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# 190728

Ordinance

## 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.)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The State of Oregon is experiencing drought, extreme wildfire conditions, and recent record-high temperatures, creating an imminent risk of fires starting within the region and throughout the City.
2. On July 4, 2020: 18 of 36 fires in Portland were caused by fireworks.
3. From 2014 through 2019, there were 1,173 reported fireworks-related fires in Oregon, resulting in more than \$4.9 million in property loss and contents damage. During that same period, fires resulting from fireworks resulted one death and 37 injuries.
4. According to Multnomah County Animal Services, the 10-day period around July 4th experiences a 25% increase in dogs and cats entering the shelter when compared with a typical 10-day period in the summer.
5. During the 2020 fireworks season (June 23 through July 6) there were a total of 223 fires and 44 fires were caused by fireworks in the City of Portland.
6. The City of Portland banned the sale and use of fireworks from June 30th to July 14th, 2021.

NOW, THEREFORE, the Council directs:

A. Amend Portland City Code Subsection 31.40.070 A. as follows:

A. It is unlawful to sell, keep or offer for sale, expose for sale, possess, use, explode or have exploded any fireworks, aerial luminary devices or pyrotechnics within the City, except as specified by ORS 480.120(1)(a-g). For the purpose of this Chapter, the Fire Marshal of the City is recognized as an ex-officio Deputy State Fire Marshal as provided by State statute.

Introduced by

[Commissioner Jo Ann Hardesty](#)

Bureau

[Portland Fire & Rescue](#)

Prepared by

Trisha Schultz

Date Prepared

February 8, 2022

Requested Agenda Type

Regular

Changes City Code

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
March 2, 2022

Auditor of the City of Portland  
Mary Hull Caballero

## Impact Statement

 [Impact Statement](#) (23.88 Kb)

## Budget Office Financial Impact Analysis

The bureau has not identified a specific fiscal impact for this ordinance, but notes that there would be costs for the first few years as the public becomes used to the new ban. The City spent an average of just under \$60,000 annually from 2012-2016 on the fireworks education campaign.

## Agenda Items

### 122 Time Certain in [February 23-24, 2022 Council Agenda](#)

Passed to second reading

Passed to second reading March 2, 2022 at 9:30 a.m.

### 162 Regular Agenda in [March 2, 2022 Council Agenda](#)

Passed

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Absent