

CHAPTER 6.24OPERATIONS PERMIT: PUBLIC DISPLAY OF FIREWORKS6.24.010 Purpose.

A. It is unlawful for any person to commence, conduct, manage, participate in or sponsor a public display of fireworks without an Operations Permit: Public Display of Fireworks. (Ord. 87-26)

B. Any person conducting a public display of fireworks within the City in violation of this ordinance or the terms of any permit issued pursuant to this ordinance shall be guilty of a misdemeanor in accordance with Health and Safety Code Section 13112.

C. It shall be unlawful for any person to possess, store, to offer for sale, expose for sale, sell at retail or use or explode any fireworks within the City except as authorized in accordance with the provisions of this Chapter.

D. Notwithstanding the provisions of this Chapter, proposed activities shall be subject to Zoning Regulations and Coastal Development requirements, pursuant to Title 30 of this Code. (Ord. 94-06)

6.24.020 Definitions.

A. "Display of fireworks" whether on public or private property, shall include any use of fireworks as defined in Health & Safety Code, Section 12505 or the Uniform Fire Codes, Article 78, current edition.

B. "Dangerous Fireworks" includes all fireworks as defined in Section 12505 of the Health and Safety Code or the Uniform Fire Code, Article 78, current edition.

6.24.030 Issuing Authority. The Fire Chief is authorized to issue Operations Permit: Display of Fireworks.

6.24.040 Application. The application shall be filed no later than thirty (30) days prior to the proposed date of the public display of fireworks.

6.24.050 Regulations.

A. No public fireworks display shall be permitted unless the occasion involves a public 4th of July celebration or a high school homecoming celebration; would be in the interest of the public welfare and would be conducted on public property and in an area and in a manner that does not threaten the public welfare or safety.

B. There is hereby adopted by reference, by the City for the purpose of prescribing rules and regulations for the public display of fireworks, the California Administrative Code, Title 19, Chapter 1, Subchapter 6, Article 15, Public Display, in its entirety.

C. No fireworks display shall be permitted after 10:00 P.M.

D. No concussion type, non-color shells, for example, "salutes" or "report", shall be utilized.

E. The display shall be conducted only by a licensed pyrotechnician.

F. The permittee shall provide notice of the time and date of the public display by publishing a notice using a one-eighth page advertisement in a newspaper of general circulation within the City. Notice shall be published no less than five days before the event.

G. The City Manager may vary the regulations of this Chapter for events which are sponsored by the City or are conducted for the benefit of the general public.

H. The regulations of this Chapter shall apply to public display of fireworks rather than other noise regulations contained in this Code.