



# CITY OF INGLEWOOD

## OFFICE OF CITY CLERK



**DATE:** September 30, 2025

**TO:** Mayor and Council Members

**FROM:** City Clerk's Office

**SUBJECT:** Ordinance to Amend the Inglewood Fire Code to Permit the Sale and Use of Certain Fireworks within the City of Inglewood

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### **RECOMMENDATION:**

Receive and file a report certifying the results of an examination of signatures in support of an initiative petition for an "Ordinance to Amend the Inglewood Fire Code to permit the sale and use of certain Fireworks within the City of Inglewood" ("Ordinance") and take one of the following actions:

1. Adopt the Ordinance, without alteration, in accordance with Elections Code Section 9215(a);
2. Submit the Ordinance, without alteration, to the voters pursuant to Elections Code Sections 9215(b) for the previously called June 2, 2026 Statewide Direct Primary Election; **or**
3. Refer the Ordinance to City staff to prepare a report in accordance with Elections Code Section 9215(c).

### **BACKGROUND:**

On March 10, 2025, the City Clerk's Office received a Notice of Intent to Circulate Petition and other documents required by State law, proposing an initiative measure to establish an "Ordinance to Amend the Inglewood Fire Code to permit the sale and use of certain Fireworks within the City of Inglewood."

A copy of the proposed ordinance was forwarded to the City Attorney's Office to prepare a ballot title and summary. After conducting an impartial review of the ordinance, the City Attorney prepared a ballot title and summary formally describing it as "Ordinance to Amend the Inglewood Fire Code to permit the sale and use of certain Fireworks within the City of Inglewood." The ballot title and summary were returned to the proponents to circulate with the petition for signature gathering.

On July 31, 2025, the proponents submitted the petition for filing. Pursuant to Elections Code Section 9215, an initiative petition proposing an ordinance must be signed by at least 10 percent of the voters of the City. Currently, the total number of registered voters in the City of Inglewood is 64,416; therefore, the petition needs to have at least 6,441.6 valid signatures to qualify for the ballot.

CC-2.

**Ordinance to Amend the Inglewood Fire Code to Permit the Sale and Use of  
Certain Fireworks within the City of Inglewood  
September 30, 2025**

The City Clerk and staff conducted a random sample and face review of the petition under Elections Code Section 9210, counted 9,513 signatures, and accepted the petition for filing on August 6, 2025.

The signatures were then submitted to the Los Angeles County Registrar-Recorder/County Clerk's office for verification.

By letter dated September 11, 2025, the Los Angeles County Registrar-Recorder/County Clerk found sufficient 6,982 signatures, 540 more than necessary to qualify the measure for the ballot (See Attachment 1). Therefore, the City Clerk's Office is presenting this report and Attachment 1 as certification of the sufficiency of the initiative petition.

**DISCUSSION:**

Under Elections Code Section 9215, the City Council has three options when certification of the petition is presented:

**Option 1**

Adopt the Ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.

If the City Council chooses Option 1, it should adopt the Ordinance in Attachment No. 2.

**Option 2**

Submit the Ordinance, without alteration, to the voters for consideration at the June 2, 2025 Statewide Primary Election.

If the City Council chooses Option 2, it should adopt the Resolution in Attachment No. 3.

Elections Code Section 9280 allows the City Council to direct the City Attorney to prepare an impartial analysis of the measure showing the effect of the measure on the existing law and on the operation of the measure. The impartial analysis would be printed preceding the arguments for and against the measure in the voter pamphlet and shall not exceed 500 words in length.

In addition, Elections Code Section 9282 provides for the submission of written arguments in favor of, and in opposition to, the initiative. For measures placed on the ballot by petition, the person filing an initiative petition may file a written argument in favor of the measure and the City Council may submit an argument against the measure. If more than one argument for or against the measure is submitted, the elections official shall select one of the arguments using specific criteria as outlined in Elections Code Section 9287.

**Mayor and Council Members**  
**Ordinance to Amend the Inglewood Fire Code to Permit the Sale and Use of**  
**Certain Fireworks within the City of Inglewood**  
**September 30, 2025**

**Option 3**

Order a report on the impact of the Ordinance pursuant to Elections Code section 9215(c). The report may cover the proposed Ordinance's impact on any or all of the following:

- (1) Its fiscal impact;
- (2) Its effect on the internal consistency of the City's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on City actions under Section 65008 of the Government Code and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code;
- (3) Its effect on the use of land, the impact on the availability and location of housing, and the ability of the City to meet its regional housing needs;
- (4) Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses;
- (5) Its impact on the community's ability to attract and retain business and employment;
- (6) Its impact on the uses of vacant parcels of land;
- (7) Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization; and/or
- (8) Any other matters the legislative body requests to be in the report.

If the City Council orders staff to prepare a report, the report must be presented within 30 days of today's date and the City Council will then have to choose either Option 1 or Option 2.

**FINANCIAL/FUNDING ISSUE AND SOURCES:**

None.

**ATTACHMENTS:**

1. Letter of Findings from the Los Angeles County Registrar Recorder's Office
2. Ordinance
3. Resolution

**PREPARED BY:**

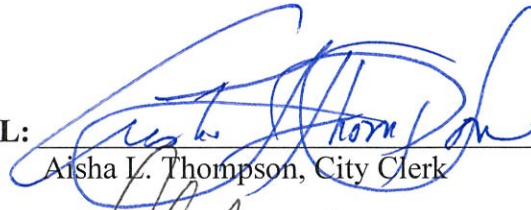
Aisha L. Thompson, City Clerk  
Destinee Wesley, Deputy City Clerk

**COUNCIL PRESENTER:**

Aisha L. Thompson, City Clerk

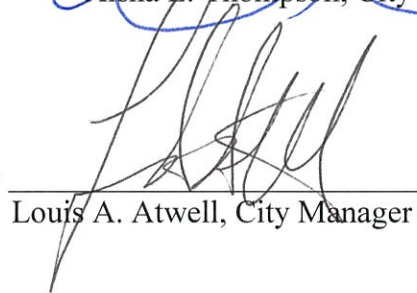
**APPROVAL VERIFICATION SHEET**

DEPARTMENT HEAD APPROVAL:



Aisha L. Thompson, City Clerk

CITY MANAGER APPROVAL:



Louis A. Atwell, City Manager

# ATTACHMENT NO. 1



Los Angeles County Registrar-Recorder/County Clerk

September 11, 2025

Aisha L. Thompson, City Clerk  
City of Inglewood  
One West Manchester Boulevard  
Inglewood, California 90301

*Dear Aisha L. Thompson:*

We have completed the signature verification submitted on August 4, 2025, for A Proposed Ordinance to Amend the Inglewood Fire Code to Permit the Sale and Use of Certain Fireworks Within the City of Inglewood.

*Number of Signatures Verified by Date*

<b>Number of signatures filed</b>	<b>9,517</b>
<b>Number of signatures verified</b>	<b>9,517</b>
<b>Number of signatures found sufficient</b>	<b>6,982</b>
<b>Number of signatures found not sufficient</b>	<b>2,535</b>

Please call Tiffany Olsen, Head, Data Entry and Signature Verification at (562) 462-2376 if you have any questions regarding the signature verification of this petition.

*Jerome Jordan* For  
DEAN C. LOGAN  
Registrar-Recorder/County Clerk  
County of Los Angeles

# ATTACHMENT NO. 2

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
INGLEWOOD, CALIFORNIA, ADOPTING AN INITIATIVE  
ORDINANCE TO AMEND THE INGLEWOOD FIRE CODE TO  
PERMIT THE SALE AND USE OF CERTAIN FIREWORKS  
WITHIN THE CITY OF INGLEWOOD**

**WHEREAS**, pursuant to the Elections Code, the elections official has certified the sufficiency of an initiative petition for “A Proposed Ordinance to Amend the Inglewood Fire Code to Permit the Sale and Use of Certain Fireworks Within the City of Inglewood” (hereinafter “Ordinance”); and

**WHEREAS**, pursuant to Elections Code section 9215 the City Council has the option of adopting the Ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; and

**WHEREAS**, the City Council desires to adopt the Ordinance as authorized under state law;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF  
INGLEWOOD DOES ORDAIN FOLLOWS:**

**SECTION 1.** That pursuant to Elections Code section 9215(a), the City Council hereby adopts, without alteration, the Ordinance as attached hereto as Exhibit “A” in its entirety and fully incorporated herein by this reference.

**SECTION 2.** That in the event the article and section numbers specified in the Ordinance are not available for use when the Ordinance is codified in the Inglewood Municipal Code, the City Clerk is authorized to renumber the article and section numbers, and make any other clerical changes that do not alter the meaning, effect, or substance of the Ordinance.

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1           **SECTION 3.** If any section, subsection, subdivision, paragraph, sentence, clause  
2 or phrase of this ordinance, or its application to any person or circumstance, is for any  
3 reason held to be invalid or unenforceable, such invalidity or unenforceability shall not  
4 affect the validity or enforceability of the remaining sections, subsections, subdivisions,  
5 paragraphs, sentences, clauses or paragraphs of this ordinance, or its application to any  
6 person or circumstance. The City of Inglewood hereby declares that it would have  
7 adopted each section, subsection, subdivision, paragraph, sentence, clause and paragraph  
8 hereof, irrespective of the fact that any one or more of the foregoing sections,  
9 subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared  
10 invalid or unenforceable.

11           **SECTION 4.** The City Clerk shall certify to the approval, passage and adoption  
12 of this Ordinance by the City Council and shall cause the same to be published in  
13 accordance with the City Charter; and thirty days from the final passage and adoption,  
14 this Ordinance shall be in full force and effect.

15           **PASSED, APPROVED AND ADOPTED** this \_\_\_\_\_ day of  
16 \_\_\_\_\_, 2025.

17 \_\_\_\_\_  
18 James T. Butts, Jr., Mayor

19 ATTEST:

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22 Aisha L. Thompson, City Clerk  
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The People of the City of Inglewood do ordain as follows:

**SECTION 1. FINDINGS AND STATEMENT OF PURPOSE**

- A. The residents of Inglewood have responsibly enjoyed the use of State Fire Marshal-Approved “Safe and Sane” Fireworks for many years. These fireworks adhere to strict state regulations, and a 13-year analysis by the Los Angeles County Fire Department found no fire losses or injuries resulting from their use.**
- B. Many of our local nonprofit organizations, rely on the proceeds from the sale of Safe and Sane Fireworks as a significant source of their annual funding. The loss of this funding threatens critical community programs that serve Inglewood residents.**
- C. The use of illegal and dangerous fireworks must remain unlawful in our City, and our City must use every resource available to prosecute violators who use them in our City. The use of illegal and dangerous fireworks in our City is the real problem and not the sale of Safe and Sane Fireworks.**
- D. Jurisdictions that allow the sale and use of Safe and Sane Fireworks have documented declines in the use of illegal and dangerous fireworks. This decline is achieved, in part, through residents having the option to use Safe and Sane Fireworks instead of illegal and dangerous fireworks. There are other factors that contribute to this decline, such as increased public education efforts, stronger enforcement of ordinances prohibiting the use of illegal and dangerous fireworks, and the imposition of higher administrative fines and penalties to deter the use of illegal and dangerous fireworks. These fines and penalties can help offset enforcement costs.**
- E. The revenues generated from the sale of Safe and Sane Fireworks can provide direct financial support for public safety, public education, and enforcement efforts targeting the use of illegal and dangerous fireworks. In jurisdictions that allow their sale, revenue from administrative fines, local fees, and state sales tax contributions fund enforcement operations. Additionally, AB 1403, signed into law by Governor Newsom in 2023, allows cities that permit Safe and Sane Fireworks to impose sales fees that fund public awareness campaigns and strengthen enforcement measures.**
- F. Despite these facts, the Inglewood City Council recently voted to ban the sale and use of Safe and Sane Fireworks. The voters of Inglewood reject that decision and instead propose a comprehensive regulatory framework that restores the ability to sell and use Safe and Sane Fireworks while enhancing efforts to combat the use of illegal and dangerous fireworks within the City.**

**SECTION 2. Inglewood Municipal Code Section 6-3 (commencing with Section 6-3.3) is amended to read as follows (deleted text shown in ~~strikeout~~ type and added text shown in *italicized* type):**

**Section 6-3.3 is repealed.**

~~The sale of fireworks, including "safe and sane" fireworks, as defined in Health and Safety Code sections 12500-12534, is prohibited.~~

Section 6-3.4 is amended to read:

**~~Use or Discharge of Fireworks Prohibited.~~**

~~(a) Unless otherwise exempt pursuant to paragraph (b), the use or discharge of fireworks, including "safe and sane" fireworks, as defined in Health and Safety Code sections 12500-12534, is prohibited.~~

~~(b) A person shall not be prosecuted under this Section if any of the following exceptions apply:~~

~~1. The person uses or discharges "exempt fireworks," as defined in Health and Safety Code Sections 12500-12534, pursuant to a permit issued by the Fire Chief.~~

~~2. The person uses or discharges fireworks at a City-sponsored event pursuant to a permit issued by the Fire Chief.~~

~~3. The person uses or discharges fireworks at an arena, stadium, or any other City-approved area located within the Hollywood Park Specific Plan Zone, Commercial-Recreation Zone, or Sports and Entertainment Zone pursuant to a permit issued by the Fire Chief.~~

~~(c) The Fire Chief shall have power to adopt reasonable rules and regulations for the granting of permits to use or display fireworks, including verifying whether the person holds a valid license from the State Fire Marshall.~~

**6-3.4 Definitions.**

*The following words and phrases, as used in this chapter, are defined as follows:*

A. *"Affiliated organizations," for purposes of this chapter, shall be the following:*

- 1. Organizations incorporated under the same charter or organization and their auxiliaries if the auxiliary is incorporated under the same charter;*
- 2. Organizations sharing the same officers and/or place of meetings and/or national parent organization;*
- 3. Subdivisions and/or fractional divisions, however named or delineated, of organizations;*
- 4. Suborganizations, one of whose primary purposes is to provide financial and/or manpower support to a parent nonprofit organization.*

*However, different organizations affiliated with and officially recognized by any elementary, junior high and/or high school and/or school district that serves, in whole or in part, the residents of the city or any public or private community college, college and/or university located within the boundaries of the city shall not be presumed to be affiliated organizations unless it can be shown that they serve the same interest area or concern (i.e., boosters of high school football and boosters of high school basketball would be presumed to be two different, nonaffiliated organizations).*

- B. *"Agricultural and wildlife fireworks" means fireworks designed or used to prevent damage to crops or unwanted occupancy of areas by animals or birds through the employment of sound or light, or both, whenever such fireworks are so classified by the State Fire Marshal.*
- C. *"Citation" means an administrative citation issued pursuant to this chapter to remedy a violation.*
- D. *"Citee" means any person served with an administrative citation charging him or her as a responsible person for violation.*
- E. *"City" means the city of Inglewood.*
- F. *"Code" means the Inglewood Municipal Code.*
- G. *"Code Enforcement Officer" ("CEO") means any employee or agent of the city designated by the city council to enforce any provision of this chapter.*
- H. *"Dangerous fireworks" shall mean dangerous fireworks as defined in Health and Safety Code Sections 12505 and 12561 and the relevant sections of Title 19, Code of Regulations, Subchapter 6, which are hereby incorporated by reference.*
- I. *"Director" means the city manager or his or her designee.*
- J. *"Fireworks stand" means any building, counter, or other structure of a temporary nature used in the sale, offering for sale, or display for sale of safe and sane fireworks.*
- K. *"Hearing officer" means the person appointed by the city manager to serve as the hearing officer for administrative hearings held pursuant to this chapter.*
- L. *"Host" means any person who either:*
1. *Owns, leases, rents, or is otherwise in lawful possession of private property with the City of Inglewood; or*
  2. *Organizes, supervises, officiates, conducts, controls, or is otherwise in charge of the activity on the property located within the City of Inglewood.*
  3. *Any person who hosts, organizes, supervises, officiates, conducts, or accepts responsibility for a gathering on public or private property.*
- M. *"Issuance" or "issued" means any of the following:*
1. *The preparation and service of an administrative fine citation to a citee in the same manner as a summons in a civil action in accordance with Article 3 (commencing with Section 415.10) of Chapter 4 of Title 5 of Part 2 of the Code of Civil Procedure; or*
  2. *Mailing of administrative fine citation to the responsible party by certified mail with return receipt, to the address shown on the official records of the county assessor; or*

3. By personally serving the responsible party by personal delivery of the administrative fine citation or by substituted service. Substituted service may be accomplished as follows:

a. By leaving a copy at the responsible party's dwelling or usual place of abode, in the presence of a competent member of the household, and thereafter mailing by first class mail, postage prepaid, a copy to the responsible party at the address where the copy was left; or

b. In the event the responsible party cannot be served by first class mail, postage prepaid, or cannot be personally served and has a property manager or rental agency overseeing the premises, substituted service may be made upon the property manager or rental agency or may be effected by posting the property with the administrative fine citation and mailing a copy by first class mail, postage prepaid, to the responsible party in violation at the address of the property where the violation exists.

N. "Nonprofit organization" means any nonprofit association, charity or corporation organized primarily for veteran, patriotic, welfare, civic betterment or charitable purposes which has been recognized as tax-exempt by the Internal Revenue Service or the Franchise Tax Board, or a group which is an integral part of a recognized national organization having such tax-exempt status, or an organization affiliated with and officially recognized by an elementary, junior high and/or high school and/or school district that serves, in whole or in part, the residents of the city or a public and/or private community college, college and/or university which is located within the boundaries of the city.

O. "Person" means a natural person or a legal entity that is also an owner, tenant, lessee and/or other person with any right to possession or control of the property where a violation of this code occurred.

P. "Principal and permanent meeting place" includes, but is not limited to, a permanent structure, playing field, geographic area or service population which resides in or is located within the city.

Q. "Public display of fireworks" means an entertainment feature where the public is admitted or permitted to view the display or discharge of fireworks, including but not limited to those defined in this section.

R. "Qualified applicants" means any group or organization which has met all of the following criteria for a continuous period of not less than one full year preceding submittal of an application for a permit to sell pursuant to this chapter and which continues to meet the criteria for the duration of any permit to sell issued by the city pursuant to this chapter:

1. The organization shall be a nonprofit organization pursuant to Internal Revenue Code Section 501(c)3, 4, 6, 7, 8, 10, 19, 23, or 26, Section 501(d), or Section 501(e); or a group which is an integral part of a recognized national organization having such tax-exempt status or an organization affiliated with and officially recognized by an elementary, junior high and/or high school and/or school district that serves, in whole or in part, the

*residents of the city or a public and/or private community college, college and/or university which is located within the boundaries of the city:*

2. *The organization shall be organized primarily for veterans, patriotic, welfare, civic betterment, educational, youth development or charitable purposes;*

3. *The organization must have its principal and permanent meeting place within the city;*

4. *The organization must be one which provides direct and regular community services and benefits to the residents of the city;*

5. *The organization has a minimum bona fide membership of at least twenty members who either reside in the city, are employed in the city, or are owners or operators of a business or other establishment located in the city;*

6. *The organization has not been found by any court of competent jurisdiction or city administrative hearing officer to be in violation of any civil or criminal local, state or federal law relating to fireworks within twenty-four calendar months prior to the organization's submittal of an application for a permit to sell; and*

7. *The organization has not had a permit to sell revoked for cause pursuant to this chapter.*

S. *"Responsible person" means a person or host who causes a violation of this chapter to occur or allows a violation to exist or continue, by his or her action or failure to act. For purposes of this chapter, there may be more than one (1) responsible person for a violation. Any person, irrespective of age, found in violation of any provision of this chapter may be issued a citation in accordance with the provisions of this chapter. Every parent, guardian or other person, having the legal care, custody or control of any person under the age of eighteen (18) years, who knows or reasonably should know that a minor is in violation of this chapter, may be issued a citation in accordance with the provisions of this chapter, in addition to any citation that may be issued to the offending minor.*

T. *"Safe and sane fireworks" (a.k.a. "state-approved fireworks") means safe and sane fireworks as set forth in Health and Safety Code Sections 12529 and 12562 and the relevant sections of Title 19, Code of Regulations, Subchapter 6, which are hereby incorporated by reference.*

U. *"Strictly Liable" means liability for a wrongful act regardless of a person's intent, knowledge, negligence, or lack thereof in committing the wrongful act.*

V. *"Violation" or "violates" means any violation of any provision of this chapter.*

W. *"Fireworks wholesaler" has the same meaning as in Health and Safety Code Section 12533 and the relevant sections of Title 19, Code of Regulations, Subchapter 6, which are hereby incorporated by reference.*

**6-3.5 General prohibition against possession, sale or use of fireworks.**

Except as otherwise provided in this chapter, no person shall possess, sell, use, display or explode any dangerous fireworks including, but not limited to, any rocket, firecracker, roman candle, squib, torpedo, wire core sparkler, wooden core sparkler, black cartridge, aerial shell or other combustible device or explosive substance or any kind of fireworks, by whatsoever name known, or any altered safe and sane fireworks within the city.

**6-3.6 Exception--Certain public displays and/or special effects.**

It shall be unlawful to cause, allow, permit, aid, abet, or suffer any discharge of dangerous fireworks (including a public display) or any use of special effects without having first obtained a permit from the city manager.

The city manager shall have authority to adopt reasonable rules and regulations for the granting of permits for those activities contained in Section 12640 of the California Health and Safety Code, including supervised public displays of fireworks by a jurisdiction, fair association, amusement park, other organization, or for the use of fireworks by artisans in pursuit of their trade. Each such use or display shall be handled by a licensed pyrotechnic operator (as defined by Section 12527 of the California Health and Safety Code) in accordance with a city-issued permit, and shall be of such character and so located, discharged or fired as in the opinion of the city manager or his or her designee, after proper investigation, will not be hazardous or endanger any person.

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

**6-3.7 Certain public displays--Liability insurance.**

Any person, firm or corporation applying for a public display permit shall furnish to the city manager 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 five million dollars combined single limits for each occurrence annually for payments of 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/her/its agents, servants, employees and/or subcontractors presenting such public display.

No permit shall be issued until the permittee furnishes the city manager with a certificate of insurance for each policy required, executed by the company issuing said policy and approved as to form by the city attorney. Such policies shall contain a provision which includes the city of Inglewood as an additional insured and declares 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 a general or standard endorsement that the company issuing such policy or policies will not allow the same to be canceled without serving, by first class mail, thirty days' notice of cancellation upon the city clerk for the city. 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 this chapter shall be made to the city before any such revoked permit may be reinstated.

**6-3.8 Certain public displays--Appeals.**

The decision of the city manager or the city manager's designated representative in acting on an application for a permit to conduct a public display of fireworks in accordance with the provisions of this chapter shall be subject to an appeal by the applicant to the city council. Notice of such appeal shall be filed with the city council within ten days after the date of the decision regarding such fireworks permit. Upon failure to file such notice within the ten-day period, the action of the city manager or the city manager's designated representative shall be final and conclusive.

**6-3.9 Exception--Safe and sane fireworks.**

It shall not be unlawful to possess, sell, use, display or discharge, within the city, those fireworks that are defined and classified as "safe and sane fireworks" (a.k.a. "state-approved fireworks") in the California State Fireworks Law (Section 12500 *et seq.* of the Health and Safety Code and the relevant sections of Title 19, Code of Regulations, Subchapter 6) as set forth in this chapter.

**6-3.10 Safe and sane fireworks--Permits required.**

It shall be unlawful for any person to sell safe and sane fireworks within the city without having first applied for and received a permit from the city.

**6-3.11 Safe and sane fireworks--Application.**

A. No nonprofit organization shall submit more than one application for a permit to sell safe and sane fireworks within the city. If more than one application is submitted on behalf of any nonprofit organization, including an affiliated organization, all such requests shall be voidable at the discretion of the city manager. If a question arises as to whether organizations and/or groups are affiliated, the city council shall have ultimate authority to decide said question. Any attempt to transfer an application shall void any and all applications filed by or on behalf of both the transferor nonprofit organization and the transferee nonprofit organization.

B. Timing.

1. All applications for permits to sell safe and sane fireworks shall be in writing to the city clerk on forms supplied by the city. Applications may be filed beginning March 15<sup>th</sup> of each year up to and including April 15<sup>th</sup> of the same year, at which time the filing period for that year will be closed.

2. Applicants for such permits shall be notified by May 1<sup>st</sup> of each calendar year by the city manager of the approval or disapproval of such application for such permit. All organizations whose permits have been approved shall have up to and including June 1<sup>st</sup> of that year to pick up such permit.

C. Contents of Application.

1. Every application shall set forth the name of the nonprofit organization, address, email address, and telephone number of one or more responsible adults who will be in charge of and responsible for the fireworks stand during the period safe and sane fireworks are sold, displayed or stored.

2. The original of the application shall be retained by the city clerk, and the city clerk shall transmit a copy to the fire chief and any other relevant city department.

**6-3.12 Safe and sane fireworks--Denial of application.**

A. The city manager shall issue the permit to sell safe and sane fireworks unless any of the following apply:

1. The city manager finds, in writing, that the applicant has failed to provide sufficient plans, information or other data necessary to permit a determination respecting compliance with the requirements of this chapter;
2. The city manager finds, in writing, that the applicant is not in compliance with any of the requirements of this chapter;
3. The city manager finds, in writing, that the applicant falls within the provisions of Section 6-3.20;
4. The city manager determines that the number of qualified applicants exceeds the number of permissible permits under Section 6-3.13; or
5. If the governor of the state of California declares a state of emergency for the city of Inglewood or county of Los Angeles related to imminent threat of devastating wildfires and a related imminent peril to people and property, the city council may, by unanimous vote, suspend the use of safe and sane fireworks for the calendar year in which the governor declares the state of emergency.

B. The city manager must advise, in writing, all qualified applicants of its determination no later than May 1<sup>st</sup> as well as advise them of the procedures that the city must follow.

C. Any denial of a permit pursuant to this section may be appealed to the city council. Upon notice of appeal from an applicant, the city manager shall provide the city council with the name of the applicant and a brief statement of the grounds for denial of issuance of the permit. The city council shall consider the appeal at its next regularly scheduled meeting.

**6-3.13 Safe and sane fireworks--Prerequisite for issuance of permit.**

A. All nonprofit organizations whose permits have been approved shall not be issued a permit unless all of the following are submitted to the city clerk by June 1st:

1. Information regarding the location of the fireworks stand on the real property; written permission from the owner of record, lessor of record or the property manager of the property (whichever is controlling) upon which said proposed stand will be located; and the zoning of the real property on which the fireworks stand is to be located, which zoning classification shall be obtained from the planning department for the city.
2. A copy of the requisite state retail sales permit from the office of the California State Fire Marshal.

3. A certificate evidencing an occurrence-based policy of insurance naming the city of Inglewood as an additional insured thereunder, with the following minimum limits: one million dollars public liability and property damage; and general aggregate coverage of two million dollars.

4. A copy of a temporary sales tax permit issued by the California Department of Tax and Fee Administration.

B. The maximum number of permits which may be issued and the maximum number of safe and sane fireworks stands that will be permitted, pursuant to this chapter during any calendar year shall not exceed twelve (12). If the number of qualified applicants exceeds the number of permissible permits under this section, the city shall select the nonprofit organizations to whom permits shall be issued by the following method:

1. Preference shall be given to any nonprofit organization that was issued a permit to sell safe and sane fireworks in the city in 2024, so long as such nonprofit organization continuously applies for and is issued a permit from year to year, beginning with the effective date of the ordinance codified in this chapter.

2. In the event that any permits are available after issuing permits pursuant to subsection (B)(1) of this section, the city manager or his or her designee shall conduct a drawing in which qualified applicants shall be randomly selected to receive any available permits.

C. Permits issued pursuant to this section are valid only during the calendar year issued.

**6-3.14 Deadlines for applications and all other filings.**

If the deadline for submitting any type of application, payment of any administrative fine, filing of a notice of appeal, etc., called for within this chapter falls on a day City Hall is closed, the deadline shall automatically be extended to the close of business of the next day City Hall is open.

**6-3.15 Safe and sane fireworks--Temporary sales tax permit.**

Nonprofit organizations licensed and permitted to sell safe and sane fireworks in the city are required to obtain a temporary sales tax permit from the California Department of Tax and Fee Administration.

**6-3.16 Safe and sane fireworks--Operation of fireworks stand.**

A. No person shall knowingly sell fireworks to any person under the age of eighteen. Proof that the fireworks stand operator/organization requested, was shown and acted in reliance upon bona fide evidence of age and identity in any sale of fireworks forbidden by this chapter shall be a defense for any proceedings for suspension or revocation of its safe and sane fireworks permit or any criminal proceedings for violations of this chapter. For purposes of this section, bona fide evidence of age and identity of purchaser is a document issued by a federal, state, county or municipal government which contains a photograph of the purchaser including, but not limited to, a valid California driver's license or identification card issued to a member of the Armed Forces.

B. The sale of safe and sane fireworks shall begin no earlier than Noon (12:00 p.m.) June 28th and shall not continue after nine (9:00) p.m. on June 28th. The sale of safe and sane fireworks shall

be permitted to continue daily only from nine (9:00) a.m. to nine (9:00) p.m., daily, on June 29th through July 5th.

C. No person other than the permitted nonprofit organization(s) shall operate the stand for which the permit is issued under this chapter.

D. No person other than the individuals who are members of the permittee or the spouses, parents or adult children of such members shall sell safe and sane fireworks at such stands.

E. No person under the age of eighteen shall sell safe and sane fireworks within such stands.

F. No person shall be paid any consideration by the permittee nonprofit organization(s) or any wholesaler/distributor of safe and sane fireworks for selling or otherwise participating in the sale of safe and sane fireworks at such stand; provided, however, that compensation may be paid for licensed or qualified security personnel, electricians, or other vendors needed to conduct business other than fireworks sales, during sale or non-sale hours and to the party authorizing the location of the stand on its property.

#### **6-3.17 Safe and sane fireworks--Temporary fireworks stand.**

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

A. No stand shall be located within twenty-five (25) feet of any other building or within one hundred (100) feet of any gasoline pump or other gasoline distribution point.

B. Stands need not comply with the provisions of the building code of the city; provided, however, that all stands shall be constructed in a manner which will reasonably ensure the safety of attendants and patrons; and provided further, that any electrical installation shall comply with all applicable codes.

C. No stand shall have a floor area in excess of seven hundred fifty (750) square feet.

D. Each stand shall have at least two (2) exits. Each stand in excess of forty (40) feet in length shall have at least three (3) exits spaced approximately equidistant apart; provided, however, that in no case shall the distance between the exits exceed thirty-two (32) feet. Exit doors shall be not less than twenty-four (24) inches wide and six (6) feet in height and shall swing in the direction of exit travel.

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

#### **6-3.18 Safe and sane fireworks--General requirements for permittees.**

A. All weeds and combustible materials shall be cleared from the location of the fireworks stand to a distance of at least twenty-five (25) feet surrounding the fireworks stand. All trash resulting from the operation of the fireworks stand must be removed on a daily basis.

B. "NO SMOKING" signs shall be prominently displayed on the safe and sane fireworks stand.

C. Each safe and sane fireworks stand must have an adult in attendance and in charge thereof while fireworks are on sale or stored therein. Sleeping or remaining in the stand after close of business each day is prohibited. On closing of the safe and sane fireworks stand each day, all fireworks must remain in the stand and be guarded by qualified watchperson or security personnel during these non-sale hours.

D. All unsold stock of fireworks in the hands of the permittee after nine (9:00) p.m. on July 5th shall be returned to the wholesaler/distributor and removed from the city within five (5) business days. On closing of the safe and sane fireworks stand, all litter shall be removed from the premises.

E. No fuel-powered generator or similar equipment shall be allowed within fifty (50) feet of a safe and sane fireworks stand.

F. Each safe and sane fireworks stand must post its city permit to sell safe and sane fireworks, its temporary sales tax permit from the California Department of Tax and Fee Administration, its State Fire Marshal retail sales permit, and proof of their required insurance in a prominent place inside the safe and sane fireworks stand.

G. No person shall smoke within twenty-five (25) feet of the safe and sane fireworks stand. No person shall light, cause to be lighted or permit to be lighted any safe and sane fireworks or combustible material within fifty (50) feet of any safe and sane fireworks stand.

**6-3.19 Nonprofit organization fee and surcharge.**

A. Pursuant to California Health and Safety Code Sections 12599 and 12635.5, the City may, through adoption of a resolution by the City Council, require each applicant receiving a permit to pay a fee to the City of a *pro rata* portion of the actual and reasonable costs the City incurs that is related to any of the following:

1. Processing and issuing permits.
2. Inspection of fireworks stands.
3. Public education and awareness campaigns regarding the safe and responsible use of safe and sane fireworks, and the dangers and risks posed by the use of illegal fireworks.
4. Enforcing the provisions of the municipal code of the City with respect to the sale and use of safe and sane fireworks, including extra personnel time and cleanup of the fireworks trash and debris. "Extra personnel time" means employee or contracted employee time that the City would not otherwise incur but for the sale and use of safe and sane fireworks.
5. Fire operation and suppression efforts that are directly related to safe and sane fireworks.

B. The *pro rata* share of the costs shall be specified in the resolution and calculated using gross sales as shown on each permittee's sales and use tax return for the applicable period. The *pro*

*rata* share of costs shall not exceed seven (7) percent of the gross sales of the fireworks sold in the City during the applicable period.

C. All nonprofit retail booth locations in the City may assess a surcharge up to seven (7) percent on all retail sales of state-approved fireworks that occur in the city in order to pay the above fee to the City. In no event may the City, or any of its departments, agencies and/or contracted organizations, impose a fee or charge to the nonprofits for their sale of fireworks other than those listed above.

D. Each nonprofit organization must pay its *pro rata* share of the costs to the City Clerk within thirty (30) days of the City Council adopting the resolution discussed in this section.

**6-3.20 Safe and sane fireworks--Revocation of permit--Appeal.**

A. The city manager or the city manager's designee may revoke, immediately and without notice or hearing, the permit of any permittee who violates any of the following provisions: Section 6-3.16, Section 6-3.18. If the revocation occurs between June 22nd and July 5th, the city manager shall inform the permittee that the permittee may seek review of the city manager's decision by the city council at the next regular meeting by submitting a notice of appeal to the city clerk within five business days of receiving the notice of revocation. At the earliest opportunity on the next business day after the revocation, the city manager shall provide the city council 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. If the revocation occurs before or after the specified period, the appeal procedures of subsection (B) of this section shall apply.

B. The city manager, or the city manager's designee, may revoke the permit of any permittee who violates any provision of this chapter not specified in subsection (A) of this section. Such revocation shall not take effect for five days, during which time the permittee may appeal the city manager's decision by submitting a written request to the city clerk for review of the revocation by the city council. The city manager shall provide the city council 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 council shall consider the appeal of revocation at its next regular meeting.

C. Any permittee whose permit has been revoked pursuant to subsection (A) or (B) of this section shall be barred from receiving a permit under this chapter for up to two (2) years from the date of revocation.

**6-3.21 Safe and sane fireworks--Limitation on places and hours of discharge.**

A. It shall be unlawful to discharge any safe and sane fireworks except during the hours of nine (9:00) a.m. to ten (10:00) p.m. on July 1st through July 5th, or during the hours of nine (9:00) a.m. to eleven (11:00) p.m. on the day of the city's Fourth of July public display of fireworks.

B. It shall be unlawful for any person to ignite, discharge, project or otherwise fire or use any safe and sane fireworks, or permit the ignition, discharge or projection thereof, upon or over or onto the property of another without his/her consent, or to ignite, discharge, project or otherwise fire or make use of any safe and sane fireworks within ten feet of any residence, dwelling or other structure used as a place of habitation by human beings.

**6-3.22 Safe and sane fireworks--Supervision of minors.**

It shall be unlawful for any person having the care, custody or control of a minor (under eighteen years) to permit such minor to discharge, explode, fire or set off any dangerous fireworks, at any time, or to permit such minor to discharge or set off any safe and sane fireworks unless such minor does so under the direct supervision of a person over eighteen years of age and during the hours and on the days permitted by this chapter.

**6-3.23 Seizure of fireworks.**

The fire chief, or the fire chief's designee, may seize, take, remove or cause to be removed, at the expense of the permittee or licensed fireworks wholesaler, whichever is applicable, all stock of fireworks offered or exposed for sale, stored or held in violation of this chapter when such violation creates an imminent threat to public health or safety.

**6-3.24 Police and fire department illegal fireworks operation plan and after-action report.**

A. On or before May 1st of every year, both the city's police and fire departments must present to the city council an operation plan for the thirty-day period surrounding the 4th of July (June 17th through July 16th) for that year. Said operation plan must include, but not be limited to, the following information:

1. Identification of areas within the city where illegal fireworks were a problem in the previous year;
2. A detailed explanation of the deployment of fire and law enforcement personnel to deal with those troublesome areas as well as with the balance of the city;
3. A report on the apparatus and personnel who will be on duty for the period of June 17th through July 16th of that year, and more particularly, on the 1st through the 5th of July, inclusive;
4. Recommendations on and discussion of what, if any, dedicated illegal fireworks enforcement patrols there should be for that year and all other relevant information and statistics deemed necessary by the city council.

B. By no later than October 1st of that same year, both police and fire departments must report back to the city council with an after-action report. That report must include, but is not limited to:

1. An evaluation of the success or failure of that department's operation plan for that year including a listing of any significant fireworks-related incidents, both dangerous fireworks and safe and sane fireworks;
2. Relevant incident statistics for the period of June 17th through July 16th, arrest and citation statistics for all crimes, but more particularly for the possession, sale and/or use of dangerous fireworks, altered safe and sane fireworks and misuse of safe and sane fireworks outside the strict limitations of this chapter;
3. A report on how many calls there were regarding suspected dangerous fireworks, how many of those calls either of the departments responded to, how many of those calls resulted in seizures and/or administrative fine citations, the status of payment of those

administrative fines, and how many fireworks seizures resulted in no citations, and if so, why.

#### **6-3.25 Submittal of Financial Summary**

- A. On or before September 15<sup>th</sup> of any year authorized pursuant to a permit, the permittee shall submit to the city manager a financial summary of total sales from fireworks, on a form supplied by the city which shall include the following information:
1. Total gross receipts from the fireworks stand operated by the permittee;
  2. All expenses incurred and paid in connection with the purchase of fireworks and the sale thereof;
  3. Total net receipts from fireworks stand operated by permittee;
  4. A summary of to whom and for what purpose of the net proceeds were or will be disbursed; and
  5. A copy of the most recent report filed by the permittee to the California Department of Tax and Fee Administration.
- B. The filing of such a financial summary with the city shall be a condition precedent to the granting of any subsequent permit.

#### **6-3.26 Exception--Permit required for agricultural and wildlife fireworks.**

It shall be unlawful for any person to possess, sell, furnish, or give away, or offer or expose for sale, or fire, discharge, or explode, any agricultural and wildlife fireworks in the city without first obtaining a permit from the city manager.

The permit shall not be transferable, and shall particularly describe the place where agricultural and wildlife fireworks are to be stored, sold, or discharged. Such permit shall be for such length of time as the city manager shall determine, but in any event not to exceed twelve months.

#### **6-3.27 Exception--Permit required for model rockets.**

The sale, purchase, storage, firing or discharge of model rockets may be allowed by written permit from the city manager which shall include, but not be limited to, the conditions contained in Title 19 of the California State Administrative Code and any other conditions which the city manager may deem to be reasonably necessary for the safety and welfare of the public and the community.

#### **6-3.28 Administrative fines and penalties.**

- A. Purpose.
1. This chapter authorizes the imposition of administrative fines on any person who violates any provision of this chapter in order to encourage and obtain compliance with the provisions of this chapter for the benefit and protection of the entire community. This section governs the imposition, enforcement, collection and administrative review of all administrative fines related to: the possession, use, storage, sale and/or display of those fireworks classified as dangerous fireworks in California Health and Safety Code Section 12500 *et seq.*, with the exception of a pyrotechnic licensee when operating pursuant to that license; and the use of safe and sane fireworks as defined in California Health and Safety Code Section 12500 *et seq.* on or at dates, times and/or locations other than those permitted by this chapter. Said administrative fines are imposed under authority of Government Code Section 53069.4, Health and Safety Code Section 12557, and the police power of the city.

2. The issuance of citations imposing administrative fines may be performed at the discretion of the officials of the city authorized hereunder, and the issuance of a citation to any person constitutes but one remedy of the city to redress violations of this code by any person. By adopting this chapter, the city does not intend to limit its authority to employ any other remedy, civil or criminal, to redress any violation of this code by any person which this city may otherwise pursue.

3. The imposition of fines related to dangerous fireworks under this chapter shall be limited to persons who possess, sell, use and/or display, or the seizure of, less than twenty-five pounds (gross weight) of such dangerous fireworks.

4. Fines collected pursuant to this chapter related to dangerous fireworks shall not be subject to Health and Safety Code Section 12706, which section provides that certain fines collected by a court of the state be deposited with, and disbursed by, the county treasurer. However, the city shall provide cost reimbursement to the State Fire Marshal pursuant to regulations to be adopted by the State Fire Marshal addressing the State Fire Marshal's cost for the transportation and disposal of dangerous fireworks seized by the city, which costs will be part of any administrative fine imposed. Unless and until said regulations have been adopted by the state of California, the city shall hold in trust two hundred fifty dollars or twenty-five percent of any fine collected, whichever is greater, to cover the cost reimbursement to the State Fire Marshal for said cost of transportation and disposal of the dangerous fireworks.

5. Because of the serious threat of fire or injury posed by the use of dangerous fireworks that can result from persistent or repeated failures to comply with the provisions of this code and the effect of such conditions or activities on the safety and the use and enjoyment of surrounding properties and to the public health, safety and welfare, this chapter imposes strict civil liability upon the owners of residential real property for all violations of this code existing on their residential real property. Each contiguous use, display and/or possession shall constitute a separate violation and shall be subject to a separate administrative fine.

6. At least fifty (50) percent of the fines collected pursuant to this chapter must be placed in a segregated fund entitled "Inglewood Illegal Fireworks Enforcement Fund." The sole and exclusive purpose of this fund is to pay for increased fire and police deployment, protection and investigation of and against illegal fireworks in the city for the thirty-day period surrounding the 4th of July (June 17th through July 16th).

B. Issuance of Administrative Citation--Contents.

1. Whenever a code enforcement officer (CEO) determines that a violation of the code has occurred, the CEO may issue an administrative citation on a city-approved form listing the code violation(s) and the amount of the administrative fine required to be paid by the responsible person(s) in accordance with the provisions of this chapter.

2. Each administrative citation shall contain the following information:

- a. The name, mailing address, date of birth, CDL number, and home or business telephone number of the responsible person charged with any violation of this code;
- b. The address or description of the location of the violation;
- c. The date or dates on which the person violated this code;
- d. The section or sections of this code that were violated;
- e. A description of the violation(s);
- f. The amount of the administrative fine for each violation, the procedure in place to pay the fines, and any late fee and interest charge(s), if not timely paid, and notice that if the city is required to take action to collect such fines, the responsible person may be charged costs and attorney's fees;
- g. Notice of the procedure to request an administrative hearing to contest the citation (including the form to be used, how to obtain the form, and the period within which the request must be made in order for it to be considered timely);
- h. The name and signature of the CEO who issued the citation and the name and signature of the citee, if he or she is physically present and will sign the citation at the time of its issuance. The refusal of a citee to sign a citation shall not affect its validity or any related subsequent proceedings, nor shall signing a citation constitute an admission that a person is responsible for a violation of the code; and
- i. Any other information deemed necessary by the director for enforcement or collection purposes.

**C. Administrative Fines.**

1. Each person who violates any provision of this code as it relates to the possession, use, storage, sale and/or display of dangerous fireworks shall be subject to the imposition and payment of an administrative fine or fines as provided below:

<b>Number of Offenses in 1-Year Period</b>	<b>Amount of Administrative Penalty</b>	<b>Late Charge</b>	<b>Total Amount of Penalty Plus Late Charge</b>
First	\$1,000	\$250	\$1,250
Second	\$3,000	\$500	\$3,500
Third	\$5,000	\$1,000	\$6,000

2. Each person who uses safe and sane fireworks on or at dates, times and/or locations other than those permitted by this chapter shall be subject to the imposition and payment of an administrative fine or fines as provided below:

<b>Number of Offenses in 1-Year Period</b>	<b>Amount of Administrative Penalty</b>	<b>Late Charge</b>	<b>Total Amount of Penalty Plus Late Charge</b>
First	\$250	\$75	\$325
Second	\$500	\$150	\$650
Third	\$750	\$300	\$1,050

3. In the case of a violation of any of the provisions listed above, the administrative fine(s) shall be due and payable within thirty calendar days from the issuance of the administrative fine citation, and the citee shall be required to abate the violation and surrender all dangerous fireworks to the CEO immediately. For penalties not paid in full within that time, a late charge in the amount set forth above is hereby imposed and must be paid to the city by the citee. Fines not paid within the time established by this section shall accrue interest at the prevailing established rate. On the second and each subsequent time that a person is issued a citation for the same violation in any twelve-month period, the fine is increased as indicated above and the citee shall be liable for the amount of the new fine until it is paid, in addition to being responsible for payment of previous fines. Each device (firework) possessed, ignited, exploded, discharged, used, or displayed constitutes a separate violation of this ordinance and therefore is subject to a fine for each device. Possession is defined as having direct or indirect custody and/or control of any dangerous and illegal fireworks prohibited under this chapter.

4. All administrative fines and any late charges and interest due shall be paid to the city at such a location or address as stated on the citation, or as may otherwise be designated by the city manager. Payment of any fine or fines shall not excuse the citee from complying with the provision of the code so violated. The issuance of the citation and/or payment of any fine shall not bar the city from employing any other enforcement action or remedy to obtain compliance with the provisions of the code so violated including the issuance of additional citations and/or criminal prosecution.

5. Upon confirmation of the citation or when the citation is deemed confirmed, all unpaid administrative fines, late fees and/or interest shall constitute a judgment which may be collected in any manner allowed by law for collection of judgments including but not limited to recordation to create a lien on any real property owned by the responsible person. The city shall be entitled to recover its attorney's fees and costs incurred in collecting any administrative fines, late charges and/or interest.

6. Payment of the administrative fine shall not excuse or discharge a citee from the duty to immediately abate and correct a violation of this chapter, nor from any other responsibility or legal consequences for a continuation or a repeated occurrence(s) of a violation of this chapter.

D. Host Liability

1. Any host shall be strictly liable for any unlawful possession, ignition, explosion, discharge, use, or display of any fireworks in violation of this chapter on their property or at their gathering, except that no person who has the right to use, possess, or occupy a unit in a multifamily residential property under a lease, rental agreement, or contract shall be liable for a violation of this chapter occurring in the common area of the property unless the person hosts, organizes, supervises, officiates, conducts, or accepts responsibility for a gathering at which the violation occurs.

2. Any person having the care, custody, or control of a minor shall be strictly liable for any unlawful ignition, explosion, discharge, use, or display of fireworks by the minor in violation of this chapter.

3. Except as provided below in subsection 4 below, no host shall permit or allow another person on private property, or at a gathering on public property, where the host knows or reasonably should know that the person is engaged in a violation of this chapter.

4. The provisions of this section shall not apply to:

a. Conduct involving display, use, or discharge of fireworks as permitted under Federal or State law;

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

5. A violation of this section shall be subject to the fine amounts listed in Section 6-3.28, C1. of this chapter. Each device (firework) possessed, ignited, exploded, discharged, used, or displayed constitutes a separate violation of this ordinance and therefore is subject to a fine for each device. Possession is defined as having direct or indirect custody and/or control of any dangerous and illegal fireworks prohibited under this chapter.

E. Right to an Administrative Hearing.

1. Any citee may contest the violation(s), or that he or she is a responsible person, by filing a request for an administrative hearing on a city-approved form with the city clerk within thirty calendar days from the issuance date of a citation. If the city clerk does not receive the request in the required time period, the citee shall have waived a right to a hearing and the citation shall be deemed confirmed and final.

2. No fees shall be charged for the filing of a request for a hearing.

3. Citees must deposit the full amount of the penalty listed on the citation on or before the request for a hearing is filed. Failure to deposit the full amount of all penalties within the required time period, or the tender of a nonnegotiable check, shall render a request for an administrative hearing incomplete and untimely. Penalties that are deposited with the city

shall not accrue interest. Penalties deposited shall be returned to the person who deposited them if the citation is overturned.

4. A request for a hearing shall contain the following:
  - a. The citation number;
  - b. The name, address, telephone number and any facsimile numbers and e-mail addresses of each person contesting the citation;
  - c. A statement of the reason(s) why a citation is being contested; and
  - d. The date and signature of the citee(s).

5. The city will notify all persons who filed a request for a hearing in writing by first class mail of the date, time and place set for the hearing at least ten calendar days prior to the date of the hearing. Service of this notice is deemed complete at time of mailing. The failure of a citee to receive a properly addressed notice shall not invalidate the citation or any hearing, city action or proceeding conducted pursuant to this chapter.

6. The hearing will be conducted within sixty days of the date a timely and complete request is received by the city clerk.

7. If the CEO submits an additional written report concerning the citation to the city for consideration at the hearing, the CEO shall also serve a copy of such report by first class mail on the person requesting an administrative hearing no less than seven calendar days prior to the date of the hearing. Failure to receive said report shall not invalidate the citation or any hearing, city action or proceeding pursuant to this chapter.

F. Administrative Hearing--Procedures.

1. The hearing officer designated or appointed by the city manager shall hear all requests for administrative hearings of administrative fines in accordance with the procedures established herein.

2. Administrative hearings are informal, and formal rules of evidence and discovery do not apply. The city bears the burden of proof to establish a violation and responsibility therefore by a preponderance of evidence. The citation is prima facie evidence of the violation, however, and the CEO who issued the citation is not required to attend or participate at the hearing. The citee(s) and CEO, if present, shall have an opportunity to present evidence and witnesses and to cross-examine witnesses. A citee may bring an interpreter to the hearing provided there is no expense to the city. The hearing officer may question any person who presents evidence or who testifies at any hearing.

3. A citee may appear at the hearing in person or by written declaration executed under penalty of perjury. Said declaration and any documents in support thereof shall be tendered to and received by the city at least seven business days prior to the hearing. If the citee fails to attend or does not submit a written declaration in a timely manner, he or she shall be deemed to have waived the right to a hearing. In such an instance, the hearing officer shall cancel the hearing and not render a decision. In such instances, the citation shall be deemed confirmed.

4. Hearings may be continued once at the request of a citee or the officer who issued the citation. The hearing officer may also continue the hearing for cause.

G. Hearing Decision--Right of Appeal.

1. After considering all the testimony and evidence submitted at the hearing, the hearing officer shall issue a written decision to uphold or overturn the citation and shall state the reasons therefor.

2. The hearing officer shall serve citee(s) by first class mail with a copy of the written decision. The date the decision is deposited with the U.S. Postal Service shall constitute the date of its service. The failure of a citee to receive a properly addressed decision shall not invalidate any hearing, city action or proceeding conducted pursuant to this chapter.

3. Decisions of the hearing officer may be appealed to the city council within thirty days after the date of their service. Each decision shall contain a statement advising the citee of this appeal right and the procedure for its exercise. A citee shall file a notice of appeal with the city within twenty calendar days after the date of service of the hearing officer's decision.

4. If a hearing officer's decision is not appealed in a timely manner, the decision shall be deemed confirmed.

5. The city council is the sole reviewing authority and an appeal from a hearing officer's decision is not appealable to the superior court. If a responsible person prevails on appeal, the city shall reimburse his or her fine deposit within thirty calendar days of the city council's decision on the appeal.

**6-3.29 Recovery of Response Costs**

A. In addition to any fines or penalties which may otherwise be levied by the City pursuant to this chapter, the City shall be entitled to recover from any person found to be in violation of any provision of this chapter, the City's full response costs.

B. For purposes of this chapter, the term "response costs" shall remain those reasonable and necessary costs directly incurred by the City for a response to complaint of discharging illegal fireworks prohibited under this section and shall include the cost of providing police, fire, and/or other emergency response services at the scene to include, but not limited to:

1. Salaries and benefits of law enforcement and/or emergency personnel for the full amount of time spend responding to, remaining at, or otherwise dealing with such illegal fireworks, and the administrative costs attributable to such responses;

2. The cost of any medical treatment to or for any law enforcement personnel injured while responding to, remaining at, or leaving the scene; and

3. The cost of repaying any City equipment or property damaged and the cost of the use of any such equipment used in responding to, remaining at, or leaving the scene.

**6-3.30 Amendment.**

This chapter shall not be repealed or amended except by a vote of the people of the city of Inglewood.

**6-3.31 Concurrent authorities.**

Any provisions of the Inglewood Municipal Code in conflict herewith are hereby repealed. This chapter supersedes any conflicting provisions of the Uniform Fire Code, International Fire Code, and the Uniform Building Code.

**6-3.32 Severability.**

If any section, subsection, sentence, clause or phrase of this chapter that is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The people of the city of Inglewood hereby declare that they would have passed this chapter and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

# ATTACHMENT NO. 3

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**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, SUBMITTING TO THE QUALIFIED VOTERS AN INITIATIVE MEASURE TO AMEND THE INGLEWOOD FIRE CODE TO PERMIT THE SALE AND USE OF CERTAIN FIREWORKS WITHIN THE CITY OF INGLEWOOD FOR THE JUNE 2, 2026 ELECTION**

**WHEREAS**, pursuant to the Elections Code, the elections official has certified the sufficiency of an initiative petition for “A Proposed Ordinance to Amend the Inglewood Fire Code to Permit the Sale and Use of Certain Fireworks Within the City of Inglewood” (hereinafter “Ordinance”); and

**WHEREAS**, pursuant to Elections Code section 9215 the City Council has the option of submitting the Ordinance, without alteration, to the voters for consideration; and

**WHEREAS**, the City Council desires to submit the Ordinance to the voters for consideration; and

**WHEREAS**, the next General Municipal Election will be held on June 2, 2026, and will be consolidated with the 2026 California Primary Election; and

**WHEREAS**, in accordance with the Elections Code, the Ordinance shall be submitted to the qualified voters for consideration at the June 2, 2026 election;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INGLEWOOD DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

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1           **SECTION 1.** The next General Municipal Election will be held on June 2, 2026,  
2 and will be consolidated with the 2026 California Primary Election.

3           **SECTION 2.** That the City Council, pursuant to its right and authority, does  
4 order submitted to the qualified voters at the consolidated election on June 2, 2026, the  
5 following question:

6           MEASURE \_\_\_\_\_

7

<p>8           <b>Ordinance to Amend the Inglewood Fire Code to Permit</b> 9           <b>the Sale and Use of Certain Fireworks Within the City of</b> 10           <b>Inglewood.</b> Shall an ordinance be adopted that repeals the 11           City's existing ban on the public's use of Safe and Sane 12           Fireworks, permits their sale within Inglewood under a 13           regulated framework, and establishes rules and penalties for 14           violations? 15 16</p>	<p>YES</p>    <p>NO</p>	<input data-bbox="1234 693 1364 756" type="checkbox"/>    <input data-bbox="1234 924 1364 987" type="checkbox"/>
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17

18           **SECTION 3.** That the proposed complete text of the measure (ordinance)  
19 submitted to the voters is attached as Exhibit A.

20           **SECTION 4.** That the vote requirement for the measure to pass is a majority  
21 (50% + 1) of the votes cast by the qualified electors of the City of Inglewood.

22           **SECTION 5.** That the City Clerk is authorized, instructed and directed to  
23 coordinate with the County of Los Angeles Registrar-Recorder/County Clerk to procure  
24 and furnish any and all official ballots, notices, printed matter and all supplies,  
25 equipment and paraphernalia that may be necessary in order to properly and lawfully  
26 conduct the election.

27           **SECTION 6.** That the polls (vote centers) for the election shall be open at seven  
28 o'clock a.m. of the date of the election and shall remain open continuously from that

1 time until eight o'clock p.m. of the same day when the polls (vote centers) shall be  
2 closed, pursuant to Elections Code section 10242, except as provided in sections 14212,  
3 14401 of the Elections Code of the State of California.

4 **SECTION 7.** That in all particulars not recited in this resolution, the election  
5 shall be held and conducted as provided by law for the holding of municipal elections.

6 **SECTION 8.** That notice of the time and place of holding the election is given  
7 and the City Clerk is authorized, instructed and directed to give further or additional  
8 notice of the election, in time, form and manner as required by law.

9 **SECTION 9.** That in the event the Ordinance is approved by the voters and the  
10 article and section numbers specified therein are not available for use for codification in  
11 the Inglewood Municipal Code, the City Clerk is authorized to renumber the article and  
12 section numbers, and make any other clerical changes that do not alter the meaning,  
13 effect, or substance of the Ordinance.

14 **SECTION 10.** That in the City Clerk shall certify to the passage and adoption of  
15 this Resolution and enter it into the book of original Resolutions.

16 **PASSED, APPROVED AND ADOPTED** this \_\_\_\_\_ day of  
17 \_\_\_\_\_, 2025.

18 \_\_\_\_\_  
19 James T. Butts, Jr., Mayor

20 ATTEST:

21 \_\_\_\_\_  
22 \_\_\_\_\_  
23 Aisha L. Thompson, City Clerk

24  
25 \\ing-data3\Legal\DBRENNEMAN\Elections\Fireworks2025\City Clerk) Submit to Measure to Voters.doc  
26  
27  
28

**The People of the City of Inglewood do ordain as follows:**

**SECTION 1. FINDINGS AND STATEMENT OF PURPOSE**

- A. The residents of Inglewood have responsibly enjoyed the use of State Fire Marshal-Approved “Safe and Sane” Fireworks for many years. These fireworks adhere to strict state regulations, and a 13-year analysis by the Los Angeles County Fire Department found no fire losses or injuries resulting from their use.**
- B. Many of our local nonprofit organizations, rely on the proceeds from the sale of Safe and Sane Fireworks as a significant source of their annual funding. The loss of this funding threatens critical community programs that serve Inglewood residents.**
- C. The use of illegal and dangerous fireworks must remain unlawful in our City, and our City must use every resource available to prosecute violators who use them in our City. The use of illegal and dangerous fireworks in our City is the real problem and not the sale of Safe and Sane Fireworks.**
- D. Jurisdictions that allow the sale and use of Safe and Sane Fireworks have documented declines in the use of illegal and dangerous fireworks. This decline is achieved, in part, through residents having the option to use Safe and Sane Fireworks instead of illegal and dangerous fireworks. There are other factors that contribute to this decline, such as increased public education efforts, stronger enforcement of ordinances prohibiting the use of illegal and dangerous fireworks, and the imposition of higher administrative fines and penalties to deter the use of illegal and dangerous fireworks. These fines and penalties can help offset enforcement costs.**
- E. The revenues generated from the sale of Safe and Sane Fireworks can provide direct financial support for public safety, public education, and enforcement efforts targeting the use of illegal and dangerous fireworks. In jurisdictions that allow their sale, revenue from administrative fines, local fees, and state sales tax contributions fund enforcement operations. Additionally, AB 1403, signed into law by Governor Newsom in 2023, allows cities that permit Safe and Sane Fireworks to impose sales fees that fund public awareness campaigns and strengthen enforcement measures.**
- F. Despite these facts, the Inglewood City Council recently voted to ban the sale and use of Safe and Sane Fireworks. The voters of Inglewood reject that decision and instead propose a comprehensive regulatory framework that restores the ability to sell and use Safe and Sane Fireworks while enhancing efforts to combat the use of illegal and dangerous fireworks within the City.**

**SECTION 2. Inglewood Municipal Code Section 6-3 (commencing with Section 6-3.3) is amended to read as follows (deleted text shown in ~~strikeout~~ type and added text shown in *italicized type*):**

**Section 6-3.3 is repealed.**

~~The sale of fireworks, including "safe and sane" fireworks, as defined in Health and Safety Code sections 12500-12534, is prohibited.~~

**Section 6-3.4 is amended to read:**

**~~Use or Discharge of Fireworks Prohibited.~~**

~~(a) Unless otherwise exempt pursuant to paragraph (b), the use or discharge of fireworks, including "safe and sane" fireworks, as defined in Health and Safety Code sections 12500-12534, is prohibited.~~

~~(b) A person shall not be prosecuted under this Section if any of the following exceptions apply:~~

~~1. The person uses or discharges "exempt fireworks," as defined in Health and Safety Code Sections 12500-12534, pursuant to a permit issued by the Fire Chief.~~

~~2. The person uses or discharges fireworks at a City-sponsored event pursuant to a permit issued by the Fire Chief.~~

~~3. The person uses or discharges fireworks at an arena, stadium, or any other City-approved area located within the Hollywood Park Specific Plan Zone, Commercial Recreation Zone, or Sports and Entertainment Zone pursuant to a permit issued by the Fire Chief.~~

~~(c) The Fire Chief shall have power to adopt reasonable rules and regulations for the granting of permits to use or display fireworks, including verifying whether the person holds a valid license from the State Fire Marshall.~~

**6-3.4 Definitions.**

*The following words and phrases, as used in this chapter, are defined as follows:*

A. *"Affiliated organizations," for purposes of this chapter, shall be the following:*

- 1. Organizations incorporated under the same charter or organization and their auxiliaries if the auxiliary is incorporated under the same charter;*
- 2. Organizations sharing the same officers and/or place of meetings and/or national parent organization;*
- 3. Subdivisions and/or fractional divisions, however named or delineated, of organizations;*
- 4. Suborganizations, one of whose primary purposes is to provide financial and/or manpower support to a parent nonprofit organization.*

*However, different organizations affiliated with and officially recognized by any elementary, junior high and/or high school and/or school district that serves, in whole or in part, the residents of the city or any public or private community college, college and/or university located within the boundaries of the city shall not be presumed to be affiliated organizations unless it can be shown that they serve the same interest area or concern (i.e., boosters of high school football and boosters of high school basketball would be presumed to be two different, nonaffiliated organizations).*

B. *"Agricultural and wildlife fireworks" means fireworks designed or used to prevent damage to crops or unwanted occupancy of areas by animals or birds through the employment of sound or light, or both, whenever such fireworks are so classified by the State Fire Marshal.*

C. *"Citation" means an administrative citation issued pursuant to this chapter to remedy a violation.*

D. *"Citee" means any person served with an administrative citation charging him or her as a responsible person for violation.*

E. *"City" means the city of Inglewood.*

F. *"Code" means the Inglewood Municipal Code.*

G. *"Code Enforcement Officer" ("CEO") means any employee or agent of the city designated by the city council to enforce any provision of this chapter.*

H. *"Dangerous fireworks" shall mean dangerous fireworks as defined in Health and Safety Code Sections 12505 and 12561 and the relevant sections of Title 19, Code of Regulations, Subchapter 6, which are hereby incorporated by reference.*

I. *"Director" means the city manager or his or her designee.*

J. *"Fireworks stand" means any building, counter, or other structure of a temporary nature used in the sale, offering for sale, or display for sale of safe and sane fireworks.*

K. *"Hearing officer" means the person appointed by the city manager to serve as the hearing officer for administrative hearings held pursuant to this chapter.*

L. *"Host" means any person who either:*

1. *Owns, leases, rents, or is otherwise in lawful possession of private property with the City of Inglewood; or*

2. *Organizes, supervises, officiates, conducts, controls, or is otherwise in charge of the activity on the property located within the City of Inglewood.*

3. *Any person who hosts, organizes, supervises, officiates, conducts, or accepts responsibility for a gathering on public or private property.*

M. *"Issuance" or "issued" means any of the following:*

1. *The preparation and service of an administrative fine citation to a citee in the same manner as a summons in a civil action in accordance with Article 3 (commencing with Section 415.10) of Chapter 4 of Title 5 of Part 2 of the Code of Civil Procedure; or*

2. *Mailing of administrative fine citation to the responsible party by certified mail with return receipt, to the address shown on the official records of the county assessor; or*

3. By personally serving the responsible party by personal delivery of the administrative fine citation or by substituted service. Substituted service may be accomplished as follows:

a. By leaving a copy at the responsible party's dwelling or usual place of abode, in the presence of a competent member of the household, and thereafter mailing by first class mail, postage prepaid, a copy to the responsible party at the address where the copy was left; or

b. In the event the responsible party cannot be served by first class mail, postage prepaid, or cannot be personally served and has a property manager or rental agency overseeing the premises, substituted service may be made upon the property manager or rental agency or may be effected by posting the property with the administrative fine citation and mailing a copy by first class mail, postage prepaid, to the responsible party in violation at the address of the property where the violation exists.

N. "Nonprofit organization" means any nonprofit association, charity or corporation organized primarily for veteran, patriotic, welfare, civic betterment or charitable purposes which has been recognized as tax-exempt by the Internal Revenue Service or the Franchise Tax Board, or a group which is an integral part of a recognized national organization having such tax-exempt status, or an organization affiliated with and officially recognized by an elementary, junior high and/or high school and/or school district that serves, in whole or in part, the residents of the city or a public and/or private community college, college and/or university which is located within the boundaries of the city.

O. "Person" means a natural person or a legal entity that is also an owner, tenant, lessee and/or other person with any right to possession or control of the property where a violation of this code occurred.

P. "Principal and permanent meeting place" includes, but is not limited to, a permanent structure, playing field, geographic area or service population which resides in or is located within the city.

Q. "Public display of fireworks" means an entertainment feature where the public is admitted or permitted to view the display or discharge of fireworks, including but not limited to those defined in this section.

R. "Qualified applicants" means any group or organization which has met all of the following criteria for a continuous period of not less than one full year preceding submittal of an application for a permit to sell pursuant to this chapter and which continues to meet the criteria for the duration of any permit to sell issued by the city pursuant to this chapter:

1. The organization shall be a nonprofit organization pursuant to Internal Revenue Code Section 501(c)3, 4, 6, 7, 8, 10, 19, 23, or 26, Section 501(d), or Section 501(e); or a group which is an integral part of a recognized national organization having such tax-exempt status or an organization affiliated with and officially recognized by an elementary, junior high and/or high school and/or school district that serves, in whole or in part, the

*residents of the city or a public and/or private community college, college and/or university which is located within the boundaries of the city:*

2. *The organization shall be organized primarily for veterans, patriotic, welfare, civic betterment, educational, youth development or charitable purposes;*

3. *The organization must have its principal and permanent meeting place within the city;*

4. *The organization must be one which provides direct and regular community services and benefits to the residents of the city;*

5. *The organization has a minimum bona fide membership of at least twenty members who either reside in the city, are employed in the city, or are owners or operators of a business or other establishment located in the city;*

6. *The organization has not been found by any court of competent jurisdiction or city administrative hearing officer to be in violation of any civil or criminal local, state or federal law relating to fireworks within twenty-four calendar months prior to the organization's submittal of an application for a permit to sell; and*

7. *The organization has not had a permit to sell revoked for cause pursuant to this chapter.*

S. *"Responsible person" means a person or host who causes a violation of this chapter to occur or allows a violation to exist or continue, by his or her action or failure to act. For purposes of this chapter, there may be more than one (1) responsible person for a violation. Any person, irrespective of age, found in violation of any provision of this chapter may be issued a citation in accordance with the provisions of this chapter. Every parent, guardian or other person, having the legal care, custody or control of any person under the age of eighteen (18) years, who knows or reasonably should know that a minor is in violation of this chapter, may be issued a citation in accordance with the provisions of this chapter, in addition to any citation that may be issued to the offending minor.*

T. *"Safe and sane fireworks" (a.k.a. "state-approved fireworks") means safe and sane fireworks as set forth in Health and Safety Code Sections 12529 and 12562 and the relevant sections of Title 19, Code of Regulations, Subchapter 6, which are hereby incorporated by reference.*

U. *"Strictly Liable" means liability for a wrongful act regardless of a person's intent, knowledge, negligence, or lack thereof in committing the wrongful act.*

V. *"Violation" or "violates" means any violation of any provision of this chapter.*

W. *"Fireworks wholesaler" has the same meaning as in Health and Safety Code Section 12533 and the relevant sections of Title 19, Code of Regulations, Subchapter 6, which are hereby incorporated by reference.*

**6-3.5 General prohibition against possession, sale or use of fireworks.**

Except as otherwise provided in this chapter, no person shall possess, sell, use, display or explode any dangerous fireworks including, but not limited to, any rocket, firecracker, roman candle, squib, torpedo, wire core sparkler, wooden core sparkler, black cartridge, aerial shell or other combustible device or explosive substance or any kind of fireworks, by whatsoever name known, or any altered safe and sane fireworks within the city.

**6-3.6 Exception--Certain public displays and/or special effects.**

It shall be unlawful to cause, allow, permit, aid, abet, or suffer any discharge of dangerous fireworks (including a public display) or any use of special effects without having first obtained a permit from the city manager.

The city manager shall have authority to adopt reasonable rules and regulations for the granting of permits for those activities contained in Section 12640 of the California Health and Safety Code, including supervised public displays of fireworks by a jurisdiction, fair association, amusement park, other organization, or for the use of fireworks by artisans in pursuit of their trade. Each such use or display shall be handled by a licensed pyrotechnic operator (as defined by Section 12527 of the California Health and Safety Code) in accordance with a city-issued permit, and shall be of such character and so located, discharged or fired as in the opinion of the city manager or his or her designee, after proper investigation, will not be hazardous or endanger any person.

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

**6-3.7 Certain public displays--Liability insurance.**

Any person, firm or corporation applying for a public display permit shall furnish to the city manager 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 five million dollars combined single limits for each occurrence annually for payments of 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/her/its agents, servants, employees and/or subcontractors presenting such public display.

No permit shall be issued until the permittee furnishes the city manager with a certificate of insurance for each policy required, executed by the company issuing said policy and approved as to form by the city attorney. Such policies shall contain a provision which includes the city of Inglewood as an additional insured and declares 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 a general or standard endorsement that the company issuing such policy or policies will not allow the same to be canceled without serving, by first class mail, thirty days' notice of cancellation upon the city clerk for the city. 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 this chapter shall be made to the city before any such revoked permit may be reinstated.

**6-3.8 Certain public displays--Appeals.**

The decision of the city manager or the city manager's designated representative in acting on an application for a permit to conduct a public display of fireworks in accordance with the provisions of this chapter shall be subject to an appeal by the applicant to the city council. Notice of such appeal shall be filed with the city council within ten days after the date of the decision regarding such fireworks permit. Upon failure to file such notice within the ten-day period, the action of the city manager or the city manager's designated representative shall be final and conclusive.

**6-3.9 Exception--Safe and sane fireworks.**

It shall not be unlawful to possess, sell, use, display or discharge, within the city, those fireworks that are defined and classified as "safe and sane fireworks" (a.k.a. "state-approved fireworks") in the California State Fireworks Law (Section 12500 *et seq.* of the Health and Safety Code and the relevant sections of Title 19, Code of Regulations, Subchapter 6) as set forth in this chapter.

**6-3.10 Safe and sane fireworks--Permits required.**

It shall be unlawful for any person to sell safe and sane fireworks within the city without having first applied for and received a permit from the city.

**6-3.11 Safe and sane fireworks--Application.**

- A. No nonprofit organization shall submit more than one application for a permit to sell safe and sane fireworks within the city. If more than one application is submitted on behalf of any nonprofit organization, including an affiliated organization, all such requests shall be voidable at the discretion of the city manager. If a question arises as to whether organizations and/or groups are affiliated, the city council shall have ultimate authority to decide said question. Any attempt to transfer an application shall void any and all applications filed by or on behalf of both the transferor nonprofit organization and the transferee nonprofit organization.
- B. Timing.
1. All applications for permits to sell safe and sane fireworks shall be in writing to the city clerk on forms supplied by the city. Applications may be filed beginning March 15<sup>th</sup> of each year up to and including April 15<sup>th</sup> of the same year, at which time the filing period for that year will be closed.
  2. Applicants for such permits shall be notified by May 1<sup>st</sup> of each calendar year by the city manager of the approval or disapproval of such application for such permit. All organizations whose permits have been approved shall have up to and including June 1st of that year to pick up such permit.
- C. Contents of Application.
1. Every application shall set forth the name of the nonprofit organization, address, email address, and telephone number of one or more responsible adults who will be in charge of and responsible for the fireworks stand during the period safe and sane fireworks are sold, displayed or stored.

2. The original of the application shall be retained by the city clerk, and the city clerk shall transmit a copy to the fire chief and any other relevant city department.

**6-3.12 Safe and sane fireworks--Denial of application.**

A. The city manager shall issue the permit to sell safe and sane fireworks unless any of the following apply:

1. The city manager finds, in writing, that the applicant has failed to provide sufficient plans, information or other data necessary to permit a determination respecting compliance with the requirements of this chapter;
2. The city manager finds, in writing, that the applicant is not in compliance with any of the requirements of this chapter;
3. The city manager finds, in writing, that the applicant falls within the provisions of Section 6-3.20;
4. The city manager determines that the number of qualified applicants exceeds the number of permissible permits under Section 6-3.13; or
5. If the governor of the state of California declares a state of emergency for the city of Inglewood or county of Los Angeles related to imminent threat of devastating wildfires and a related imminent peril to people and property, the city council may, by unanimous vote, suspend the use of safe and sane fireworks for the calendar year in which the governor declares the state of emergency.

B. The city manager must advise, in writing, all qualified applicants of its determination no later than May 1<sup>st</sup> as well as advise them of the procedures that the city must follow.

C. Any denial of a permit pursuant to this section may be appealed to the city council. Upon notice of appeal from an applicant, the city manager shall provide the city council with the name of the applicant and a brief statement of the grounds for denial of issuance of the permit. The city council shall consider the appeal at its next regularly scheduled meeting.

**6-3.13 Safe and sane fireworks--Prerequisite for issuance of permit.**

A. All nonprofit organizations whose permits have been approved shall not be issued a permit unless all of the following are submitted to the city clerk by June 1st:

1. Information regarding the location of the fireworks stand on the real property; written permission from the owner of record, lessor of record or the property manager of the property (whichever is controlling) upon which said proposed stand will be located; and the zoning of the real property on which the fireworks stand is to be located, which zoning classification shall be obtained from the planning department for the city.
2. A copy of the requisite state retail sales permit from the office of the California State Fire Marshal.

3. A certificate evidencing an occurrence-based policy of insurance naming the city of Inglewood as an additional insured thereunder, with the following minimum limits: one million dollars public liability and property damage; and general aggregate coverage of two million dollars.

4. A copy of a temporary sales tax permit issued by the California Department of Tax and Fee Administration.

B. The maximum number of permits which may be issued and the maximum number of safe and sane fireworks stands that will be permitted, pursuant to this chapter during any calendar year shall not exceed twelve (12). If the number of qualified applicants exceeds the number of permissible permits under this section, the city shall select the nonprofit organizations to whom permits shall be issued by the following method:

1. Preference shall be given to any nonprofit organization that was issued a permit to sell safe and sane fireworks in the city in 2024, so long as such nonprofit organization continuously applies for and is issued a permit from year to year, beginning with the effective date of the ordinance codified in this chapter.

2. In the event that any permits are available after issuing permits pursuant to subsection (B)(1) of this section, the city manager or his or her designee shall conduct a drawing in which qualified applicants shall be randomly selected to receive any available permits.

C. Permits issued pursuant to this section are valid only during the calendar year issued.

**6-3.14 Deadlines for applications and all other filings.**

If the deadline for submitting any type of application, payment of any administrative fine, filing of a notice of appeal, etc., called for within this chapter falls on a day City Hall is closed, the deadline shall automatically be extended to the close of business of the next day City Hall is open.

**6-3.15 Safe and sane fireworks--Temporary sales tax permit.**

Nonprofit organizations licensed and permitted to sell safe and sane fireworks in the city are required to obtain a temporary sales tax permit from the California Department of Tax and Fee Administration.

**6-3.16 Safe and sane fireworks--Operation of fireworks stand.**

A. No person shall knowingly sell fireworks to any person under the age of eighteen. Proof that the fireworks stand operator/organization requested, was shown and acted in reliance upon bona fide evidence of age and identity in any sale of fireworks forbidden by this chapter shall be a defense for any proceedings for suspension or revocation of its safe and sane fireworks permit or any criminal proceedings for violations of this chapter. For purposes of this section, bona fide evidence of age and identity of purchaser is a document issued by a federal, state, county or municipal government which contains a photograph of the purchaser including, but not limited to, a valid California driver's license or identification card issued to a member of the Armed Forces.

B. The sale of safe and sane fireworks shall begin no earlier than Noon (12:00 p.m.) June 28th and shall not continue after nine (9:00) p.m. on June 28th. The sale of safe and sane fireworks shall

be permitted to continue daily only from nine (9:00) a.m. to nine (9:00) p.m., daily, on June 29th through July 5th.

C. No person other than the permitted nonprofit organization(s) shall operate the stand for which the permit is issued under this chapter.

D. No person other than the individuals who are members of the permittee or the spouses, parents or adult children of such members shall sell safe and sane fireworks at such stands.

E. No person under the age of eighteen shall sell safe and sane fireworks within such stands.

F. No person shall be paid any consideration by the permittee nonprofit organization(s) or any wholesaler/distributor of safe and sane fireworks for selling or otherwise participating in the sale of safe and sane fireworks at such stand; provided, however, that compensation may be paid for licensed or qualified security personnel, electricians, or other vendors needed to conduct business other than fireworks sales, during sale or non-sale hours and to the party authorizing the location of the stand on its property.

**6-3.17 Safe and sane fireworks--Temporary fireworks stand.**

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

A. No stand shall be located within twenty-five (25) feet of any other building or within one hundred (100) feet of any gasoline pump or other gasoline distribution point.

B. Stands need not comply with the provisions of the building code of the city; provided, however, that all stands shall be constructed in a manner which will reasonably ensure the safety of attendants and patrons; and provided further, that any electrical installation shall comply with all applicable codes.

C. No stand shall have a floor area in excess of seven hundred fifty (750) square feet.

D. Each stand shall have at least two (2) exits. Each stand in excess of forty (40) feet in length shall have at least three (3) exits spaced approximately equidistant apart; provided, however, that in no case shall the distance between the exits exceed thirty-two (32) feet. Exit doors shall be not less than twenty-four (24) inches wide and six (6) feet in height and shall swing in the direction of exit travel.

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

**6-3.18 Safe and sane fireworks--General requirements for permittees.**

A. All weeds and combustible materials shall be cleared from the location of the fireworks stand to a distance of at least twenty-five (25) feet surrounding the fireworks stand. All trash resulting from the operation of the fireworks stand must be removed on a daily basis.

B. "NO SMOKING" signs shall be prominently displayed on the safe and sane fireworks stand.

C. Each safe and sane fireworks stand must have an adult in attendance and in charge thereof while fireworks are on sale or stored therein. Sleeping or remaining in the stand after close of business each day is prohibited. On closing of the safe and sane fireworks stand each day, all fireworks must remain in the stand and be guarded by qualified watchperson or security personnel during these non-sale hours.

D. All unsold stock of fireworks in the hands of the permittee after nine (9:00) p.m. on July 5th shall be returned to the wholesaler/distributor and removed from the city within five (5) business days. On closing of the safe and sane fireworks stand, all litter shall be removed from the premises.

E. No fuel-powered generator or similar equipment shall be allowed within fifty (50) feet of a safe and sane fireworks stand.

F. Each safe and sane fireworks stand must post its city permit to sell safe and sane fireworks, its temporary sales tax permit from the California Department of Tax and Fee Administration, its State Fire Marshal retail sales permit, and proof of their required insurance in a prominent place inside the safe and sane fireworks stand.

G. No person shall smoke within twenty-five (25) feet of the safe and sane fireworks stand. No person shall light, cause to be lighted or permit to be lighted any safe and sane fireworks or combustible material within fifty (50) feet of any safe and sane fireworks stand.

**6-3.19 Nonprofit organization fee and surcharge.**

A. Pursuant to California Health and Safety Code Sections 12599 and 12635.5, the City may, through adoption of a resolution by the City Council, require each applicant receiving a permit to pay a fee to the City of a *pro rata* portion of the actual and reasonable costs the City incurs that is related to any of the following:

1. Processing and issuing permits.
2. Inspection of fireworks stands.
3. Public education and awareness campaigns regarding the safe and responsible use of safe and sane fireworks, and the dangers and risks posed by the use of illegal fireworks.
4. Enforcing the provisions of the municipal code of the City with respect to the sale and use of safe and sane fireworks, including extra personnel time and cleanup of the fireworks trash and debris. "Extra personnel time" means employee or contracted employee time that the City would not otherwise incur but for the sale and use of safe and sane fireworks.
5. Fire operation and suppression efforts that are directly related to safe and sane fireworks.

B. The *pro rata* share of the costs shall be specified in the resolution and calculated using gross sales as shown on each permittee's sales and use tax return for the applicable period. The *pro*

*rata* share of costs shall not exceed seven (7) percent of the gross sales of the fireworks sold in the City during the applicable period.

C. All nonprofit retail booth locations in the City may assess a surcharge up to seven (7) percent on all retail sales of state-approved fireworks that occur in the city in order to pay the above fee to the City. In no event may the City, or any of its departments, agencies and/or contracted organizations, impose a fee or charge to the nonprofits for their sale of fireworks other than those listed above.

D. Each nonprofit organization must pay its *pro rata* share of the costs to the City Clerk within thirty (30) days of the City Council adopting the resolution discussed in this section.

**6-3.20 Safe and sane fireworks--Revocation of permit--Appeal.**

A. The city manager or the city manager's designee may revoke, immediately and without notice or hearing, the permit of any permittee who violates any of the following provisions: Section 6-3.16, Section 6-3.18. If the revocation occurs between June 22nd and July 5th, the city manager shall inform the permittee that the permittee may seek review of the city manager's decision by the city council at the next regular meeting by submitting a notice of appeal to the city clerk within five business days of receiving the notice of revocation. At the earliest opportunity on the next business day after the revocation, the city manager shall provide the city council 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. If the revocation occurs before or after the specified period, the appeal procedures of subsection (B) of this section shall apply.

B. The city manager, or the city manager's designee, may revoke the permit of any permittee who violates any provision of this chapter not specified in subsection (A) of this section. Such revocation shall not take effect for five days, during which time the permittee may appeal the city manager's decision by submitting a written request to the city clerk for review of the revocation by the city council. The city manager shall provide the city council 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 council shall consider the appeal of revocation at its next regular meeting.

C. Any permittee whose permit has been revoked pursuant to subsection (A) or (B) of this section shall be barred from receiving a permit under this chapter for up to two (2) years from the date of revocation.

**6-3.21 Safe and sane fireworks--Limitation on places and hours of discharge.**

A. It shall be unlawful to discharge any safe and sane fireworks except during the hours of nine (9:00) a.m. to ten (10:00) p.m. on July 1st through July 5th, or during the hours of nine (9:00) a.m. to eleven (11:00) p.m. on the day of the city's Fourth of July public display of fireworks.

B. It shall be unlawful for any person to ignite, discharge, project or otherwise fire or use any safe and sane fireworks, or permit the ignition, discharge or projection thereof, upon or over or onto the property of another without his/her consent, or to ignite, discharge, project or otherwise fire or make use of any safe and sane fireworks within ten feet of any residence, dwelling or other structure used as a place of habitation by human beings.

**6-3.22 Safe and sane fireworks--Supervision of minors.**

It shall be unlawful for any person having the care, custody or control of a minor (under eighteen years) to permit such minor to discharge, explode, fire or set off any dangerous fireworks, at any time, or to permit such minor to discharge or set off any safe and sane fireworks unless such minor does so under the direct supervision of a person over eighteen years of age and during the hours and on the days permitted by this chapter.

**6-3.23 Seizure of fireworks.**

The fire chief, or the fire chief's designee, may seize, take, remove or cause to be removed, at the expense of the permittee or licensed fireworks wholesaler, whichever is applicable, all stock of fireworks offered or exposed for sale, stored or held in violation of this chapter when such violation creates an imminent threat to public health or safety.

**6-3.24 Police and fire department illegal fireworks operation plan and after-action report.**

A. On or before May 1st of every year, both the city's police and fire departments must present to the city council an operation plan for the thirty-day period surrounding the 4th of July (June 17th through July 16th) for that year. Said operation plan must include, but not be limited to, the following information:

1. Identification of areas within the city where illegal fireworks were a problem in the previous year;
2. A detailed explanation of the deployment of fire and law enforcement personnel to deal with those troublesome areas as well as with the balance of the city;
3. A report on the apparatus and personnel who will be on duty for the period of June 17th through July 16th of that year, and more particularly, on the 1st through the 5th of July, inclusive;
4. Recommendations on and discussion of what, if any, dedicated illegal fireworks enforcement patrols there should be for that year and all other relevant information and statistics deemed necessary by the city council.

B. By no later than October 1st of that same year, both police and fire departments must report back to the city council with an after-action report. That report must include, but is not limited to:

1. An evaluation of the success or failure of that department's operation plan for that year including a listing of any significant fireworks-related incidents, both dangerous fireworks and safe and sane fireworks;
2. Relevant incident statistics for the period of June 17th through July 16th, arrest and citation statistics for all crimes, but more particularly for the possession, sale and/or use of dangerous fireworks, altered safe and sane fireworks and misuse of safe and sane fireworks outside the strict limitations of this chapter;
3. A report on how many calls there were regarding suspected dangerous fireworks, how many of those calls either of the departments responded to, how many of those calls resulted in seizures and/or administrative fine citations, the status of payment of those

administrative fines, and how many fireworks seizures resulted in no citations, and if so, why.

#### **6-3.25 Submittal of Financial Summary**

- A. On or before September 15<sup>th</sup> of any year authorized pursuant to a permit, the permittee shall submit to the city manager a financial summary of total sales from fireworks, on a form supplied by the city which shall include the following information:
1. Total gross receipts from the fireworks stand operated by the permittee;
  2. All expenses incurred and paid in connection with the purchase of fireworks and the sale thereof;
  3. Total net receipts from fireworks stand operated by permittee;
  4. A summary of to whom and for what purpose of the net proceeds were or will be disbursed; and
  5. A copy of the most recent report filed by the permittee to the California Department of Tax and Fee Administration.
- B. The filing of such a financial summary with the city shall be a condition precedent to the granting of any subsequent permit.

#### **6-3.26 Exception--Permit required for agricultural and wildlife fireworks.**

It shall be unlawful for any person to possess, sell, furnish, or give away, or offer or expose for sale, or fire, discharge, or explode, any agricultural and wildlife fireworks in the city without first obtaining a permit from the city manager.

The permit shall not be transferable, and shall particularly describe the place where agricultural and wildlife fireworks are to be stored, sold, or discharged. Such permit shall be for such length of time as the city manager shall determine, but in any event not to exceed twelve months.

#### **6-3.27 Exception--Permit required for model rockets.**

The sale, purchase, storage, firing or discharge of model rockets may be allowed by written permit from the city manager which shall include, but not be limited to, the conditions contained in Title 19 of the California State Administrative Code and any other conditions which the city manager may deem to be reasonably necessary for the safety and welfare of the public and the community.

#### **6-3.28 Administrative fines and penalties.**

- A. Purpose.
1. This chapter authorizes the imposition of administrative fines on any person who violates any provision of this chapter in order to encourage and obtain compliance with the provisions of this chapter for the benefit and protection of the entire community. This section governs the imposition, enforcement, collection and administrative review of all administrative fines related to: the possession, use, storage, sale and/or display of those fireworks classified as dangerous fireworks in California Health and Safety Code Section 12500 *et seq.*, with the exception of a pyrotechnic licensee when operating pursuant to that license; and the use of safe and sane fireworks as defined in California Health and Safety Code Section 12500 *et seq.* on or at dates, times and/or locations other than those permitted by this chapter. Said administrative fines are imposed under authority of Government Code Section 53069.4, Health and Safety Code Section 12557, and the police power of the city.

2. The issuance of citations imposing administrative fines may be performed at the discretion of the officials of the city authorized hereunder, and the issuance of a citation to any person constitutes but one remedy of the city to redress violations of this code by any person. By adopting this chapter, the city does not intend to limit its authority to employ any other remedy, civil or criminal, to redress any violation of this code by any person which this city may otherwise pursue.

3. The imposition of fines related to dangerous fireworks under this chapter shall be limited to persons who possess, sell, use and/or display, or the seizure of, less than twenty-five pounds (gross weight) of such dangerous fireworks.

4. Fines collected pursuant to this chapter related to dangerous fireworks shall not be subject to Health and Safety Code Section 12706, which section provides that certain fines collected by a court of the state be deposited with, and disbursed by, the county treasurer. However, the city shall provide cost reimbursement to the State Fire Marshal pursuant to regulations to be adopted by the State Fire Marshal addressing the State Fire Marshal's cost for the transportation and disposal of dangerous fireworks seized by the city, which costs will be part of any administrative fine imposed. Unless and until said regulations have been adopted by the state of California, the city shall hold in trust two hundred fifty dollars or twenty-five percent of any fine collected, whichever is greater, to cover the cost reimbursement to the State Fire Marshal for said cost of transportation and disposal of the dangerous fireworks.

5. Because of the serious threat of fire or injury posed by the use of dangerous fireworks that can result from persistent or repeated failures to comply with the provisions of this code and the effect of such conditions or activities on the safety and the use and enjoyment of surrounding properties and to the public health, safety and welfare, this chapter imposes strict civil liability upon the owners of residential real property for all violations of this code existing on their residential real property. Each contiguous use, display and/or possession shall constitute a separate violation and shall be subject to a separate administrative fine.

6. At least fifty (50) percent of the fines collected pursuant to this chapter must be placed in a segregated fund entitled "Inglewood Illegal Fireworks Enforcement Fund." The sole and exclusive purpose of this fund is to pay for increased fire and police deployment, protection and investigation of and against illegal fireworks in the city for the thirty-day period surrounding the 4th of July (June 17th through July 16th).

B. Issuance of Administrative Citation--Contents.

1. Whenever a code enforcement officer (CEO) determines that a violation of the code has occurred, the CEO may issue an administrative citation on a city-approved form listing the code violation(s) and the amount of the administrative fine required to be paid by the responsible person(s) in accordance with the provisions of this chapter.

2. Each administrative citation shall contain the following information:

- a. The name, mailing address, date of birth, CDL number, and home or business telephone number of the responsible person charged with any violation of this code;
- b. The address or description of the location of the violation;
- c. The date or dates on which the person violated this code;
- d. The section or sections of this code that were violated;
- e. A description of the violation(s);
- f. The amount of the administrative fine for each violation, the procedure in place to pay the fines, and any late fee and interest charge(s), if not timely paid, and notice that if the city is required to take action to collect such fines, the responsible person may be charged costs and attorney's fees;
- g. Notice of the procedure to request an administrative hearing to contest the citation (including the form to be used, how to obtain the form, and the period within which the request must be made in order for it to be considered timely);
- h. The name and signature of the CEO who issued the citation and the name and signature of the citee, if he or she is physically present and will sign the citation at the time of its issuance. The refusal of a citee to sign a citation shall not affect its validity or any related subsequent proceedings, nor shall signing a citation constitute an admission that a person is responsible for a violation of the code; and
- i. Any other information deemed necessary by the director for enforcement or collection purposes.

C. Administrative Fines.

1. Each person who violates any provision of this code as it relates to the possession, use, storage, sale and/or display of dangerous fireworks shall be subject to the imposition and payment of an administrative fine or fines as provided below:

<b>Number of Offenses in 1-Year Period</b>	<b>Amount of Administrative Penalty</b>	<b>Late Charge</b>	<b>Total Amount of Penalty Plus Late Charge</b>
First	\$1,000	\$250	\$1,250
Second	\$3,000	\$500	\$3,500
Third	\$5,000	\$1,000	\$6,000

2. Each person who uses safe and sane fireworks on or at dates, times and/or locations other than those permitted by this chapter shall be subject to the imposition and payment of an administrative fine or fines as provided below:

<b>Number of Offenses in 1-Year Period</b>	<b>Amount of Administrative Penalty</b>	<b>Late Charge</b>	<b>Total Amount of Penalty Plus Late Charge</b>
First	\$250	\$75	\$325
Second	\$500	\$150	\$650
Third	\$750	\$300	\$1,050

3. In the case of a violation of any of the provisions listed above, the administrative fine(s) shall be due and payable within thirty calendar days from the issuance of the administrative fine citation, and the citee shall be required to abate the violation and surrender all dangerous fireworks to the CEO immediately. For penalties not paid in full within that time, a late charge in the amount set forth above is hereby imposed and must be paid to the city by the citee. Fines not paid within the time established by this section shall accrue interest at the prevailing established rate. On the second and each subsequent time that a person is issued a citation for the same violation in any twelve-month period, the fine is increased as indicated above and the citee shall be liable for the amount of the new fine until it is paid, in addition to being responsible for payment of previous fines. Each device (firework) possessed, ignited, exploded, discharged, used, or displayed constitutes a separate violation of this ordinance and therefore is subject to a fine for each device. Possession is defined as having direct or indirect custody and/or control of any dangerous and illegal fireworks prohibited under this chapter.

4. All administrative fines and any late charges and interest due shall be paid to the city at such a location or address as stated on the citation, or as may otherwise be designated by the city manager. Payment of any fine or fines shall not excuse the citee from complying with the provision of the code so violated. The issuance of the citation and/or payment of any fine shall not bar the city from employing any other enforcement action or remedy to obtain compliance with the provisions of the code so violated including the issuance of additional citations and/or criminal prosecution.

5. Upon confirmation of the citation or when the citation is deemed confirmed, all unpaid administrative fines, late fees and/or interest shall constitute a judgment which may be collected in any manner allowed by law for collection of judgments including but not limited to recordation to create a lien on any real property owned by the responsible person. The city shall be entitled to recover its attorney's fees and costs incurred in collecting any administrative fines, late charges and/or interest.

6. Payment of the administrative fine shall not excuse or discharge a citee from the duty to immediately abate and correct a violation of this chapter, nor from any other responsibility or legal consequences for a continuation or a repeated occurrence(s) of a violation of this chapter.

D. Host Liability

1. Any host shall be strictly liable for any unlawful possession, ignition, explosion, discharge, use, or display of any fireworks in violation of this chapter on their property or at their gathering, except that no person who has the right to use, possess, or occupy a unit in a multifamily residential property under a lease, rental agreement, or contract shall be liable for a violation of this chapter occurring in the common area of the property unless the person hosts, organizes, supervises, officiates, conducts, or accepts responsibility for a gathering at which the violation occurs.

2. Any person having the care, custody, or control of a minor shall be strictly liable for any unlawful ignition, explosion, discharge, use, or display of fireworks by the minor in violation of this chapter.

3. Except as provided below in subsection 4 below, no host shall permit or allow another person on private property, or at a gathering on public property, where the host knows or reasonably should know that the person is engaged in a violation of this chapter.

4. The provisions of this section shall not apply to:

a. Conduct involving display, use, or discharge of fireworks as permitted under Federal or State law;

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

5. A violation of this section shall be subject to the fine amounts listed in Section 6-3.28, C1. of this chapter. Each device (firework) possessed, ignited, exploded, discharged, used, or displayed constitutes a separate violation of this ordinance and therefore is subject to a fine for each device. Possession is defined as having direct or indirect custody and/or control of any dangerous and illegal fireworks prohibited under this chapter.

E. Right to an Administrative Hearing.

1. Any citee may contest the violation(s), or that he or she is a responsible person, by filing a request for an administrative hearing on a city-approved form with the city clerk within thirty calendar days from the issuance date of a citation. If the city clerk does not receive the request in the required time period, the citee shall have waived a right to a hearing and the citation shall be deemed confirmed and final.

2. No fees shall be charged for the filing of a request for a hearing.

3. Citees must deposit the full amount of the penalty listed on the citation on or before the request for a hearing is filed. Failure to deposit the full amount of all penalties within the required time period, or the tender of a nonnegotiable check, shall render a request for an administrative hearing incomplete and untimely. Penalties that are deposited with the city

shall not accrue interest. Penalties deposited shall be returned to the person who deposited them if the citation is overturned.

4. A request for a hearing shall contain the following:
  - a. The citation number;
  - b. The name, address, telephone number and any facsimile numbers and e-mail addresses of each person contesting the citation;
  - c. A statement of the reason(s) why a citation is being contested; and
  - d. The date and signature of the citee(s).

5. The city will notify all persons who filed a request for a hearing in writing by first class mail of the date, time and place set for the hearing at least ten calendar days prior to the date of the hearing. Service of this notice is deemed complete at time of mailing. The failure of a citee to receive a properly addressed notice shall not invalidate the citation or any hearing, city action or proceeding conducted pursuant to this chapter.

6. The hearing will be conducted within sixty days of the date a timely and complete request is received by the city clerk.

7. If the CEO submits an additional written report concerning the citation to the city for consideration at the hearing, the CEO shall also serve a copy of such report by first class mail on the person requesting an administrative hearing no less than seven calendar days prior to the date of the hearing. Failure to receive said report shall not invalidate the citation or any hearing, city action or proceeding pursuant to this chapter.

F. Administrative Hearing--Procedures.

1. The hearing officer designated or appointed by the city manager shall hear all requests for administrative hearings of administrative fines in accordance with the procedures established herein.

2. Administrative hearings are informal, and formal rules of evidence and discovery do not apply. The city bears the burden of proof to establish a violation and responsibility therefore by a preponderance of evidence. The citation is prima facie evidence of the violation, however, and the CEO who issued the citation is not required to attend or participate at the hearing. The citee(s) and CEO, if present, shall have an opportunity to present evidence and witnesses and to cross-examine witnesses. A citee may bring an interpreter to the hearing provided there is no expense to the city. The hearing officer may question any person who presents evidence or who testifies at any hearing.

3. A citee may appear at the hearing in person or by written declaration executed under penalty of perjury. Said declaration and any documents in support thereof shall be tendered to and received by the city at least seven business days prior to the hearing. If the citee fails to attend or does not submit a written declaration in a timely manner, he or she shall be deemed to have waived the right to a hearing. In such an instance, the hearing officer shall cancel the hearing and not render a decision. In such instances, the citation shall be deemed confirmed.

4. Hearings may be continued once at the request of a citee or the officer who issued the citation. The hearing officer may also continue the hearing for cause.

G. Hearing Decision--Right of Appeal.

1. After considering all the testimony and evidence submitted at the hearing, the hearing officer shall issue a written decision to uphold or overturn the citation and shall state the reasons therefor.

2. The hearing officer shall serve citee(s) by first class mail with a copy of the written decision. The date the decision is deposited with the U.S. Postal Service shall constitute the date of its service. The failure of a citee to receive a properly addressed decision shall not invalidate any hearing, city action or proceeding conducted pursuant to this chapter.

3. Decisions of the hearing officer may be appealed to the city council within thirty days after the date of their service. Each decision shall contain a statement advising the citee of this appeal right and the procedure for its exercise. A citee shall file a notice of appeal with the city within twenty calendar days after the date of service of the hearing officer's decision.

4. If a hearing officer's decision is not appealed in a timely manner, the decision shall be deemed confirmed.

5. The city council is the sole reviewing authority and an appeal from a hearing officer's decision is not appealable to the superior court. If a responsible person prevails on appeal, the city shall reimburse his or her fine deposit within thirty calendar days of the city council's decision on the appeal.

**6-3.29 Recovery of Response Costs**

A. In addition to any fines or penalties which may otherwise be levied by the City pursuant to this chapter, the City shall be entitled to recover from any person found to be in violation of any provision of this chapter, the City's full response costs.

B. For purposes of this chapter, the term "response costs" shall remain those reasonable and necessary costs directly incurred by the City for a response to complaint of discharging illegal fireworks prohibited under this section and shall include the cost of providing police, fire, and/or other emergency response services at the scene to include, but not limited to:

1. Salaries and benefits of law enforcement and/or emergency personnel for the full amount of time spend responding to, remaining at, or otherwise dealing with such illegal fireworks, and the administrative costs attributable to such responses;

2. The cost of any medical treatment to or for any law enforcement personnel injured while responding to, remaining at, or leaving the scene; and

3. The cost of repaying any City equipment or property damaged and the cost of the use of any such equipment used in responding to, remaining at, or leaving the scene.

**6-3.30 Amendment.**

This chapter shall not be repealed or amended except by a vote of the people of the city of Inglewood.

**6-3.31 Concurrent authorities.**

Any provisions of the Inglewood Municipal Code in conflict herewith are hereby repealed. This chapter supersedes any conflicting provisions of the Uniform Fire Code, International Fire Code, and the Uniform Building Code.

**6-3.32 Severability.**

If any section, subsection, sentence, clause or phrase of this chapter that is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The people of the city of Inglewood hereby declare that they would have passed this chapter and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**CITY ATTORNEY’S IMPARTIAL ANALYSIS OF A PROPOSED ORDINANCE  
TO AMEND THE INGLEWOOD FIRE CODE TO PERMIT THE SALE AND USE  
OF CERTAIN FIREWORKS WITHIN THE CITY OF INGLEWOOD**

**MEASURE \_\_\_\_**

This Measure was placed on the ballot by a petition signed by the requisite number of voters of the City of Inglewood.

City law currently prohibits the sale of all fireworks and prohibits the general public’s use of “Safe and Sane” fireworks. Fireworks may be used only at City-sponsored events, permitted stadium and arena events, or through a Fire Chief-issued permit.

The proposed ordinance would rescind the City’s ban on the general public’s use of Safe and Sane fireworks and permit the sale of Safe and Sane fireworks within the City. The proposed ordinance includes a regulatory framework for the seasonal sale and public use of Safe and Sane Fireworks. It would allow up to twelve nonprofit organizations to obtain annual permits to sell Safe and Sane Fireworks between June 28 and July 5. The ordinance includes regulations governing permit eligibility, insurance, safety measures, stand construction, supervision requirements, and hours of permitted sales and discharge.

The ordinance does not change the City’s prohibition on illegal and dangerous fireworks, and it imposes administrative fines for violations. It also mandates that the Police and Fire Departments prepare annual enforcement plans and reports, and establishes liability for individuals who permit illegal fireworks use on property they control. Additionally, the ordinance authorizes the City to impose a surcharge of up to 7% on sales to fund public safety and enforcement activities.

The measure restricts future amendments or repeal of the ordinance, stating that it may only be changed by a vote of the people.

A “Yes” vote would repeal the existing City ban on Safe and Sane Fireworks and allow their sale and discharge under the terms of the ordinance.

A “No” vote would retain the City’s current prohibition on all fireworks, including Safe and Sane Fireworks.

**Declaration of Custodian of Records**

I, MANDMIR SINGH, declare as follows:

1. I am employed by the City of Inglewood, Department of Building and Safety, and I am the duly authorized custodian of records for this agency.
2. In response to the Subpoena Duces Tecum (SUBP-002) issued in the matter of Eastwood Leimert, LLC v. Yvonne Le Grande, Case No. 25IWUD00462, I conducted a diligent search of the agency's files and records regarding the property located at 115 North Eastwood Avenue, Inglewood, California.
3. The records attached hereto are true and correct copies of documents kept in the ordinary course of business by the City of Inglewood. These records were made at or near the time of the events they document, by (or from information transmitted by) a person with knowledge of the events, and were maintained in the ordinary course of business.
4. If no responsive records exist, this declaration confirms that no Certificate of Occupancy or related records were found on file for the subject property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 24 day of SEPT., 2025, at Inglewood, California.



Custodian of Records  
City of Inglewood - Department of Building and Safety