

# ORDINANCE FOR INTRODUCTION PROPOSED FIREWORKS AMENDMENTS

SMMC Chapter 10.20



San Mateo City Council Meeting  
April 5, 2021

# PRESENTATION OUTLINE

- Background
- Current Regulation
- Recent history of Illegal Fireworks activity
- Proposed Ordinance
- Outreach and Enforcement
- Use of Technology
- Requested Feedback and Actions
- Questions

# BACKGROUND



- Each year SMPD receives complaints of illegal fireworks
- Difficult to address
  - Hard to identify user/possessor of fireworks
  - Lack of clarity on allowable action to be taken by Police Department
  - Limited enforcement options
  - Staffing levels

# ILLEGAL FIREWORKS ACTIVITY



June 15 <sup>th</sup> – July 4 <sup>th</sup> Year	Fireworks-related Incidents
2020	294
2019	109
2018	175

- Many local agencies experienced elevated calls in 2020
- Officer must witness violation to issue citation
- SMPD limited in ability to seize due to code language

# CURRENT REGULATION



- Fireworks are not allowed in San Mateo
- Prohibited by the California Fire Code
  - Adopted by City via SMMC 23.28.010
  - Pertains to both dangerous and safe/sane fireworks
    - As classified by State Fire Marshal
- The Fire Code specifically grants authority to seize fireworks to the Fire Chief



# PROPOSED ORDINANCE



- Adds new Chapter 10.20 to SMMC to clearly indicate
  - Fireworks are not allowed in San Mateo
  - SMPD is authorized to cite and seize fireworks
    - Consistent with other cities in the county we inquired
- Violation results in infraction (Fine thresholds in municipal code)
  - \$100/ first conviction
  - \$200/ second conviction
  - \$500 for each additional within one year

# PROPOSED ORDINANCE



- Offender could be charged with a misdemeanor
  - Depending on magnitude/frequency
  - Fine up to \$1000/potential imprisonment
- Large quantities of dangerous fireworks may be charged as a felony

# OUTREACH & ENFORCEMENT



- Aggressive annual public awareness campaign
  - Media blitz
  - Zero tolerance policy
- Special details dedicated to provide selective enforcement to address fireworks complaints
- It is difficult to catch violator in the act
- Educational efforts will be ongoing



# USE OF TECHNOLOGY



- Investigated use of acoustic detection technology
  - Used locally in Redwood City, East Palo Alto
- Technology is primarily used to increase effectiveness of response to incidents of gun-violence
- Sound sensors identify location of gunfire
- Not intended for fireworks
  - Possible that data could be used to identify hotspots

# SHOTSPOTTER



- Sensors are triggered by loud noises such as gunshots, fireworks, helicopters, construction noises and thunder
- 98% Accuracy and notifies PD within 32 seconds
  - Specifically intended to identify gunshots
- Gunshots are easier to identify with this technology
- Firework detection could be used to create hotspots only

# SAN MATEO



- The City is 15.85 square miles
- ShotSpotter charges by square mile
  - \$70k per year
  - One-time start up fee of \$20k
- ShotSpotter plotted out 3 potential areas using our data for majority of firework complaints and gun-violence in 2020

# SMPD ANALYSIS



- ShotSpotter is an exceptional product for cities with a high volume of gun-violence
- Current conditions in San Mateo may be cost prohibitive as the number of calls we handle for gun-violence may not be worth the investment

# REQUESTED FEEDBACK & ACTION



- Affirm Police Department response to calls for service related to Fireworks
- Provide direction on pursuit of audio enforcement technology
- Introduce the Ordinance
  - Adoption scheduled for April 19<sup>th</sup>
  - Take effect May 19<sup>th</sup>



# QUESTIONS

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