

CITY OF PARAMOUNT
LOS ANGELES COUNTY, CALIFORNIA

ORDINANCE NO. 1193

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT AMENDING SECTIONS 8.12.010 AND 8.12.020; ADDING SECTION 8.12.032; AND AMENDING SECTIONS 8.12.050, 8.12.110, AND 8.12.160 OF CHAPTER 8.12 (FIREWORKS) OF THE PARAMOUNT MUNICIPAL CODE TO REVISE FIREWORKS STAND HOURS OF OPERATION AND OTHER FIREWORKS REGULATIONS IN THE CITY OF PARAMOUNT

WHEREAS, the Paramount City Council, pursuant to its police power, may adopt regulations to protect the health, safety, and welfare of the public under California Constitution Article XI, Section 7 and California Government Code Section 37100; and

WHEREAS, Fireworks regulations as incorporated in Chapter 8.12 (Fireworks) of the Paramount Municipal Code were last revised in 2010 with Ordinance No. 1019; and

WHEREAS, the City of Paramount recognizes fireworks create potential hazards to the public health, safety, and welfare and changes to local fireworks regulations are necessary from time to time.

THE CITY COUNCIL OF THE CITY OF PARAMOUNT DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The Recitals set forth hereinabove are true and correct and incorporated herein by reference as if fully set forth herein.

SECTION 2. Section 8.12.010 (Authority to regulate) of the Paramount Municipal Code is hereby amended in its entirety to read as follows:

8.12.010 Authority to regulate.

In accordance with Section 12541 of the California Health and Safety Code, the City Council of the City of Paramount hereby enacts this chapter for the purpose of regulating the sale, possession, use, ignition, firing, or discharge of fireworks within the City.

SECTION 3. The following provisions of Section 8.12.020 (Definitions) of Chapter 8.12 (Fireworks) of the Paramount Municipal Code shall be added or amended as follows to read as follows:

Fireworks. Any device containing chemical elements and chemical compounds capable of burning independently of the oxygen of the atmosphere and producing audible, visual, mechanical, or thermal effects which are used as pyrotechnic devices or for entertainment. The term "fireworks" includes, but is not limited to, devices designated by the manufacturer as fireworks, torpedoes, skyrockets, roman candles, rockets, Daygo

bombs, sparklers, party poppers, paper caps, chasers, fountains, smoke sparks, aerial bombs, toy pistols, toy cannons, toy canes or toy guns in which explosives are used, fire balloons (balloons of a type which have a burning material of any kind attached thereto or which require fire underneath to propel them), and fireworks kits. The term "fireworks" includes both "dangerous fireworks" and "safe and sane" fireworks.

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

Safe and sane fireworks. Any fireworks which do not come within the definition of dangerous fireworks and that have been classified and registered as "safe and sane" by the State Fire Marshal. All "safe and sane" fireworks shall be labeled with the "safe and sane" fireworks seal as authorized by the State Fire Marshal.

Social host. A person or persons with a right of possession of the residence or other private property within the City at which dangerous fireworks are sold, offered to be sold, possessed, stored, used, ignited, or discharged, including, but not limited to: (1) any owner of the residence or other private property – meaning the record owner of the title to property as of the time of the possession, storage, sale, use, ignition, or discharge, wherever that person or entity resides at that time; (2) a tenant or lessee of the residence or other private property at the time when the illegal fireworks are possessed, stored, sold, used, ignited, or discharged; (3) the person(s) in charge of the residence or other private property at the time when dangerous fireworks are possessed, stored, sold, used, ignited, or discharged; (4) the person(s) who organizes, supervises, officiates, conducts, or controls the gathering or any other person(s) accepting responsibility for such gatherings where dangerous fireworks are possessed. A social host need not be present at the time dangerous fireworks are possessed, stored, sold, used, ignited, or discharged for the City to impose penalties.

State Fireworks Law. The laws and regulations set forth under the California Health and Safety Code Sections 12500 et seq. and relevant sections of Title 19 of the California Code of Regulations, as the same may be amended from time to time.

SECTION 4. Section 8.12.032 (Social host liability) is hereby added to the Paramount Municipal Code to read as follows:

8.12.032 Social host liability.

- A. It is unlawful for any social host to allow, by invitation or consent, the possession, offer for sale, sale, use, display, explosion, ignition, or discharge any fireworks within the City except as provided under Chapter 8.12 on their property or their gathering on other private property. Such a violation subjects any and all social host(s) to penalties for violation of this chapter as prescribed in Section 8.12.160 of this code.

- B. In the event that a juvenile hosts a gathering at a property or other private property at which illegal possession, offer for sale, sale, use, display, explosion, ignition, or discharge of fireworks occurs, then the parents or guardians of that juvenile will be jointly and severable liable for any penalties incurred pursuant to this section.
- C. In the event that a juvenile and/or parents of a juvenile are found to be responsible under subsection B of this section, community service hours in lieu of, or in addition to, penalties under this section may be granted at the discretion of the City Attorney or City Prosecutor.

SECTION 5. Section 8.12.050 (Limitation on dates of sale of "safe and sane" fireworks) of the Paramount Municipal Code is hereby amended in its entirety to read as follows:

8.12.050 Limitation on dates of sale of "safe and sane" fireworks.

No "safe and "sane" fireworks shall be sold or offered for sale except from noon to 10:00 p.m. on June 28 and 9:00 a.m. to 10:00 p.m. on June 29 through July 4, inclusive, of each year from a permitted temporary fireworks stand.

SECTION 6. Section 8.12.110 (Permit application) of the Paramount Municipal Code is hereby amended in its entirety to read as follows:

8.12.110 Permit application.

- A. Fee. Any person desiring to sell "safe and sane" fireworks shall submit a complete application to the Planning Director or designee for a fireworks permit. Each applicant shall pay to the City a fee, as adopted by resolution by the City Council but no less than \$15.00, at the time the applicant files the application.
- B. Time for Filing Application. Each application for a permit to sell "safe and sane" fireworks shall be filed with the Planning Director or designee no earlier than February 1 and no later than April 1 of the calendar year for which the permit is sought.
- C. Contents of Application. Each applicant for a fireworks permit shall file an application with the Planning Director or designee. Each application shall require the following:
 - 1. The name and address of applicant;
 - 2. Applicant phone number and email address;
 - 3. The applicant's status as a nonprofit, charitable, religious, or eleemosynary corporation or association;

4. The purpose for which the applicant is primarily existing and for which it was organized;
 5. The names and addresses of the officers, if any, of the applicant;
 6. The location where the applicant is applying to sell "safe and sane" fireworks;
 7. The date the applicant was organized and established;
 8. The location of the applicant's principal and permanent meeting place;
 9. The name, address and State Fire Marshal's license number of any wholesaler or distributor from whom the retailer proposes to purchase "safe and sane" fireworks for resale;
 10. The applicant's State Board of Equalization sales tax permit number;
 11. The manner, method, and times (how and when) the applicant proposes to sell "safe and sane" fireworks; and
 12. Such other information as the Planning Director may require for investigation and determination.
- D. Qualifications of Applicant. A fireworks permit shall be issued only to those applicants identified under Section 8.12.080(B)(1), but which shall meet both of the following qualifications:
1. A City sponsored youth group or charitable, or religious association organized and existing primarily for veteran, patriotic, religious, charitable, or civic betterment purposes.
 2. The association must have its principal and permanent meeting place in the City and have been organized and established in the City for a period of at least two years prior to the date of application made for a fireworks permit.
- E. Investigation of Application. The Planning Director shall cause an investigation to be made of each application and shall submit a report of the findings and recommendations to the City Council should any one or more organization(s) identified in Section 8.12.080(B)(1) not submit an application for a fireworks permit as required under this chapter.

SECTION 7. Section 8.12.160 (Penalties) of the Paramount Municipal Code is hereby amended in its entirety to read as follows:

8.12.160 Penalties.

Violations of this chapter shall be punishable in accordance with Section 1.04.150 of the Paramount Municipal Code. Violations of this chapter set forth in an administrative fine schedule established by City Council resolution shall be punishable in accordance with Chapter 1.08 (Administrative Citations) of the Paramount Municipal Code.

SECTION 8. California Environmental Quality Act (CEQA). The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

SECTION 9. Severability. If any section, subsection, sentence, clause or phrase in this ordinance or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of the ordinance or the application of such provision to other persons or circumstances shall be adopted thereby. The City Council hereby declares it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof to any person or circumstance be held invalid.

SECTION 10. Effective Date. This Ordinance shall take effect thirty days after its adoption, shall be certified as to its adoption by the City Clerk, and shall be published as required by law, together with the names and members of the City Council voting for and against the Ordinance.

PASSED, APPROVED and ADOPTED by the City Council of the City of Paramount this 28th day of January 2025.

Annette C. Delgadillo, Mayor

ATTEST

Heidi Luce, City Clerk