEGALES QUE EN CONJUNTO CONTENGAN MÁS DE 7,500 GRANOS DE PÉLVORA (APROXIMADAMENTE 1 LIBRA) ES UNA FELONÍA PUNIBLE CON ENCARCELAMIENTO EN: (1) UNA PRISIÓN ESTATAL; O (2) UNA CÁRCEL DEL CONDADO POR UN PERÍODO DE HASTA UN AÑO; Y/O UNA MULTA NO SUPERIOR A \$5,000.

**¿COMO?** HEMOS PREPARADO UNA LISTA DE CUATRO GUÍAS QUE LE PERMITIRÁN COMUNICARSE MEJOR CON SUS HIJOS EN RELACION CON LOS FUEGOS ARTIFICIALES ILEGALES.

**De El Ejemplo** TAL VEZ LO MÁS IMPORTANTE QUE LOS PADRES PUEDEN HACER POR SUS HIJOS, DESDE PEQUEÑOS, ES DARLES UN BUEN EJEMPLO.

SI USTED UTILIZA FUEGOS ARTIFICIALES ILEGALES Y LOS HACE UNA PARTE NORMAL DE SU CELEBRACIÓN DEL CUARTO DE JULIO, NO SE SORPRENDA DE QUE SUS HIJOS LO IMITEN.

**Vaya a Los Hechos** ES IMPORTANTE ENFOCAR EL TEMA DE LOS FUEGOS ARTIFICIALES ILEGALES EN UNA ETAPA TEMPRANA DE LAS VIDAS DE SUS HIJOS. SI SU HIJO LE PREGUNTA SOBRE LOS FUEGOS ARTIFICIALES, RESPÓNDALE SIMPLE Y CONCRETAMENTE DEJANDO ABIERTO EL DIÁLOGO PARA MÁS ADELANTE. RECUERDE QUE EL PROBLEMA DE LOS FUEGOS ARTIFICIALES ILEGALES EXISTE DURANTE TODO EL AÑO Y NO SÓLO DURANTE LA CELEBRACIÓN DEL CUARTO DE JULIO.

AL DISCUTIR LOS FUEGOS ARTIFICIALES CON LOS NIÑOS, ES SIEMPRE MEJOR HACER ÉNFASIS EN LAS CONSECUENCIAS INMEDIATAS O IMPACTOS EN ELLOS Y EN LAS GENTES QUE LOS RODEAN. USE ESTA GUÍA PARA AYUDARLES A IDENTIFICAR LOS FUEGOS ARTIFICIALES ILEGALES Y CÓMO INFORMAR DE SU USO AL DEPARTAMENTO LOCAL DE INCENDIOS O DE POLICÍA.

**Presiones Exteriores** PARA LOS NIÑOS LA PRESIÓN DEL MEDIO, DE HECHO, ES MÁS IMPORTANTE QUE CUALQUIERA OTRA INFLUENCIA FUERA DE LA FAMILIA. ÉSTA HACE QUE LOS JÓVENES Y NIÑOS INGIERAN ALCOHOL, USEN DROGAS O SE INVOLUCREN EN OTRAS PELIGROSAS ACTIVIDADES, TALES COMO EL USO DE FUEGOS ARTIFICIALES ILEGALES.

LOS PADRES PUEDEN ALENTAR A SUS HIJOS A PENSAR POR SÍ MISMOS... TENER CONFIANZA EN ELLOS MISMOS Y SER INDEPENDIENTES... Y RECONOCER LOS MOMENTOS EN QUE DEBEN HACER LO QUE HACEN SUS AMIGOS Y LOS MOMENTOS EN QUE DEBEN ACTUAR POR SÍ SOLOS Y HACER LO QUE CREEN QUE ES CORRECTO.

**Busque Ayuda Profesional Si La Necesita** SI SUS HIJOS SE VEN INMERSOS EN ACTIVIDADES A LAS QUE USTED SE OPONE Y APARENTEMENTE NO PUEDE CONTROLAR, SU MEJOR ALTERNATIVA ES BUSCAR INMEDIATAMENTE AYUDA PROFESIONAL.

SU DEPARTAMENTO LOCAL DE PREVENCIÓN DE INCENDIOS, DE POLICÍA Y CENTRO DE QUEMADURAS SON UNA FUENTE EXCELENTE DE AYUDA. MUCHAS COMUNIDADES TIENEN COMITÉS DE SEGURIDAD DEL DEPARTAMENTO DE INCENDIOS, LOS CUALES HAN ESTABLECIDO PROGRAMAS LOCALES DE SEGURIDAD Y EDUCACIÓN EN LA COMUNIDAD PARA LOS JÓVENES Y SUS PADRES.

“UN MENSAJE DE SEGURIDAD PÚBLICA DEL ALGUACIL DEL DEPARTAMENTO ESTATAL DE BOMBEROS.”

# ¡NO! — PERO LE PUEDE SUCEDER A USTED

TODOS LOS AÑOS CIENTOS DE CALIFORNIANOS VEN SUS SUEÑOS DISIPARSE EN HUMO COMO RESULTADO DE BARRAS TRONADORAS Y CHIFLADORAS, O SUS HIJOS SERIAMENTE LESIONADOS COMO CONSECUENCIA DE CARRILLERAS DE PETARDOS, TRONADORES Y OTROS FUEGOS ARTIFICIALES ILEGALES.

EL USO DE BARRAS TRONADORAS Y CHIFLADORAS Y OTROS FUEGOS ARTIFICIALES ILEGALES QUE SE ELEVAN POR EL AIRE, OFRECEN UNA SERIA AMENAZA A SU COMUNIDAD DADO EL ALTO PORCENTAJE DE TECHOS DE MADERA Y PASTOS SECO QUE TIENE EL ESTADO. POR LO MENOS, EL 87% DE TODAS LAS PÉRDIDAS POR FUEGO, OCASIONADAS EN CALIFORNIA, SON EL RESULTADO DE ESTOS TIPOS DE FUEGOS ARTIFICIALES ILEGALES.

## LOS FUEGOS ARTIFICIALES ILEGALES PUEDEN:

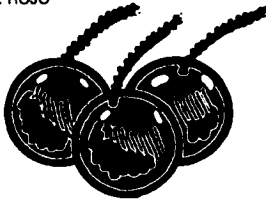
- ★ CAUSAR DAÑO;
- ★ CAUSAR SERIOS DOLORS Y LESIONES;
- ★ CAUSAR COMPLICOS PERJUDICIOS;
- ★ PRODUCIR BOLAS DE FUEGO;
- ★ ELEVARSE EN EL AIRE;
- ★ TENER AZAR Y OCAIONAR LA MUERTE POR EL SUFICIO;
- ★ SON INCONTROLABLES Y PERJUDICOS.

UNA RECIENTE ESTADÍSTICA NACIONAL DE LESIONES CONDUCTIDA POR LA COMISIÓN DE SEGURIDAD DE PRODUCTOS DEL CONSUMIDOR DE LOS ESTADOS UNIDOS (CPSC) MUESTRA QUE LOS FUEGOS ARTIFICIALES ILEGALES, BARRAS TRONADORAS Y CHIFLADORAS, TRONADORES Y OTROS FUEGOS ARTIFICIALES ILEGALES SON RESPONSABLES DE UNA CANTIDAD ABRUMADORA DE LESIONES INFORMADAS POR QUEMADURAS.

## ¿QUE DEBE USTED BUSCAR?

### BOMBAS ROJAS DE PETARDO

DIAMETRO: 7/8" APROX.  
COLOR: ROJO



### SALVA PLATEADA

DIAMETRO: 3/4" A 1-1/4"  
LONGITUD: 2" A 3"  
COLOR: PLATEADO



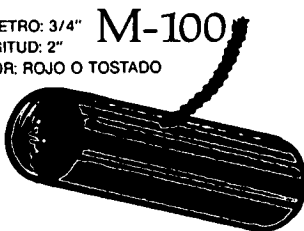
### TRONADORES M-80

DIAMETRO: 5/8"  
LONGITUD: 1-1/2"  
COLOR: GENERALMENTE ROJO, AMARILLO O TOSTADO



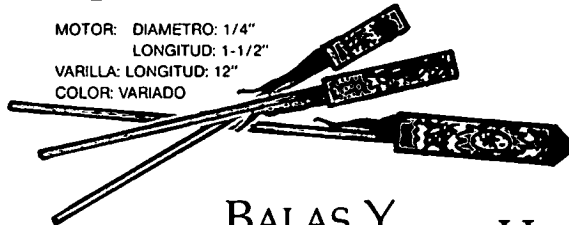
### TRONADORES M-100

DIAMETRO: 3/4"  
LONGITUD: 2"  
COLOR: ROJO O TOSTADO



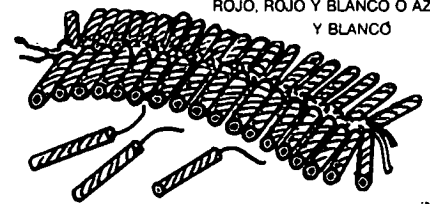
### BARRAS TRONADORAS Y CHIFLADORAS

MOTOR: DIAMETRO: 1/4"  
LONGITUD: 1-1/2"  
VARILLA: LONGITUD: 12"  
COLOR: VARIADO



### CARRILLERA DE PETARDOS

DIAMETRO: 1/4"  
LONGITUD: 1-1/2"  
COLOR: VARIADO: GENERALMENTE ROJO, ROJO Y BLANCO O AZUL Y BLANCO

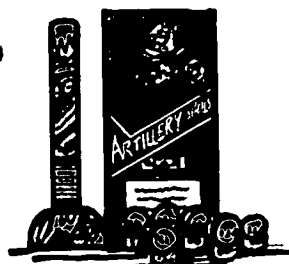


### ESCUPIDORES DE 5, 8 Y 10 TIROS

DIAMETRO: 3/4" A 7/8"  
LONGITUD: 16" A 18"  
COLOR: VARIADO



### BALAS Y MORTEROS



TAMAÑO DE LAS BALAS: DIAMETRO TIPO: 1-1/2" A 2". DEBE HACERSE NOTAR QUE LAS BALAS PUEDEN SER MUCHO MAS GRANDES QUE ESTOS ARTICULOS "CLASS C".  
COLOR: GENERALMENTE ROJAS O TOSTADAS MATERIAL: PAPEL O PLASTICO

### HELICOPTEROS



DIAMETRO: 1" A 1-1/2"  
LONGITUD: 2" A 5"  
COLOR: VARIADOS  
MATERIAL: PAPEL O PLASTICO

Los tamaños y colores son típicos. Se advierte que no todos los artículos son del color y tamaño indicados.





## HEALTH AND SAFETY CODE FIREWORKS

### DANGEROUS FIREWORKS – ILLEGAL

12505 defines materials, and substances and devices which constitute dangerous fireworks.

### FIREWORKS KITS – ILLEGAL

12512 defines the assembly of materials and substances which are provided in kit form to make fireworks.

### SAFE AND SANE FIREWORKS – LEGAL WHERE PERMITTED

12529 defines Safe and Sane fireworks. As a rule of thumb, they are those devices that do not explode, dart or travel.

### EXCEPTIONS

12540 lists the exceptions to the law including explosives regulated under 12000 Health and Safety Code, small arms ammunition and hand guns, destructive devices and weapons specified in Section 12020 or 12301 of the Penal Code.

### LICENSES AND PERMITS

12599 limits the retail sale of Safe and Sane fireworks to the period of 12 noon on the 28th of June through 12 noon on the 6th of July.

12602 – licenses are not required for retail sale, use or discharge of agricultural and wildlife fireworks, model rocket engines or emergency devices.

### PENALTIES

12700 – Any person who violates any provision of the State Fireworks Law or Regulations is guilty of a misdemeanor punishable by a fine of not less than \$500 nor more than \$1000 or by imprisonment in the county jail for up to one year, or both.

12701 – A separate offense is chargeable for each day during which a violation is committed.

12702(a) – Mandatory sentence for second conviction of selling, giving or delivering Dangerous fireworks to any person under 18 years of age.

12702(b) – A violation involving Dangerous fireworks – when the combined quantity of explosive material equals 7,500 grains (1 pound) or more – is a FELONY punishable by imprisonment in: (1) a state prison; or (2) a county jail for up to one year; and/or a fine not to exceed \$5000.

### PENAL CODE

452 – Unlawfully causing a fire by recklessly setting fire to burn, or cause to be burned, any structure, forest, land or property.

**IF AN ITEM DOES NOT BEAR THIS SEAL, IT IS ILLEGAL!**



← TYPE OF FIREWORKS  
GOES HERE

← CSFM REGISTRATION #  
GOES HERE

George Deukmejian  
Governor

**HEALTH AND SAFETY CODE, CHAPTER 7  
(VIOLATIONS) -- FIREWORKS**

- 12670 – Advertise the sale of fireworks without a license.
- 12671 – Sell, offer for sale, possess, store, discharge, use or transport fireworks not registered by the CSFM.
- 12672 – Sell Safe and Sane fireworks other than from noon June 28 - noon July 6.
- 12673 – Store fireworks without a permit.
- 12674 – Store or possess fireworks for which a license is required after license revoked.
- 12675 – Failure to record on bill of lading, manifest or invoice required fireworks license numbers.
- 12676 – Sell, transfer, give or otherwise convey title of Dangerous fireworks unless receiver has valid permit.
- 12677 – Possess Dangerous fireworks without a permit.
- 12678 – Use Agricultural and Wildlife fireworks without a permit.
- 12679 – Sell, use or store fireworks within 100 feet of where gasoline or other flammable liquids are stored or dispensed.
- 12680 – Place, throw, ignite or discharge dangerous fireworks at a person or crowd where injury can occur.
- 12681 – Sell or transfer Safe and Sane fireworks at other than fixed place of business.
- 12682 – Allow or permit fire nuisance where fireworks sold, manufactured, assembled, packaged, discharged, stored or distributed.
- 12683 – Sell, use or discharge an unregistered emergency signal device.
- 12684 – Use emergency signal device for other than intended purposes.
- 12685 – Conduct public fireworks display without a permit.
- 12686 – Use Special Effects fireworks without a pyrotechnic license.
- 12687 – Sell, give, transfer or deliver Special Effects fireworks without a pyrotechnic license.
- 12688 – Advertise to sell, or transfer any class of fireworks without a license or permit. (Dangerous, Safe & Sane, Agricultural, Wildlife, Model-rocket engines).
- 12689a- Sell, give or deliver Dangerous fireworks to anyone under 18 years of age.
- 12689b- Sell, give or deliver Safe & Sane fireworks to anyone under 16 years of age.
- 12690 – Perform or act with an expired fireworks license or permit.
- 12691 – Violate provisions of regulations adopted by the California State Fire Marshal.

**NOTE:** The provisions of Chapter 7 (violations) shall not prohibit operations or functions of a licensed pyrotechnic operator's special effects, when such operations or functions are a necessary part of a production, and are performed pursuant to a valid permit issued by the authority having jurisdiction (Section 12692).

VERSION 1

ACCOUNT: CALIFORNIA STATE FIRE MARSHAL  
TITLE: ILLEGAL FIREWORKS VER. 2  
LENGTH: :30  
AIRDATE: FOR RELEASE JUNE 15, 1991  
STOP DATE: JULY 15, 1991



This Fourth of July will be a time to celebrate the precious freedom we all enjoy as Americans.

It's a day to honor those who protect that freedom around the world,

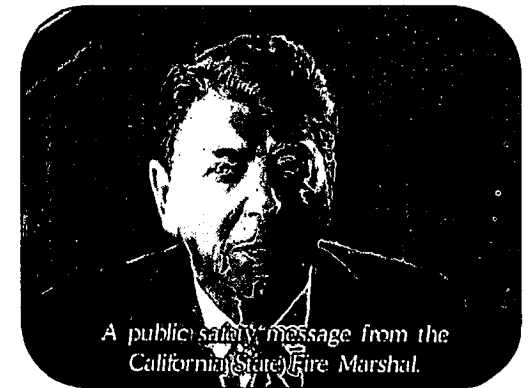


as well as those who protect us here at home...

*The Fourth of July is the busiest day of the year for your fire department.*

like the brave men and women of our fire services.

*At least 87% of all fire losses in California caused by fireworks are the result of illegal fireworks such as bottle rockets and firecrackers.*



*A public safety message from the California State Fire Marshal.*

This Fourth of July, celebrate our freedom with enthusiasm... and please celebrate it safely.

VERSION 2

ACCOUNT: CALIFORNIA STATE FIRE MARSHAL  
TITLE: ILLEGAL FIREWORKS VER. 2  
LENGTH: :30  
AIRDATE: FOR RELEASE JUNE 15, 1991  
STOP DATE: JULY 15, 1991



This Fourth of July will be a time to celebrate the precious freedom we all enjoy as Americans.

It's a day to honor those who protect that freedom around the world,

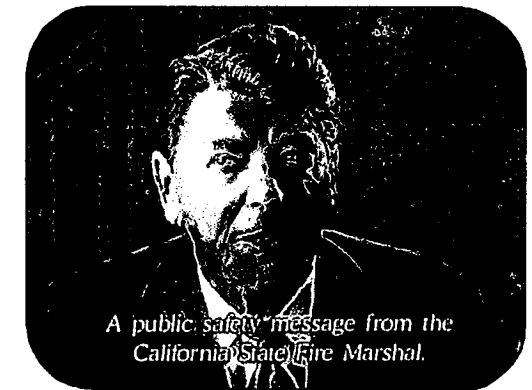


as well as those who protect us here at home...

*The Fourth of July is the busiest day of the year for your fire department.*

like the brave men and women of our fire services.

*Last July, in Los Angeles County alone, more than 30 homes were burned or destroyed by bottle rockets or other illegal fireworks.*



*A public safety message from the California State Fire Marshal.*

This Fourth of July, celebrate our freedom with enthusiasm... and please celebrate it safely.

ACCOUNT: AMERICAN WEST MARKETING, INC.  
AND FREEDOM FIREWORKS, INC.

TITLE: STATE-APPROVED FIREWORKS

LENGTH: :30

AGENCY: REVELL COMMUNICATIONS

AIRDATE: FOR RELEASE JUNE 25, 1991

STOP DATE: JULY 5, 1991



It's nice to share with our  
family



the holiday traditions we love  
and remember...



like fireworks on the Fourth of  
July. But it's important to set a  
good example by celebrating  
safely and responsibly...



- Buy only state-approved fireworks.
- Always read instructions.
- Keep close adult supervision.
- Have a hose and bucket of water handy.

Please, buy only state-approved fireworks...  
Always read instructions...  
Keep close adult supervision...  
And have a hose and bucket of water handy.

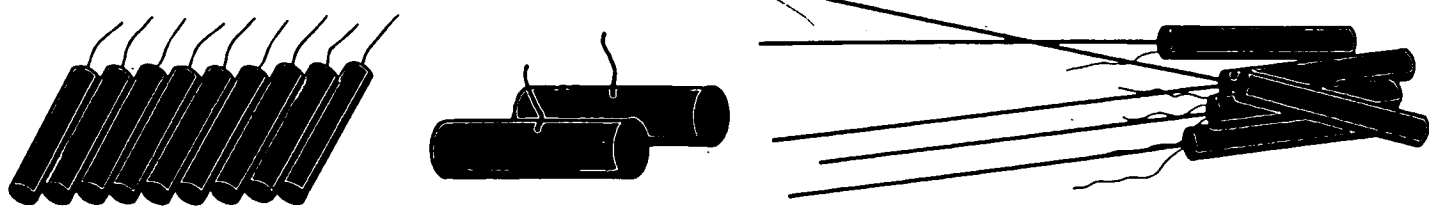


This Fourth of July, celebrate  
our freedom with enthusiasm...  
but please celebrate safely  
with state-approved fireworks.

# This 4<sup>th</sup> of July

# Put Safety 1<sup>st</sup>

**DON'T USE ILLEGAL FIREWORKS!**



Any item that explodes or leaves the ground can cause fires and injuries and is illegal and dangerous.



To report the sale or use of illegal fireworks, call your Fire Department or the WeTip Hotline 1-800-47-ARSON.

A public safety message from the California State Fire Marshal.

**Terry Anderson**  
**California State Board of Fire Services**  
**Wednesday, November 7, 1990 - Palm Desert, California**

Good morning ladies and gentlemen, my name is Terry Anderson, I am President of American West Marketing, Inc., the State's newest and largest wholesale distributor of Class-C, state-approved fireworks. With me this morning are Mr. Tom Peters, Vice President of Freedom Fireworks, Inc., and Mr. Dennis Revell, President of Revell Communications. I would like to thank Chairman McMullen, the members of the Board and your staff for this opportunity to speak to you regarding fireworks safety in California.

Based on reports filed by local fire departments with the State Fire Marshal's CFIRS program, the latest annual statistics show that state-approved fireworks are responsible for only 9.76% of the fireworks problems faced by California fire fighters. Unfortunately, while the CFIRS data does distinguish between fires attributed to illegal versus state-approved fireworks, it does not identify the actual device that is responsible for the damage.

In July of this year, we asked Revell Communications to issue written requests to over 1100 California Fire Chiefs for copies of their records on fireworks related fires and injuries for the last 5 - 1/2 years. We wanted to conduct an examination and determine what type of devices are causing the problems and in particular the 9.76% attributed to state-approved fireworks.

I am aware that some individuals within the fire prevention community might question our approach and our commitment to achieve a safer fireworks environment. My hope is that our safety and education efforts in our first two years in the California market and our continuing activities will demonstrate how committed we are to these goals.

While we have yet to gain complete cooperation in collection of the local fireworks related incident reports from fire officials throughout the State, and the data is incomplete, our discussions with fire prevention officials throughout the state have brought us to the conclusion that there is a widespread concern with the wire core sparkler. Based upon those discussions, and despite the large percentage of revenue that this item represents, I am here today to announce that both American West Marketing and Freedom Fireworks are voluntarily withdrawing the wire core sparkler from distribution throughout the State of California. Furthermore, I am formally announcing that we have requested the California State Fire Marshal's office to remove this item from the list of Class-C items permitted to be sold in California.

Both American West Marketing and Freedom Fireworks will continue to examine the fire and injury data that is currently being collected and look forward to working with the State Fire Marshal, the California Fire Chiefs Association, and other regional and statewide fire and safety organizations in a renewed effort to rid California of illegal fireworks, and the development of a statewide safety and education program that enjoys their input, constructive criticism and participation. I am confident that by working together, we can arrive at a safety and education program that will help ensure a safe and enjoyable annual celebration of our nation's independence.

Now, I would like to ask Mr. Revell to briefly explain some of our thoughts on this statewide safety and education effort.

**Testimony of Dennis C. Revell**  
**Before the State Board of Fire Services**  
**Wednesday, November 7, 1990 - Palm Desert, California**

Good morning Chairman McMullen ladies and gentlemen. In as brief a fashion as possible I would like to share with you what American West Marketing and Freedom Fireworks were able to accomplish by way of a statewide safety program this year, what they are continuing to do on a regional basis, and what they would like to assist in developing, implementing and funding on a statewide as well as local basis in 1991.

Over the years a number of individual fire departments, the State Fire Marshal, and elements within the fireworks distribution community have sponsored or participated in the production of public safety messages about illegal and/or state-approved fireworks. However, most of these efforts have not been distinguished by a great deal of cooperation and coordination between the fireworks industry and all of the various levels of the fire protection and prevention community.

In addition, tragic and catastrophic incidents involving the handling and disposal of illegal fireworks over the last several years have demonstrated that there is an increasing need to assist fire as well as law enforcement personnel in distinguishing between illegal fireworks and state-approved fireworks and, more importantly, on how these public service personnel should handle and dispose of these illegal fireworks after seizure in order to minimize the risk of injury to themselves and others.

On behalf of our clients and the approximately 2300 community organizations and charities who sell state-approved fireworks throughout California and raise thousands of dollars to benefit their local communities, I want to reassure your that we are committed to an all out effort to assist in every way possible to help meet the State's as well as each local community's public safety and education needs.

Consistent with this commitment, the two companies along with the community organizations initiated a massive fireworks safety and education program last year which included:

1. Distribution of over 2 million fireworks safety brochures to elementary, junior high and high school students throughout California;
2. Inserting a safety brochure into each and every assortment pack sold last season;
3. Distribution of another 1 million safety brochures through the 2300 non-profit organizations who handed them out to every one who purchased fireworks from their stands;
4. Reproduction and posting of several thousand of the State Fire Marshal's poster entitled "Put Safety First"; and
5. Development and placement of large fireworks safety ads in 28 community newspapers throughout California.

Since this last 4th of July, the companies have been working on a regional basis to establish a safer fireworks environment in 1991. An example of their efforts is our current discussions with the Fire Chiefs and Fire Marshals from the greater Sacramento area. As a result of these discussions the group has arrived at some preliminary approaches that are hopefully equitable, practical, and most importantly, effective. These include:

1. The formation of a Greater Sacramento Area Fireworks Safety Task Force;
2. A proposal that all relevant districts or jurisdictions amend their ordinances raising the age to purchase fireworks from 16 to 18 years of age;
3. A limitation on the number of permits issued per organization;

cont.../



4. A limitation on the hours of sales;
5. Stand operator safety seminars conducted by the companies in conjunction with representatives of the various relevant fire departments; and
6. An increase in license and inspection fees with the new revenue being deposited into a separate fund managed by the Fireworks Safety Task Force and specifically dedicated to fund education and enforcement activities throughout the jurisdiction of the Task Force.

In all of our regional discussions everyone is of the opinion, both fire official and industry representatives alike that, the most cost effective as well as impact effective program would be one that has a common theme throughout the State. Basically what we are talking about is a statewide safety and education program that for lack of a better term, utilizes what we have affectionately called "The Sandwich Approach".

What we are suggesting is a fireworks safety and education program with a variety of communication vehicles that provide for a universal component statewide that can be tailored to the needs of each local community. For example, with the television PSA we would develop a common central component of the video message with a lead in and lead out by a local fire or government official. Thus, the meat between the two slices of bread - - "The Sandwich Approach". As Mr. Anderson has already stated and as we attempted to do earlier this year in Palm Springs, we are actively seeking everyone's involvement because this program will be most effective if it enjoys the input, constructive criticism and active participation of as many elements within the fire prevention and protection community as possible.

Utilizing the Public Education Advisory Committee (PEAC) or some other appropriate entity, we would seek to:

1. Establish and refine the components and an implementation strategy for such a safety program;
2. Engage in joint development of text, graphics and layouts of all printed materials as well as script development of all video materials;
3. Distribute rough drafts of these materials and a "concept paper" on the program to the 1100 + Fire Chiefs throughout the state for their input, constructive criticism and contribution;
4. Examine methods to achieve cost effective expenditure of private as well as public resources and avoid duplication of efforts;
5. Achieve local as well as statewide media cooperation and support for this program; and
6. Establish a three-year tracking program to monitor the program's success.

This safety program must recognize that within the consumer community we have at least three primary audiences. We must reach and prepare different materials for each of these audiences. These audiences are:

1. Pre-teens;
2. Teens; and
3. Adults.

cont.../

With respect to these consumer audiences we suggest the program could include the following items:

1. Three separate safety brochures with different messages designed to reach all three consumer audiences;
2. Two different school assembly video programs, one designed for pre-teens and the other for the teen audience;
3. A video that can be shown as a stand-alone video or as part of a presentation before a community organization or service club;
4. Utility bill inserts;
5. Video as well as audio public service announcements (PSA's);
6. A packet to be used with "Neighborhood Watch" programs;
7. A statewide billboard program; and
8. A series of highly visible regional enforcement activities in the second, third and fourth week of June.

As stated earlier, the program should have as its second goal, assisting law enforcement, fire department and other public service personnel. Some of the components of this program could be:

1. An enhanced distribution of the yellow violation card or enforcement card as it has come to be called;
2. A pocket size reference guide showing the various legal as well as illegal items with their corresponding number out of the new CFIRS manual so as to facilitate arrests as well as promote prompt and accurate reporting of the devices responsible for a fire or injury;
3. A 10 to 15 minute video that would:
  - a. Assist with recognition of illegal items;
  - b. Provide a refresher on applicable codes (Municipal or County and Health and Safety Codes);
  - c. Educate on how to handle and dispose of illegal fireworks after seizure; and
  - d. Provide pre-planning tips for law enforcement including establishing special attention or patrol areas, methods of enforcement and evidence handling and storage techniques.

A third goal should be to provide some guidance and solicit the cooperation of district attorneys and the judiciary to develop highly visible prosecution strategies.

American West Marketing, Freedom Fireworks and our office stand ready and willing to move aggressively forward on this program. In the absence of some statewide coordination or participation through the Office of the State Fire Marshal, Cal Chiefs or other organizations, we will once again be left to do it on our own and we will do so if necessary. However, I am confident that we can arrive at a program structure and content that will enjoy the collective input, efforts and participation of both the public and private sector - - a program which will result in reducing the sale and use of illegal fireworks in California as well as help ensure a safe and enjoyable annual celebration of our nation's independence

Again, thank you for this opportunity. We will be happy to respond to any questions you may have.

- - - E N D - - -

OFFICE OF THE STATE FIRE MARSHAL  
STATE BOARD OF FIRE SERVICES  
7171 BOWLING DRIVE, SUITE 600  
SACRAMENTO, CA 95823

(916) 427-4161  
ATSS 466-4161



## MINUTES

# DRAFT

### STATE BOARD OF FIRE SERVICES

NOVEMBER 7, 1990  
Palm Desert, California

#### BOARD MEMBERS PRESENT:

- James F. McMullen, Chairman, State Fire Marshal*
- Richard Aronson, Office of Emergency Services*
- Steven K. Barrett, California Department of Forestry Employees Assoc.*
- Dan Coffman, California State Firefighter's Association*
- Ron Coleman, Fullerton Fire Department*
- John Delotch, San Diego Fire Department*
- Harold "Bud" Dillon, California State Firefighter's Association*
- \* *Kevin C. Duggan, Mountain View City Manager*
- \*\* *Robert G. Egan, Fire Districts Association*
- Dallas Jones, California Labor Foundation*
- James Mumbert, Volunteer Firefighters*
- Gerald M. Newcombe, Vice-Chair*
- Harold L. Omel, Long Beach Fire Department*
- Tony Pini, Santa Rosa Fire Department*
- \*\* *Joel Varn, State Farm Insurance Company*

#### BOARD MEMBERS ABSENT:

- Barbara Cram Riordan, San Bernardino County Supervisor*
- William C. Teie, Department of Forestry and Fire Protection*
- Dan Terry, California Professional Firefighters*

#### CSFM STAFF PRESENT:

- Ken Brown, Executive Officer SBFS, Deputy Chief*
- Manny Chavez, Deputy State Fire Marshal*
- Joan Jennings, Deputy Chief*
- Betty Navarrette, Secretary to the Board*
- Dave Walizer, Assistant State Fire Marshal*

\* Arrived Late

\*\* Left Early

**It was motioned by Vice-Chairman Newcombe and seconded by Member Egan that a position be maintained that we are satisfied with our own certification program - we do not need a national certification program. We would appreciate organizations not coming into our state trying to sell their product. Motion carried unanimously.**

**C. American West Marketing - Terry Anderson/Dennis Revell**

Terry Anderson, President of American West Marketing, is the State's largest wholesale distributor of Class C, State-Approved Fireworks. Mr Anderson introduced Mr. Tom Peters, Vice President of Freedom Fireworks, and Mr. Dennis Revell, President of Revell Communications.

Mr. Anderson spoke on fireworks safety in California. Mr. Anderson stated that it is his hope that the safety and education efforts in their first two years in the California market and their continuing activities will demonstrate how committed they are to these goals.

American West Marketing's discussions with fire prevention offices throughout the state has brought to their attention the **widespread concern with the wire core sparkler**. Based upon those discussions, and despite the large percentage of revenue that this item represents, he announced that both American West Marketing and Freedom Fireworks are voluntarily withdrawing the wire core sparkler from distribution throughout the State of California. Furthermore, American West Marketing is formally announcing their request that the California State Fire Marshal's Office to remove this item from the list of Class C items permitted to be sold in California.

Dennis Revell shared what American West Marketing and Freedom Fireworks were able to accomplish by way of a statewide safety program this year, what they are continuing to do on a regional basis, and what they would like to assist in developing, implementing and funding on a statewide as well as local basis in 1991.

*The suggestion is a fireworks safety and education program with a variety of communication vehicles that provide for a universal component statewide that can be tailored to the needs of each local community. For example, with the television PSA they would develop a common central component of the video message with a lead in and lead out by local fire or government officials.*

*Utilizing the Public Education Advisory Committee (PEAC) or some other appropriate entity, they would seek to:*

- 1. Establish and refine the components and an implementation strategy for such a safety program;*
- 2. Engage in joint development of text, graphics and layouts of all printed materials as well as script development of all video materials;*
- 3. Distribute rough drafts of these materials and a "concept paper" on the program to the 1100 + Fire Chiefs throughout the State for their input, constructive criticism and contribution;*
- 4. Examine methods to achieve cost effective expenditure of private as well as public resources and avoid duplication of efforts;*
- 5. Achieve local as well as statewide media cooperation and support for this program; and*
- 6. Establish a three-year tracking program to monitor the program's success.*

*The program should have as its second goal, assisting law enforcement, fire department and other public service personnel. Some of the components of this program could be:*

- 1. An enhanced distribution of the yellow violation card or enforcement card as it has come to be called;*
- 2. A pocket size reference guide showing the various legal items with their corresponding number out of the new CFIRS manual so as to facilitate arrests as well as promote prompt and accurate reporting of the devices responsible for a fire or injury;*
- 3. A 10 to 15 minute video that would:*
  - a. Assist with recognition of illegal items;*
  - b. Provide a refresher on applicable codes (Municipal or County and Health and Safety Codes);*
  - c. Educate on how to handle and dispose of illegal fireworks after seizure; and*

- d. *Provide pre-planning tips for law enforcement including establishing special attention or patrol areas, methods of enforcement and evidence handling and storage techniques.*

*A third goal should be to provide some guidance and solicit the cooperation of district attorneys and the judiciary to develop highly visible prosecution strategies.*

*Mr. Revell concluded by saying that "American West Marketing, Freedom Fireworks and our office stand ready and willing to move aggressively forward on this program.*

*After Revell responded to a question and answer session from the Board, it was motioned by Member Varn and seconded by Member Dillon that the Board endorse conceptionally the efforts of their organization in trying to deal with the issue of public awareness; and secondly, to formally ask the California State Fire Marshal's Office to begin proceedings for the removal of Wire Core Sparkler from the approved list of Safe and Sane Fireworks. Motion passed unanimously.*

*Chairman McMullen stated that the State Fire Marshal will move as expeditiously as possible through the regulatory process to accomplish this, and we can hopefully ban Wire Core Sparkler from the list of Safe and Sane Fireworks as early as next season. Chairman McMullen commended American West Marketing and Freedom Fireworks on one of the most dynamic aggressive moves to help the fire protection of this state that we have seen.*

*It was motioned by Member Delotch and seconded by Member Varn to refer the education program to the PEAC Committee along with a representative from the California Peach Officer's Association (CPOA) in support of educating the public in the area of Safe and Sane Fireworks and to study this issue and have PEAC report back with their findings at the February Board Meeting. Motion carried unanimously.*

**EXCERPT OF TESTIMONY OF DENNIS C. REVELL  
ON BEHALF OF  
AMERICAN WEST MARKETING, INC & FREEDOM FIREWORKS, INC.  
AT HEARING ON NEW FIREWORKS REGULATIONS**

**Wednesday, March 27, 1991 - Sacramento, California**

Good morning ladies and gentleman, my name is Dennis Revell, I am President of Revell Communications and I appear this morning on behalf of our clients, Freedom Fireworks, Inc. and American West Marketing, Inc., the state's newest and largest wholesale distributor of Class-C, state-approved fireworks.

First and foremost on behalf of both my clients and my firm I would like to take this opportunity to recognize a number of individuals and entities for their outstanding effort and dedication to updating and modernizing these regulations. Clearly without the efforts and direction of State Fire Marshal McMullen, Assistant State Fire Marshal Dave Walizer, the staff of the Office of the State Fire Marshal including Mr. Hugh Counsel and Mr. Dwayne Mathews, members of the Fireworks Advisory Committee, members of the fire protection / prevention service throughout California and leaders within both the Class-B and Class-C fireworks industry, we would not have been able to develop the proposed regulations which we all hope will better serve the needs of the public for greater safety and the needs of the fireworks industry to have clearer regulatory direction.

In as brief a fashion as possible I would like to address five areas within the proposed regulations.

Those areas are:

1. Sparklers;
2. Snap Caps;
3. Ground Spinners;
4. Storage; and
5. Labeling.

### **SPARKLERS**

First with respect to sparklers. On November 7, 1990, Mr. Terry Anderson, President of American West Marketing, Inc. appeared before the quarterly meeting of the State Board of Fire Services and announced what many members of the Board came to call "the boldest and most courageous move made in the history of the fire service in California", - - - the voluntary withdrawal of the wire core sparkler from the market in California and the request that the State Board of Fire Services advise the Office of the State Fire Marshal of its' desire to remove this item from the list of Class-C items permitted to be sold in California. In the interest of brevity, I am submitting a copy of Mr. Anderson's testimony today and asking that it be made part of the record of these hearings. However, I would like to reiterate a few of Mr. Anderson's comments.

As we all know every local fire department throughout the State of California is required to file documentation with the CFIRS program of the Office of the State Fire Marshal on each and every fire that occurs within it's jurisdiction. Based on reports filed by local fire departments with the CFIRS program, the latest annual statistics show that state-approved fireworks are responsible for only 8.12% of the fireworks problems faced by California fire fighters. This represents a decrease of 1.64% in the percentage of loss attributed to state-approved fireworks as well as a decrease in the total dollar loss attributable to state-approved fireworks of over \$274,000 as compared to the previous year.

cont.../

While the CFIRS data does distinguish between fires attributed to illegal versus state-approved fireworks, it does not identify the actual device that is responsible for the damage. Unfortunately, until the new CFIRS software developed by Chief McMullen's department is fully implemented and used by all the local fire service and protection agencies throughout California, we will not see any further information on the problems allegedly caused by any one device

In July of 1990, Revell Communications on behalf of American West Marketing, Inc. and Freedom Fireworks, Inc. issued a written request to over 1,100 California fire chiefs for copies of their records on fireworks-related fires and injuries for the last 5 -1/2 years. We wanted to conduct an examination and determine what type of devices are causing the problems and in particular the 8.12% attributed to state-approved fireworks.

While we have yet to gain complete cooperation in the collection of the local fireworks-related incident reports from fire officials throughout the state, and the data is incomplete, our discussion with fire prevention officials throughout the state brought our clients to the conclusion that there is a widespread concern with the wire core sparkler. Based upon those discussions, and despite the large percentage of revenue that this item represents to our clients, Mr. Anderson announced on November 7, that both American West Marketing, Inc. and Freedom Fireworks, Inc. would be voluntarily withdrawing the wire core sparkler from distribution throughout the State of California and furthermore formally requested the State Fire Marshal's Office to remove this item from the list of Class-C items permitted to be sold in California.

Subsequently, our clients amended that request to include the wooden core sparkler as well. Currently, the proposed regulations at Section 986.6 address this request and we applaud and support this decision wholeheartedly and without reservation. . . . .