



# City of San José

## Neighborhoods Commission

June 12, 2015

Honorable Mayor Liccardo and Councilmembers  
City of San José, 200 East Santa Clara Street  
San José, CA 95113

re: Illegal Fireworks

Dear Mayor and Councilmembers,

At our June meeting, the San José Neighborhoods Commission heard officials from the San José Fire and Police Departments ask for the Community's help regarding the illegal use of fireworks. The Commission then unanimously voted to take the action of addressing the City Council on the matter: illegal fireworks are hazardous to life and limb, traumatic for pets and wildlife, and – in this time of extreme drought – an incredible fire danger.

We thank the City Council for sponsoring the return of public firework displays – they do help reduce the impetus to illegally discharge private fireworks.

We strongly urge the City Council to take further actions:

- Enact an ordinance similar to the one recently passed by the County (see [www.wgbackfence.net/NC/County-Firework-PR.pdf](http://www.wgbackfence.net/NC/County-Firework-PR.pdf)) to hold landowners responsible for fireworks discharged on their private property.
- Utilize data of illegal firework use from prior years to predict “hot-spots” so that the Police can preplan areas for enhanced enforcement activities.
- Since illegal fireworks are often also used on the days leading up to the event, the City should take strong enforcement action on those days to publically demonstrate the intent to enforce the laws.
- The City should utilize its full enforcement staff: rather than having the Police stretched too thin, augment them by using the Fire Marshalls, code enforcement, Community Service Officers (CSO's), park rangers, etc. In many cases, a stern warning from a person in uniform and carrying a badge is sufficient, and the Police are available for backup in cases where it's not.
- Once the immediacy of the upcoming Fourth has past, the City Council can plan any additional measures needed for the other times throughout the year when illegal fireworks are likely, such as Cinco de Mayo, Lunar New Year, Super Bowl parties, etc.

The drought has created an extreme fire hazard and the City Council urgently needs to take action, including enacting an Emergency Ordinance to help deal with the situation.

//signed//

Dr. Lawrence Ames  
Chair, San José Neighborhoods Commission