

# City of Hesperia STAFF REPORT



**DATE:** May 5, 2020  
**TO:** Mayor and Council Members  
**FROM:** Nils Bentsen, City Manager **SECOND READING AND ADOPTION**  
**BY:** Rachel Molina, Deputy City Manager  
**SUBJECT:** Adoption of Ordinance No. 2020-06 Adding Chapter 8.36 to the Hesperia Municipal Code Regulating the Use of Fireworks

---

## RECOMMENDED ACTION

It is recommended that the City Council introduce and place on first reading Ordinance No. 2020-06, adding chapter 8.36 to the Hesperia Municipal Code regulating the use of fireworks.

## BACKGROUND

Over the last several years, the City has experienced an increase in the use of fireworks. The increase is likely related to less county and state enforcement, which has allowed dangerous fireworks from places such as the State of Nevada to be more easily accessible. To address the public safety and nuisance concerns associated with fireworks, at the March 3, 2020 City Council Meeting staff was directed to increase fines for fireworks to the maximum amount allowed by law. Currently, citations issued for violations range from \$500 to \$1,250 depending on the citing agency. Currently, the Hesperia Municipal Code does not have a chapter regulating the use of fireworks. Citations currently issued by enforcement agencies are done under the penal code or San Bernardino County Fire code.

The City Council also provided direction to staff to publicize a public participation reward program that offers an incentive to parties that report violations.

## ISSUES/ANALYSIS

Ordinance No. 2020-06 prohibits possession, sale, or use of fireworks in Hesperia. The ordinance makes provisions for special events. Penalties outlined in the ordinance include fines for violations in the amount of \$1,000 for the first offense, \$2,000 for the second offense and \$3,000 for the third offense.

The City is a member of the nationwide We-Tip program, which allows for anonymous reporting of illegal activity and offers rewards to those that provide tips that lead to responsible parties being held accountable. In accordance with direction provide by the City Council, staff will increase awareness of this program by adding it to the City's advertising, outreach and communications plan to encourage participation in the hopes of reducing illegal fireworks in Hesperia.

**FISCAL IMPACT**

There is no fiscal impact associated with this item.

**ATTACHMENT(S)**

1. Ordinance 2020-06