

IMPACT STATEMENT

Legislation title: Amend Additional Requirements for Sale, Use and Possession of Fireworks and Pyrotechnics Code to clarify unlawful fireworks, aerial luminary devices, and pyrotechnics (amend Code Subsection 31.40.070 A.)

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Purpose of proposed legislation and background information:

Subject: Ban of the sale and use of personal consumer fireworks.

Key Points:

- The City currently allows the sale of consumer fireworks from June 23rd – July 6th.
- The City does not allow aerial luminary devices or pyrotechnics, except as specified by ORS 480.120.
- Due to unusually hot temperatures and dry conditions, PF&R announced an immediate ban on the use of all legal and illegal fireworks, June 29th, 2021.
- June 30, 2021, Mayor Ted Wheeler signed an emergency declaration immediately banning all sales of fireworks within the City of Portland due to continuing hot weather and dry conditions.
- This proposed ordinance would ban the sale and use of personal consumer fireworks within city limits beginning in 2022.

Objective: Adopt changes to the fireworks ordinance that will ban the sale and use of personal consumer fireworks beginning in 2022.

Present Situation: For the past seven years, PF&R has been working on a program to reduce the use of illegal fireworks. The program was first implemented in 2006 as an enforcement-only program with citations being issued to people storing, selling, or using illegal fireworks. In 2016, the City of Portland passed an ordinance making aerial luminary devices illegal. Currently, the City allows the sale of consumer fireworks within the city limits from June 23rd through July 6th. Each year, illegal fireworks are responsible for countless injuries, enormous property loss, and needless environmental pollution – both air and noise. Each year, the City receives complaints from residents who are upset by the fire danger, noise, litter, and pollution associated with the use of consumer fireworks. The severe drought that occurred during the 2021 fireworks season has heightened safety concerns.

This proposed ordinance would ban the sale and use of personal consumer fireworks within the city limits. The ban would go into effect in 2022. Public firework displays would continue to be allowed with a special use permit.

Financial and budgetary impacts:

Budget Impact: 2012-2016, the City spent \$237,218 on the fireworks education campaign. PF&R will have some cost for at least the first few years as the public becomes accustomed to the change.

Community impacts and community involvement:

Oregon law prohibits illegal fireworks throughout the entire city, unless authorized by a permit. Illegal fireworks include any firework that flies into the air, explodes, or travels more than 12 feet horizontally on the ground. Fireworks commonly called bottle rockets, Roman Candles, are illegal in Oregon.

Since 2012, Portland Fire & Rescue has conducted a campaign and collaborated with neighboring fire jurisdictions, law enforcement agencies, animal welfare advocates, neighborhood coalitions and local hospitals to reduce the use of illegal fireworks.

Each year the City receives complaints from residents who are upset by the fire danger, the noise that can trigger PTSD, the litter and the pollution associated with consumer/personal fireworks use.

100% Renewable Goal:

- Not applicable.

Budgetary Impact Worksheet

Does this action change appropriations?

- ☐ **YES:** Please complete the information below.
- ☒ **NO:** Skip this section