



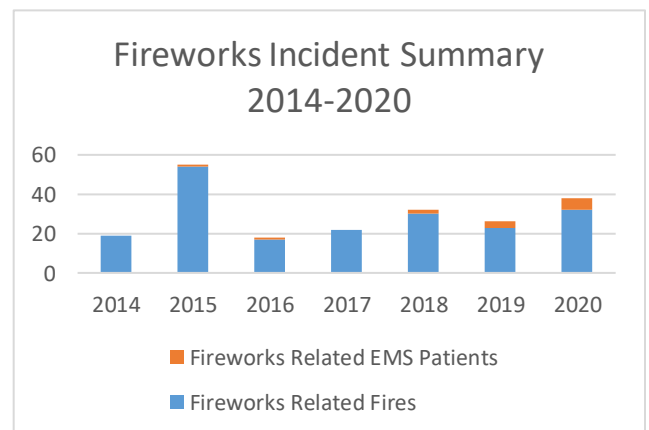
**CITY OF TACOMA, WASHINGTON
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST**

TO: Mayor & City Council
FROM: Council Member Lillian Hunter and Council Assistant Claire Goodwin
COPIES TO: Elizabeth Pauli, City Manager; Tadd Wille, Deputy City Manager; Bill Fosbre, City Attorney
SUBJECT: **Illegal Use of Fireworks**
DATE: May 12, 2021

I ask for your support for an Ordinance that would reclassify the illegal use of fireworks from a Class 2 civil infraction to a Class 1 civil infraction.

LEGISLATIVE INTENT:

Resolution/Ordinance Request: The illegal use of fireworks in Tacoma, particularly around the July 4th holiday, creates a dangerous fire hazard - threatening life and property. Last summer, there was a proliferation of fires. From June 26, 2020 through July 6, 2020, the Tacoma Fire Department (TFD) responded to 122 fires. Of these, 32 were fireworks-related (or 26%) and resulted in damage of over \$480,000. During the same reporting period, TFD treated six fireworks-related patients. In 2019, in South King County, fireworks led to the death of a man in his 70s and a dog, along with the destruction of two homes by fire and displacement of 12 residents.¹ The 2017 Eagle Creek Fire in Oregon burned 48,000 acres, crossing stateliness, cost approximately \$25 million to contain, and was the result of a teenager setting off fireworks.² This summer is anticipated to be hot and dry – perfect weather for fires.



Personal use of fireworks has been illegal in the City of Tacoma since 1992.³ The sale, transportation, discharge, storage, or use of fireworks within the City is prohibited, except for display fireworks discharged by a professional at a permitted event. This ban applies each day of the year.⁴ Illegal use of fireworks is classified as a Class 2 civil infraction. The maximum penalty amount is \$125, and with assessments, totals \$257 to the person being cited. State law establishes the maximum penalty amounts, excluding assessments.⁵ This has done little to deter the illegal use of fireworks in Tacoma and nation-wide during the 2020 July 4th holiday.⁶ Fireworks can be heard citywide year round, and becomes more prevalent the closer July 4th gets, upsetting sleeping infants, military veterans, rescue dogs, and others. Unlawful use of fireworks are a serious fire hazard and dangerous to the community.

¹ <https://www.seattletimes.com/seattle-news/fireworks-may-be-to-blame-for-deadly-highline-house-fire-3-hurt-at-muckleshoot-fireworks-stand/>

² <https://www.opb.org/news/series/wildfires/oregon-eagle-creek-fire-price-tag-payment/>

³ <https://www.cityoftacoma.org/cms/one.aspx?pageId=28444>

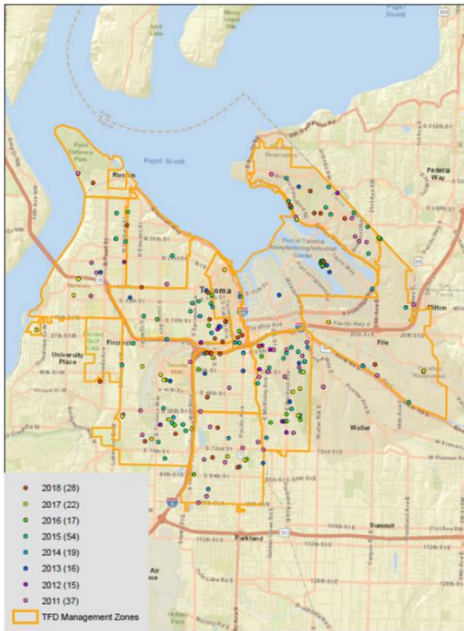
⁴ TMC 3.12.060: <https://cms.cityoftacoma.org/cityclerk/Files/MunicipalCode/Title03-Fire.PDF>

⁵ RCW 7.80.120: <https://app.leg.wa.gov/rcw/default.aspx?cite=7.80.120>

⁶ <https://www.cnn.com/2020/06/23/us/firework-complaints-new-york-trnd/index.html>

Increasing the penalty on the illegal use of fireworks from a Class 2 civil infraction to a Class 1 civil infraction would increase the maximum fine to \$250, and with assessments, the total fine would be \$513. An increase in the fine would serve as a deterrent to those individuals thinking about using fireworks in city limits. Understanding that fireworks is one of the most difficult offenses to enforce, the expectation is not that the Tacoma Police Department would be able to increase enforcement, but that strengthening the deterrent may resonate with residents who consider using fireworks in the city.

Firework Responses (2011-2018): Tacoma, Washington



DESIRED ORDINANCE DATE: May 25, 2021 (first reading)

ALIGNMENT WITH TACOMA 2025 KEY FOCUS AREAS:

This legislation, program, project, or event is best aligned with the following (Check all that apply):

Livability: *Equity Index Score:* Select Index Score.

Increase positive public perception of safety and overall quality of life.

If you have a question related to the Council Consideration Request, please contact Council Assistant Claire Goodwin at (253) 219-0679 or claire.goodwin@cityoftacoma.org.

SUBMITTED FOR COUNCIL CONSIDERATION BY: Council Member Lillian Hunter

SUPPORTING COUNCIL MEMBERS SIGNATURES (2 SIGNATURES ONLY)

(Signatures demonstrate support to initiate discussion and consideration of the subject matter by City Council for potential policy development and staff guidance/direction.)

1.  POS# 6

2.  POS# 5

Mayor's initials 