

FIREWORKS BAN UPDATE

A FINAL REPORT
OF THE
1988-89 ORANGE COUNTY GRAND JURY

June 1989

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FIREWORKS BAN UPDATE

PURPOSE

The purpose of this report is to follow through on the recommendations of the 1986-87 Grand Jury regarding the use of fireworks in Orange County cities and unincorporated areas.

BACKGROUND

The 1986-87 Orange County Grand Jury studied the use of so-called "safe and sane" fireworks and found that the discharge of these fireworks had resulted in thousands of dollars in property loss and a significant number of personal injuries in Orange County. The study also found that there had been a significant reduction in property loss and personal injury in those cities which had banned the sale of all fireworks.

As a result, the 1986-87 Grand Jury recommended that all Orange County governing bodies that did not have ordinance banning the sale of "safe and sane" fireworks should take steps to forbid the sale of such fireworks or to place the issue before the voters. At the time, "safe and sane" fireworks were legal in fifteen cities and the unincorporated areas of Orange County.

Subsequently, the Board of Supervisors enacted an ordinance banning the sale of fireworks in the unincorporated areas of the County that became effective for the 1988 Fourth of July holiday. In addition, eight of the 15 cities that previously allowed fireworks have adopted ordinances banning their sale. The seven remaining cities that permit sale of fireworks are Buena Park, Costa Mesa, Fullerton, Garden Grove, Orange, Santa Ana, and Westminster.

In addition, the Boy Scouts and the Catholic Diocese of Orange have banned fireworks sales as money-raising ventures. Other organizations have discontinued the sale of fireworks or are planning to do so.

The fireworks industry has made efforts to educate the public in the use of fireworks. The industry has worked with fire departments in cities where the sale and use of so-called "safe and sane" fireworks are still permitted.

METHOD OF INVESTIGATION

This study commenced with a review of the findings and recommendations made by the 1986-87 Grand Jury and the statistics included in their report. Interviews provided additional input from fireworks industry personnel and Fire Department personnel. Data, reports and position papers were obtained from these same sources.

FINDINGS

The fireworks industry has contended that if so-called "safe and sane" fireworks were banned, illegal fireworks would be brought in to replace them. However, Orange County Fire Department statistics indicate a contrary result. When "safe and sane" fireworks are banned, the incidence of damage from illegal fireworks also decline. Statistics from the California Fire Incident Reporting System also indicate that over the past several years, there is a trend toward decreased incidence of fires caused by illegal fireworks. This data suggests that as "safe and sane" fireworks are banned, the use of illegal fireworks decreases.

Statistics made available by the Orange County Fire Department show a trend toward a lesser number of injuries and lower property damage in unincorporated territory and in cities served by this department following the ban of "safe and sane" fireworks. City and County statistics from previous years do not follow a uniform format. A uniform system of reporting has now been adopted, so that future statistics on fireworks injury and property damage will be more useful.

The three-day 1988 Fourth of July weekend was the first holiday when the sale of fireworks was banned in the territory served by the Orange County Fire Department. During this period, the Department responded to only 113 emergency incidents, a 21 percent decrease compared to the 1987 holiday. This was the lowest number of emergency calls for a July 4th holiday in recent history of the Department. This trend toward lower damage from fireworks indicates that progress is being made toward an injury-free and zero dollar loss from the use of fireworks.

Only eight of the 1988 emergency calls were related to the use of "safe and sane" fireworks. Property damage for these eight calls totaled \$400 and no personal injuries were reported. This contrasts with the 1987 Fourth of July experience in the same area when there were 12 calls related to "safe and sane" fireworks, property damage totaled \$86,700, and two personal injuries were reported.

In 1988, in the seven cities with available statistics that permitted the sale of "safe and sane" fireworks, there were eleven fires attributed to legal fireworks, three incidents caused by illegal fireworks, and 26 additional fires caused by unknown types of fireworks. In these seven cities, eight fireworks-related injuries occurred. Three of these injuries were caused by "safe and sane" fireworks, one injury was caused by illegal fireworks, and the type of fireworks causing

the other four injuries was not identified. The most significant injury resulted from the improper use of a "safe and sane" firework. An 11 year old child suffered burns to over 25 percent of her body and required hospitalization and care at the UCI Medical Center.

The 1988-89 Grand Jury concurs in the findings of the 1986-87 Grand Jury that there is a significant reduction in property loss and personal injury in those jurisdictions which have banned the sale of fireworks. County fire officials report that the sale and use of so-called "safe and sane" fireworks in one city may constitute a danger to persons and property in an adjoining city. (See Appendix)

It is also apparent that where "safe and sane" fireworks are permitted, safety provisions are being violated, particularly the prohibition on the sale or use of such fireworks by children under the age of 16. County experience and data supporting these findings are persuasive. (See Appendix)

RECOMMENDATIONS

RECOMMENDATION 1 - THE ORANGE COUNTY GRAND JURY RECOMMENDS THAT THE CITIES OF BUENA PARK, COSTA MESA, FULLERTON, GARDEN GROVE, ORANGE, SANTA ANA, AND WESTMINSTER, WHICH STILL PERMIT THE SALE OF SO-CALLED "SAFE AND SANE" FIREWORKS, TAKE THE NECESSARY STEPS TO JOIN THE REST OF THE COUNTY IN BANNING THE SALE AND USE OF THESE FIREWORKS IN THEIR JURISDICTIONS.

RECOMMENDATION 2 - THE ORANGE COUNTY GRAND JURY RECOMMENDS THAT THE MAYOR AND COUNCIL MEMBERS IN THE CITIES OF BUENA PARK, COSTA MESA, FULLERTON, GARDEN GROVE, ORANGE, SANTA ANA, AND WESTMINSTER ASSUME AN ACTIVE LEADERSHIP ROLE IN THEIR RESPECTIVE CITIES BY ENCOURAGING CHARITIES AND CIVIC GROUPS TO REPLACE THE SELLING OF FIREWORKS WITH ALTERNATE WAYS OF FUND RAISING.

ORANGE COUNTY FIREWORKS STATISTICS
June 17 through July 16, 1988

| ORANGE COUNTY FIRE DEPARTMENT | FIRE | | | | | | | | | | | | | | | |
|----------------------------------|-----------|------------|---------|-------|-------------|-----------|--------------|-----------|-------------|-----------|--------------|-------|-------------|-----------|--------------|---|
| | TOTAL | | | TYPE | | | CAUSE | | | DAMAGE | | | INJURY | | | |
| | Structure | Vegetation | Vehicle | Other | Safe & Sane | Dangerous | Undetermined | Total | Safe & Sane | Dangerous | Undetermined | Total | Safe & Sane | Dangerous | Undetermined | |
| | | | | | | | | | | | | | | | | |
| ● Unincorporated | 10 | 2 | 6 | 2 | 3 | 6 | 1 | 5400 | 200 | 5200 | | | | | | |
| ● Cypress | 4 | | 3 | 1 | 2 | 2 | | 10 | | 10 | | | | | | |
| ● Irvine | 1 | | 1 | | | 1 | | 0 | | | | | | | | |
| ● La Palma | 2 | 1 | 1 | | 1 | 1 | | 150,000* | | 150,000* | | | | | | |
| ● Los Alamitos | 1 | 1 | | | 1 | | | 5,000 | | 5,000 | | | | | | |
| ● Mission Viejo | 0 | | | | | | | 0 | | | | | | | | |
| ● Placentia | 2 | 1 | 1 | | 1 | 1 | | 100 | | 100 | | | | | | |
| ● San Juan Capistrano | 0 | | | | | | | 0 | | | | | | | | |
| ● Seal Beach | 1 | | | 1 | | 1 | | 50 | | 50 | | | | | | |
| ● Stanton | 2 | 1 | 1 | | | 2 | | 0 | | | | | | | | |
| ● Tustin | 1 | 1 | | | 1 | | | 200 | 200 | | | | | | | |
| ● Villa Park | 0 | | | | | | | 0 | | | | | | | | |
| ● Yorba Linda | 0 | | | | | | | 0 | | | | | | | | |
| 1988 TOTAL | 24 | 7 | 13 | 2 | 8 | 12 | 4 | \$160,760 | 400 | \$160,360 | | | | | | |
| 1987 TOTAL | 28 | 5 | 14 | 3 | 12 | 7 | 9 | 364,200 | 86,700 | 276,000 | 1500 | | | | 2 | 2 |

● Sale and discharge of Safe and Sane fireworks is not permitted.

* This fire occurred one block west of Buena Park city boundaries which allows the sale and use of Safe and Sane fireworks.