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**By Anjanette at 2:12 pm, Mar 05, 2026**

**RESOLUTION NO. 25-133**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, JUNE 2, 2026, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY AN INITIATIVE MEASURE, WHICH WILL AMEND ARTICLE III, CHAPTER 1 "FIRE PREVENTION" OF THE CARSON MUNICIPAL CODE TO ALLOW THE SALE AND USE OF "SAFE AND SANE" FIREWORKS IN THE CITY OF CARSON**

**WHEREAS**, pursuant to Section 9215 of the Elections Code of the State of California, the City Council has received a duly signed and certified initiative petition containing the signatures of not less than ten percent (10%) of the registered voters of the City according to the last report of registration by the county elections official to the Secretary of State pursuant to Section 2187 of the Elections Code of the State of California, which petition proposes a municipal initiative ordinance that would amend Article III, Chapter 1, Fire Prevention, of the Carson Municipal Code to allow the sale of and use of "Safe and Sane Fireworks" in the City of Carson ("Fireworks Measure"); and

**WHEREAS**, pursuant to Section 9215 of the Elections Code, the City Council is required to either adopt the Fireworks Measure, without alteration, or submit the Fireworks Measure to a vote of the electorate of the City pursuant to Section 1405 of the California Elections Code; and

**WHEREAS**, an established Statewide General Election is scheduled for June 2, 2026; and

**WHEREAS**, the City Council of the City of Carson, under the provisions of the Charter of the City of Carson and pursuant to Section 9215(b) of the Elections Code, hereby sees fit and intends to call an election to submit the Fireworks Measure to the voters of the City of Carson at the City's next general election which will be the General Municipal Election to be held on June 2, 2026, and to request consolidation of the same with the Statewide General Election to be held on the same date; and

**WHEREAS**, it is desirable that said measure submitted at the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City of Carson the precincts, polling places and election officers of the two elections be the same, and that the County Election Department of the County of Los Angeles canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**Section 1.** That the City Council of the City of Carson, pursuant to its right and authority, hereby orders submitted to the voters at the General Municipal Election to be held on Tuesday, June 2, 2026, the following question:

|   |     |
|---|-----|
| Shall the measure, placed on the ballot by initiative petition, allowing the sale, from up to 12 permitted temporary stands, and use of "safe and sane fireworks" (as defined in state law) within the City during specified dates and times around the Fourth of July season, with a prohibition on "dangerous fireworks" (as defined in state law) subject to specified exceptions, be adopted? | YES |
|   | NO  |

**Section 2.** That the text of the Fireworks Measure that is to be submitted to the voters is attached as Exhibit "A" to this Resolution and incorporated herein by this reference as if set forth in full. The City's designated elections official is hereby authorized and directed to make any changes to the text of the Fireworks Measure or this resolution as required to conform to any requirements of law.

**Section 3.** That the vote requirement for the Fireworks Measure to pass is a majority (50% +1) of the votes cast.

**Section 4.** That the City Clerk/City's designated elections official is authorized, instructed and directed to coordinate with the County of Los Angeles Registrar-Recorder/County Clerk to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

**Section 5.** That the ballots to be used at the election shall be in form and content as required by law, and that the election shall be held and conducted in the manner prescribed by law.

**Section 6.** That the City Council authorizes its City Clerk/City's designated elections official to administer the election and is authorized, instructed, and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

**Section 7.** Pursuant to California Election Code Section 10242, the polls for the General Municipal Election shall open at seven o'clock a.m. on the day of the election, and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as otherwise provided in California Election Code Section 14401.

**Section 8.** That in all particulars not recited in this Resolution, the General Municipal Election shall be held and conducted in accordance with the provisions of law regulating municipal and statewide elections.

**Section 9.** That notice of the time and place of holding the General Municipal Election is hereby given and the City Clerk/City's designated elections official is authorized, instructed and directed to give further or additional notice of the election, in the time, form and manner required by law.

**Section 10.** That pursuant to Sections 10402 and 10403 of the Elections Code, the Los Angeles County Board of Supervisors is hereby requested to consent and agree to the consolidation

of the submission of the Fireworks Measure at the General Municipal Election with the election conducted by Los Angeles County to be held on Tuesday, June 2, 2026.

**Section 11.** The City Council acknowledges that the consolidated election will be held and conducted in the manner prescribed in Elections Code Section 10418.

**Section 12.** That the Los Angeles County Registrar of Voters is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

**Section 13.** That the Los Angeles County Board of Supervisors is requested to issue instructions to the Los Angeles County Registrar of Voters to take any and all necessary steps for the holding of this consolidated election.

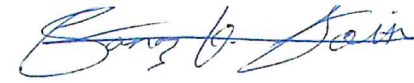
**Section 14.** That the City of Carson recognizes that additional costs will be incurred by Los Angeles County by reason of this consolidation and agrees to reimburse Los Angeles County for any costs upon presentation of a properly submitted bill.

**Section 15.** That the designated elections official is hereby directed to file a certified copy of this resolution with the Los Angeles County Board of Supervisors and the Los Angeles County Registrar of Voters.

**Section 16.** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions. This Resolution shall be effective immediately upon passage and adoption.

**PASSED, APPROVED, AND ADOPTED** this 5<sup>th</sup> day of November 2025.

APPROVED AS TO FORM:

  
Sunny K. Soltani, City Attorney

CITY OF CARSON:

  
Lula Davis-Holmes, Mayor

ATTEST:

  
Dr. Khaleah K. Bradshaw, City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) ss.  
CITY OF CARSON                 )

I, Dr. Khaleah K. Bradshaw, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing resolution, being Resolution No. 25-133 adopted by the City of Carson City Council at its meeting held on November 5, 2025, by the following vote:

|          |                  |  |
|----------|------------------|--|
| AYES:    | COUNCIL MEMBERS: | Davis-Holmes, Hicks, Dear, Hilton, Rojas |
| NOES:    | COUNCIL MEMBERS: | None                                     |
| ABSTAIN: | COUNCIL MEMBERS: | None                                     |
| ABSENT:  | COUNCIL MEMBERS: | None                                     |

  
Dr. Khaleah K. Bradshaw, City Clerk

**EXHIBIT A**  
**FIREWORKS MEASURE**

**[Exhibit on the following page]**

The People of the City of Carson do ordain as follows:

**SECTION 1. FINDINGS AND STATEMENT OF PURPOSE**

- A. The residents of Carson have responsibly enjoyed the use of State Fire Marshal-Approved "Safe and Sane" Fireworks for many years. These fireworks adhere to strict state regulations, and a 13-year analysis by the Los Angeles County Fire Department found no fire losses or injuries resulting from their use.
- B. Many of our local nonprofit organizations rely on the proceeds from the sale of Safe and Sane Fireworks as a significant source of their annual funding. The loss of this funding threatens critical community programs that serve Carson residents.
- C. The use of illegal and dangerous fireworks must remain unlawful in our City, and our City must use every resource available to prosecute violators who use them in our City. The use of illegal and dangerous fireworks in our City is the real problem and not the sale of Safe and Sane Fireworks.
- D. Jurisdictions that allow the sale and use of Safe and Sane Fireworks have documented declines in the use of illegal and dangerous fireworks. This decline is achieved, in part, through residents having the option to use Safe and Sane Fireworks instead of illegal and dangerous fireworks. There are other factors that contribute to this decline, such as increased public education efforts, stronger enforcement of ordinances prohibiting the use of illegal and dangerous fireworks, and the imposition of higher administrative fines and penalties to deter the use of illegal and dangerous fireworks. These fines and penalties can help offset enforcement costs.
- E. The revenues generated from the sale of Safe and Sane Fireworks can provide direct financial support for public safety, public education, and enforcement efforts targeting the use of illegal and dangerous fireworks. In jurisdictions that allow their sale, revenue from administrative fines, local fees, and state sales tax contributions fund enforcement operations. Additionally, AB 1403, signed into law by Governor Newsom in 2023, allows cities that permit Safe and Sane Fireworks to impose sales fees that fund public awareness campaigns and strengthen enforcement measures.
- F. Despite these facts, the Carson City Council recently voted to ban the sale and use of Safe and Sane Fireworks. The voters of Carson reject that decision and instead propose a comprehensive regulatory framework that restores the ability to sell and use Safe and Sane Fireworks while enhancing efforts to combat the use of illegal and dangerous fireworks within the City.

**SECTION 2.** Carson Municipal Code Article III, Chapter 1 (commencing with Section 3101.0 to 3101.10) is amended to read as follows (deleted text shown in ~~strikeout type~~ and added text shown in *italicized type*):

Section 3101.0 is repealed.

~~3101.0 Fireworks.~~

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(a) ~~It shall be unlawful for any person to sell, discharge or use safe and sane fireworks within the City of Carson at any time.~~

(b) ~~It shall be unlawful for any person to sell, discharge, use or possess illegal fireworks within the City of Carson at any time, except for such discharge, use or possession as may be permitted in connection with a public display pursuant to CMC 3101.9.~~

**Section 3101.05 is amended to read:**

**~~3101.05 Definitions.~~**

~~The following definitions shall apply to the provisions of CMC 3101, including all subsections thereunder:~~

(a) ~~“Fire Chief” shall mean the Chief of the Los Angeles County Fire Department or his/her duly authorized designee.~~

(b) ~~“Fire Marshal permit” shall mean a permit issued by the California State Fire Marshal for the public display of fireworks in accordance with the State Fireworks Law.~~

(c) ~~“Fireworks” shall mean and include all of the items listed in California Health and Safety Code Section 12511 or any successor provision thereto.~~

(d) ~~“Illegal fireworks” shall mean any fireworks other than safe and sane fireworks. Illegal fireworks include but are not limited to sky rockets, bottle rockets, Roman candles, mortars, M-80, M-100, firecrackers, cherry bombs, palomitas and “helicopters.”~~

(e) ~~“Permit” shall mean the nontransferable permission granted by the City for the purpose of establishing and maintaining a place where fireworks are manufactured, constructed, produced, packaged, stored, sold, exchanged, discharged or used.~~

(f) ~~“Public display of fireworks” shall have the meaning given in California Health and Safety Code Section 12524 or any successor provision thereto.~~

(g) ~~“Pyrotechnic operator” shall have the meaning given in California Health and Safety Code Section 12527 or any successor provision thereto.~~

(h) ~~“Safe and sane fireworks” shall have the meaning given in California Health and Safety Code Section 12529 or any successor provision thereto.~~

(i) ~~“State Fireworks Law” shall refer to California Health and Safety Code Section 12500 et seq. and Title 19 of the California Code of Regulations, at Division 1, Chapter 6.~~

(j) ~~“Venue operator” shall mean any person owning, leasing, renting, managing, operating, or otherwise having legal control of the use of any real property, building, lot, site or other venue in the City of Carson from which a public display of fireworks is proposed.~~

**~~3101.05 Definitions.~~**

The following words and phrases, as used in Sections 3101.05 to 3101.28, are defined as follows:

- A. "Affiliated organizations," for purposes of this chapter, shall be the following:
1. Organizations incorporated under the same charter or organization and their auxiliaries if the auxiliary is incorporated under the same charter;
  2. Organizations sharing the same officers and/or place of meetings and/or national parent organization;
  3. Subdivisions and/or fractional divisions, however named or delineated, of organizations;
  4. Suborganizations, one of whose primary purposes is to provide financial and/or manpower support to a parent nonprofit organization.

However, different organizations affiliated with and officially recognized by any elementary, junior high and/or high school and/or school district that serves, in whole or in part, the residents of the city or any public or private community college, college and/or university located within the boundaries of the city shall not be presumed to be affiliated organizations unless it can be shown that they serve the same interest area or concern (i.e., boosters of high school football and boosters of high school basketball would be presumed to be two different, nonaffiliated organizations).

B. "Agricultural and wildlife fireworks" means fireworks designed or used to prevent damage to crops or unwanted occupancy of areas by animals or birds through the employment of sound or light, or both, whenever such fireworks are so classified by the State Fire Marshal.

C. "Citation" means an administrative citation issued pursuant to this chapter to remedy a violation.

D. "Citee" means any person served with an administrative citation charging him or her as a responsible person for violation.

E. "City" means the city of Carson

F. "Code" means the Carson Municipal Code.

G. "Code Enforcement Officer" ("CEO") means any employee or agent of the city designated by the city council to enforce any provision of this chapter.

H. "Dangerous fireworks" shall mean dangerous fireworks as defined in Health and Safety Code Sections 12505 and 12561 and the relevant sections of Title 19, Code of Regulations, Subchapter 6, which are hereby incorporated by reference.

I. "Director" means the city manager or his or her designee.

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

K. *"Hearing officer" means the person appointed by the city manager to serve as the hearing officer for administrative hearings held pursuant to this chapter.*

L. *"Host" means any person who either:*

1. *Owns, leases, rents, or is otherwise in lawful possession of private property with the City of Carson; or*
2. *Organizes, supervises, officiates, conducts, controls, or is otherwise in charge of the activity on the property located within the City of Carson.*
3. *Any person who hosts, organizes, supervises, officiates, conducts, or accepts responsibility for a gathering on public or private property.*

M. *"Issuance" or "issued" means any of the following:*

1. *The preparation and service of an administrative fine citation to a citee in the same manner as a summons in a civil action in accordance with Article 3 (commencing with Section 415.10) of Chapter 4 of Title 5 of Part 2 of the Code of Civil Procedure; or*
2. *Mailing of administrative fine citation to the responsible party by certified mail with return receipt, to the address shown on the official records of the county assessor; or*
3. *By personally serving the responsible party by personal delivery of the administrative fine citation or by substituted service. Substituted service may be accomplished as follows:*
  - a. *By leaving a copy at the responsible party's dwelling or usual place of abode, in the presence of a competent member of the household, and thereafter mailing by first class mail, postage prepaid, a copy to the responsible party at the address where the copy was left; or*
  - b. *In the event the responsible party cannot be served by first class mail, postage prepaid, or cannot be personally served and has a property manager or rental agency overseeing the premises, substituted service may be made upon the property manager or rental agency or may be effected by posting the property with the administrative fine citation and mailing a copy by first class mail, postage prepaid, to the responsible party in violation at the address of the property where the violation exists.*

N. *"Nonprofit organization" means any nonprofit association, charity or corporation organized primarily for veteran, patriotic, welfare, civic betterment or charitable purposes which has been recognized as tax-exempt by the Internal Revenue Service or the Franchise Tax Board, or a group which is an integral part of a recognized national organization having such tax-exempt status, or an organization affiliated with and officially recognized by an elementary, junior high and/or high school and/or school district that serves, in whole or in*

*part, the residents of the city or a public and/or private community college, college and/or university which is located within the boundaries of the city.*

*O. "Person" means a natural person or a legal entity that is also an owner, tenant, lessee and/or other person with any right to possession or control of the property where a violation of this code occurred.*

*P. "Principal and permanent meeting place" includes, but is not limited to, a permanent structure, playing field, geographic area or service population which resides in or is located within the city.*

*Q. "Public display of fireworks" means an entertainment feature where the public is admitted or permitted to view the display or discharge of fireworks, including but not limited to those defined in this section.*

*R. "Qualified applicants" means any group or organization which has met all of the following criteria for a continuous period of not less than one full year preceding submittal of an application for a permit to sell pursuant to this chapter and which continues to meet the criteria for the duration of any permit to sell issued by the city pursuant to this chapter:*

*1. The organization shall be a nonprofit organization pursuant to Internal Revenue Code Section 501(c)3, 4, 6, 7, 8, 10, 19, 23, or 26, Section 501(d), or Section 501(e); or a group which is an integral part of a recognized national organization having such tax-exempt status or an organization affiliated with and officially recognized by an elementary, junior high and/or high school and/or school district that serves, in whole or in part, the residents of the city or a public and/or private community college, college and/or university which is located within the boundaries of the city;po*

*2. The organization shall be organized primarily for veterans, patriotic, welfare, civic betterment, educational, youth development or charitable purposes;*

*3. The organization must have its principal and permanent meeting place within the city;*

*4. The organization must be one which provides direct and regular community services and benefits to the residents of the city;*

*5. The organization has a minimum bona fide membership of at least twenty members who either reside in the city, are employed in the city, or are owners or operators of a business or other establishment located in the city;*

*6. The organization has not been found by any court of competent jurisdiction or city administrative hearing officer to be in violation of any civil or criminal local, state or federal law relating to fireworks within twenty-four calendar months prior to the organization's submittal of an application for a permit to sell; and*

*7. The organization has not had a permit to sell revoked for cause pursuant to this chapter.*

S. "Responsible person" means a person or host who causes a violation of this chapter to occur or allows a violation to exist or continue, by his or her action or failure to act. For purposes of this chapter, there may be more than one (1) responsible person for a violation. Any person, irrespective of age, found in violation of any provision of this chapter may be issued a citation in accordance with the provisions of this chapter. Every parent, guardian or other person, having the legal care, custody or control of any person under the age of eighteen (18) years, who knows or reasonably should know that a minor is in violation of this chapter, may be issued a citation in accordance with the provisions of this chapter, in addition to any citation that may be issued to the offending minor.

T. "Safe and sane fireworks" (a.k.a. "state-approved fireworks") means safe and sane fireworks as set forth in Health and Safety Code Sections 12529 and 12562 and the relevant sections of Title 19, Code of Regulations, Subchapter 6, which are hereby incorporated by reference.

U. "Strictly Liable" means liability for a wrongful act regardless of a person's intent, knowledge, negligence, or lack thereof in committing the wrongful act.

V. "Violation" or "violates" means any violation of any provision of this chapter.

W. "Fireworks wholesaler" has the same meaning as in Health and Safety Code Section 12533 and the relevant sections of Title 19, Code of Regulations, Subchapter 6, which are hereby incorporated by reference.

**Section 3101.07 is repealed.**

**~~3101.07 Liability of Resident Where an Illegal Use of Fireworks Occurs.~~**

~~Any resident of premises on which illegal fireworks are found or from which fireworks are illegally discharged or sold shall be subject to the same civil liability or criminal penalty that may be imposed by the City's fireworks regulations on the person selling, discharging or possessing the fireworks, as applicable, if the person selling, discharging or using the fireworks is on the premises by the resident's invitation or consent.~~

**Section 3101.1 is added to read:**

***3101.1 General prohibition against possession, sale or use of fireworks.***

*Except as otherwise provided in this chapter, no person shall possess, sell, use, display or explode any dangerous fireworks including, but not limited to, any rocket, firecracker, roman candle, squib, torpedo, wire core sparkler, wooden core sparkler, black cartridge, aerial shell or other combustible device or explosive substance or any kind of fireworks, by whatsoever name known, or any altered safe and sane fireworks within the city.*

**Section 3101.2 is added to read:**

***3101.2 Exception—Certain public displays and/or special effects.***

*It shall be unlawful to cause, allow, permit, aid, abet, or suffer any discharge of dangerous fireworks (including a public display) or any use of special effects without having first obtained a permit from the city manager.*

*The city manager shall have authority to adopt reasonable rules and regulations for the granting of permits for those activities contained in Section 12640 of the California Health and Safety Code, including supervised public displays of fireworks by a jurisdiction, fair association, amusement park, other organization, or for the use of fireworks by artisans in pursuit of their trade. Each such use or display shall be handled by a licensed pyrotechnic operator (as defined by Section 12527 of the California Health and Safety Code) in accordance with a city-issued permit, and shall be of such character and so located, discharged or fired as in the opinion of the city manager or his or her designee, after proper investigation, will not be hazardous or endanger any person.*

*Every application for a permit to conduct a public display of fireworks shall be accompanied by a non-refundable fee as established by resolution of the city council. This fee shall be in addition to any fee or tax imposed by the city council. Every applicant shall agree to hold the city, its officers and employees harmless from any and all claims for damages or other costs arising out of the activity authorized by the permit.*

**Section 3101.3 is added to read:**

***3101.3 Certain public displays--Liability insurance.***

*Any person, firm or corporation applying for a public display permit shall furnish to the city manager proof of coverage by a policy of public liability and property damage insurance. The policy shall provide limits of bodily injury and property damage liability of not less than five million dollars combined single limits for each occurrence annually for payments of damages to persons or property which may result from or be caused by such public display of fireworks, or any negligence on the part of the licensee or his/her/its agents, servants, employees and/or subcontractors presenting such public display.*

*No permit shall be issued until the permittee furnishes the city manager with a certificate of insurance for each policy required, executed by the company issuing said policy and approved as to form by the city attorney. Such policies shall contain a provision which includes the city of Carson as an additional insured and declares said insurance to be primary and that no other insurance carried by an insured party shall be called upon for contribution. Such insurance policies shall contain a general or standard endorsement that the company issuing such policy or policies will not allow the same to be canceled without serving, by first class mail, thirty days' notice of cancellation upon the city clerk for the city. Notwithstanding any other provision of this chapter, the failure of the permittee to carry such policy or policies in force and to properly renew said insurance during the time covered by such permit shall automatically revoke the permit as of the date of expiration of such insurance policy or policies. A payment of the full amount of the permit fee required by this chapter shall be made to the city before any such revoked permit may be reinstated.*

**Section 3101.4 is added to read:**

***3101.4 Certain public displays--Appeals.***

*The decision of the city manager or the city manager's designated representative in acting on an application for a permit to conduct a public display of fireworks in accordance with the provisions of this chapter shall be subject to an appeal by the applicant to the city*

council. Notice of such appeal shall be filed with the city council within ten days after the date of the decision regarding such fireworks permit. Upon failure to file such notice within the ten-day period, the action of the city manager or the city manager's designated representative shall be final and conclusive.

**Section 3101.5 is added to read:**

***3101.5 Exception--Safe and sane fireworks.***

*It shall not be unlawful to possess, sell, use, display or discharge, within the city, those fireworks that are defined and classified as "safe and sane fireworks" (a.k.a. "state-approved fireworks") in the California State Fireworks Law (Section 12500 et seq. of the Health and Safety Code and the relevant sections of Title 19, Code of Regulations, Subchapter 6) as set forth in this chapter.*

**Section 3101.6 is added to read:**

***3101.6 Safe and sane fireworks--Permits required.***

*It shall be unlawful for any person to sell safe and sane fireworks within the city without having first applied for and received a permit from the city.*

**Section 3101.7 is added to read:**

***3101.7 Safe and sane fireworks--Application.***

*A. No nonprofit organization shall submit more than one application for a permit to sell safe and sane fireworks within the city. If more than one application is submitted on behalf of any nonprofit organization, including an affiliated organization, all such requests shall be voidable at the discretion of the city manager. If a question arises as to whether organizations and/or groups are affiliated, the city council shall have ultimate authority to decide said question. Any attempt to transfer an application shall void any and all applications filed by or on behalf of both the transferor nonprofit organization and the transferee nonprofit organization.*

***B. Timing.***

*1. All applications for permits to sell safe and sane fireworks shall be in writing to the city clerk on forms supplied by the city. Applications may be filed beginning March 15<sup>th</sup> of each year up to and including April 15<sup>th</sup> of the same year, at which time the filing period for that year will be closed.*

*2. Applicants for such permits shall be notified by May 1<sup>st</sup> of each calendar year by the city manager of the approval or disapproval of such application for such permit. All organizations whose permits have been approved shall have up to and including June 1st of that year to pick up such permit.*

***C. Contents of Application.***

*1. Every application shall set forth the name of the nonprofit organization, address, email address, and telephone number of one or more responsible adults who will be in charge of and responsible for the fireworks stand during the period safe and sane fireworks are sold, displayed or stored.*

2. *The original of the application shall be retained by the city clerk, and the city clerk shall transmit a copy to the fire chief and any other relevant city department.*

**Section 3101.8 is amended to read:**

**~~3101.8 Storage of Fireworks.~~**

~~It shall be unlawful to store any fireworks in any residence, home, garage, or automobile within the City of Carson. It shall also be unlawful to store any fireworks in any building or other place within the City of Carson without having first applied for and received a business license pursuant to CMC 6310 and a permit therefor pursuant to the provisions of this Section from the City Council. An application for such a permit shall be filed with the City Council along with payment of a nonrefundable application fee established by City Council resolution no later than the last City business day in May. The City Council shall cause an investigation to be made of the place where it is proposed to store such fireworks. Notwithstanding the foregoing, storage of fireworks in connection with a public display of fireworks by a pyrotechnic operator shall be governed by permit issued under CMC 3101.9.~~

~~(a) Prior to initiating the storage of fireworks at the permitted location, the permittee shall procure general liability and property damage insurance covering its operation in and about said premises in a minimum aggregate amount of \$1,000,000; in addition, the City of Carson, its officers and employees shall be named as an additional insured on such insurance. The permittee shall file a certificate of such insurance with the City Revenue Division within seven (7) days after Council approval of such storage operation.~~

~~(b) No fireworks shall be stored within one hundred (100) feet of any gasoline service station or any garage located within twenty five (25) feet of any other structure. Any facility for the storage of fireworks shall maintain a minimum setback from the street curbing of ten (10) feet.~~

~~(c) There shall be maintained at each location where fireworks are stored at least two (2) fire extinguishers approved by the Los Angeles County Fire Department; provided, however, that if more than one (1) room at any location is used for fireworks storage, there shall be at least one (1) approved fire extinguisher per room.~~

~~(d) No person shall light, or cause, or permit to be lighted, any fireworks, or any other article or material, within any structure approved for fireworks storage, or within fifty (50) feet thereof.~~

~~(e) No smoking shall be allowed in any structure used for the storage of fireworks nor within fifty (50) feet of said structure. "No Smoking" signs shall be prominently displayed.~~

~~(f) No minor, under the age of eighteen (18), shall be in the fireworks storage structure.~~

~~(g) No alcoholic beverages shall be allowed on the premises. No person who is under the influence of alcoholic beverages shall enter or be allowed in the building or structure used for fireworks storage.~~

~~(h) The permittee shall provide an adult night watchman to act and serve during all hours other than normal business hours. Under no circumstances shall the night watchman sleep within the building in which the fireworks are stored.~~

~~(i) All permits must be posted in a conspicuous place at the storage site.~~

~~(j) The permittee shall strictly comply with all the provisions of the State Fireworks Law.~~

**3101.8 Safe and sane fireworks—Denial of application.**

A. The city manager shall issue the permit to sell safe and sane fireworks unless any of the following apply:

1. The city manager finds, in writing, that the applicant has failed to provide sufficient plans, information or other data necessary to permit a determination respecting compliance with the requirements of this chapter;

2. The city manager finds, in writing, that the applicant is not in compliance with any of the requirements of this chapter;

3. The city manager finds, in writing, that the applicant falls within the provisions of Section 3101.16;

4. The city manager determines that the number of qualified applicants exceeds the number of permissible permits under Section 3101.9; or

5. If the governor of the state of California declares a state of emergency for the city of Carson or county of Los Angeles related to imminent threat of devastating wildfires and a related imminent peril to people and property, the city council may, by unanimous vote, suspend the use of safe and sane fireworks for the calendar year in which the governor declares the state of emergency.

B. The city manager must advise, in writing, all qualified applicants of its determination no later than May 1<sup>st</sup> as well as advise them of the procedures that the city must follow.

C. Any denial of a permit pursuant to this section may be appealed to the city council. Upon notice of appeal from an applicant, the city manager shall provide the city council with the name of the applicant and a brief statement of the grounds for denial of issuance of the permit. The city council shall consider the appeal at its next regularly scheduled meeting.

**Section 3101.9 is amended to read:**

**3101.9 Public Display.**

No person shall engage in the public display of fireworks within the City of Carson without having first applied for and received a business license pursuant to CMC 6310 and permit pursuant to the provisions of this Section. Upon application by a pyrotechnic operator or venue owner for one (1) or more public display events (to an annual maximum of six (6) public display events per venue), an authorized representative of the City's Revenue Division shall grant a permit provided all of the following criteria are met:

(a) Such display(s) shall not take place on Monday through Thursday, unless the day falls on July 4th. Any request for public displays at any other times shall be subject to the approval of the City Council within its discretion.

(b) The public display of fireworks shall be performed by a pyrotechnic operator holding a current and valid Fire Marshal permit for the public display of fireworks under Health and Safety Code Section 12575, 12576 or 12577.

(c) The applicant shall file a written application on a form provided by the City for such permit accompanied by a nonrefundable application fee established by City Council resolution for each event.

(d) The application shall be filed with the City Revenue Division at least two (2) weeks prior to the public display of fireworks event.

(e) The application shall be accompanied by an insurance certificate for general liability and property damage insurance in an aggregate amount of not less than \$1,000,000, and proof that workers' compensation insurance is carried for all employees in compliance with Labor Code Section 3700. Such policy shall be issued by a corporate insurance company authorized to conduct business in the State of California, and shall name the City, its officers and employees as additional insureds.

(f) The application shall set forth the name, principal place of business and telephone number of the applicant, the names and addresses of its principal partners, owners or officers, the name, residence address, and capacity of the person signing the application and the name and address of the venue operator.

(g) The application shall set forth the dates and hours of operation, including the schedule for setup and testing, along with the name and contact information for the State Fire Marshal assigned to oversee the public display of fireworks event. The application shall certify that the public display of fireworks shall not occur after 11:00 p.m. on any approved date.

~~(h) The application shall be accompanied by copies of the pyrotechnic operator's permit issued by the State Fire Marshal or Fire Chief, as applicable, to conduct the proposed public display of fireworks at the proposed venue in the City.~~

~~(i) The application shall be accompanied by a diagram of the grounds on which the display is to be held approved by the State Fire Marshal or Fire Chief, as applicable, showing the point at which the fireworks are to be discharged, the location of all buildings, roads, and other means of transportation, the lines behind which the audience will be restrained, the location of all nearby trees, telegraph or telephone lines, or other overhead obstruction.~~

~~(j) The application shall describe the proposed storage location for fireworks on the site and provide an emergency response plan describing the resources available to the applicant and methods for using such resources to respond to any emergency created by the proposed use of fireworks.~~

~~(k) No pyrotechnic display shall be conducted within five hundred (500) feet of any residence, unless the applicant for the permit has first sent or had delivered written notification to all of the owners or tenants of any residence within a five hundred (500) foot radius of the discharge site.~~

~~(l) Any duly approved permit shall be displayed at all times on the premises of the venue operator.~~

~~(m) The applicant shall certify to the truth of all matters in the application. The City may refuse to issue or revoke any permit for the public display of fireworks at any time upon discovery of any misrepresentation or false statement in the application or failure by the applicant to meet the requirements of this Section.~~

***3101.9 Safe and sane fireworks--Prerequisite for issuance of permit.***

*A. All nonprofit organizations whose permits have been approved shall not be issued a permit unless all of the following are submitted to the city clerk by June 1st:*

*1. Information regarding the location of the fireworks stand on the real property; written permission from the owner of record, lessor of record or the property manager of the property (whichever is controlling) upon which said proposed stand will be located; and the zoning of the real property on which the fireworks stand is to be located, which zoning classification shall be obtained from the planning department for the city.*

*2. A copy of the requisite state retail sales permit from the office of the California State Fire Marshal.*

*3. A certificate evidencing an occurrence-based policy of insurance naming the city of Carson as an additional insured thereunder, with the following minimum*

limits: one million dollars public liability and property damage; and general aggregate coverage of two million dollars.

4. *A copy of a temporary sales tax permit issued by the California Department of Tax and Fee Administration.*

*B. The maximum number of permits which may be issued and the maximum number of safe and sane fireworks stands that will be permitted, pursuant to this chapter during any calendar year shall not exceed twelve (12). If the number of qualified applicants exceeds the number of permissible permits under this section, the city shall select the nonprofit organizations to whom permits shall be issued by the following method:*

*1. Preference shall be given to any nonprofit organization that was issued a permit to sell safe and sane fireworks in the city in 2024, so long as such nonprofit organization continuously applies for and is issued a permit from year to year, beginning with the effective date of the ordinance codified in this chapter.*

*2. In the event that any permits are available after issuing permits pursuant to subsection (B)(1) of this section, the city manager or his or her designee shall conduct a drawing in which qualified applicants shall be randomly selected to receive any available permits.*

*C. Permits issued pursuant to this section are valid only during the calendar year issued.*

**Section 3101.10 is amended to read:**

**~~3101.10 Violations of Fireworks Regulations.~~**

~~(a) Any person violating any provision of CMC 3101 to 3101.9, inclusive, or knowingly or intentionally misrepresenting to any officer or employee of the City any material fact in procuring any permit herein provided for, shall be guilty of a misdemeanor.~~

~~(b) In addition thereto, any such misrepresentation or violation shall constitute grounds for revocation of the permit by the City Council, on twenty-four (24) hours' notice to the permittee, or if any such violation is committed in the presence of the Sheriff, or any deputy, or Fire Chief, or any other City officer, the City Manager shall be empowered, upon receiving a written and signed report thereof from any such officer, to close any such permitted operation forthwith.~~

~~(c) Any person violating the provisions of CMC 3101.0 to 3101.9 shall be subject to a penalty of \$1,000 for a first-time violation, and thereafter \$1,000 for each additional violation of such provisions, except as otherwise provided in a resolution adopted by the City Council pursuant to CMC 1203.3(d). Any person found to have violated the provisions of CMC 3101.8 or 3101.9, or any combination of the same, more than two (2)~~

times in a single year shall be prohibited from applying for any permit under CMC 3101.8 through 3101.9 for a period of one (1) year.

~~(d) If any provision(s) of this Chapter or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this Chapter are declared to be severable. The City Council hereby declares that they would have adopted this Chapter and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one (1) or more sections, subsections, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.~~

***3101.10 Deadlines for applications and all other filings.***

*If the deadline for submitting any type of application, payment of any administrative fine, filing of a notice of appeal, etc., called for within this chapter falls on a day City Hall is closed, the deadline shall automatically be extended to the close of business of the next day City Hall is open.*

**Section 3101.11 is added to read:**

***3101.11 Safe and sane fireworks--Temporary sales tax permit.***

*Nonprofit organizations licensed and permitted to sell safe and sane fireworks in the city are required to obtain a temporary sales tax permit from the California Department of Tax and Fee Administration.*

**Section 3101.12 is added to read:**

***3101.12 Safe and sane fireworks--Operation of fireworks stand.***

*A. No person shall knowingly sell fireworks to any person under the age of eighteen. Proof that the fireworks stand operator/organization requested, was shown and acted in reliance upon bona fide evidence of age and identity in any sale of fireworks forbidden by this chapter shall be a defense for any proceedings for suspension or revocation of its safe and sane fireworks permit or any criminal proceedings for violations of this chapter. For purposes of this section, bona fide evidence of age and identity of purchaser is a document issued by a federal, state, county or municipal government which contains a photograph of the purchaser including, but not limited to, a valid California driver's license or identification card issued to a member of the Armed Forces.*

*B. The sale of safe and sane fireworks shall begin no earlier than Noon (12:00 p.m.) June 28th and shall not continue after nine (9:00) p.m. on June 28th. The sale of safe and sane fireworks shall be permitted to continue daily only from nine (9:00) a.m. to nine (9:00) p.m., daily, on June 29th through July 5th.*

*C. No person other than the permitted nonprofit organization(s) shall operate the stand for which the permit is issued under this chapter.*

D. No person other than the individuals who are members of the permittee or the spouses, parents or adult children of such members shall sell safe and sane fireworks at such stands.

E. No person under the age of eighteen shall sell safe and sane fireworks within such stands.

F. No person shall be paid any consideration by the permittee nonprofit organization(s) or any wholesaler/distributor of safe and sane fireworks for selling or otherwise participating in the sale of safe and sane fireworks at such stand; provided, however, that compensation may be paid for licensed or qualified security personnel, electricians, or other vendors needed to conduct business other than fireworks sales, during sale or non-sale hours and to the party authorizing the location of the stand on its property.

**Section 3101.13 is added to read:**

***3101.13 Safe and sane fireworks--Temporary fireworks stand.***

*All retail sales of safe and sane fireworks shall be permitted from within a temporary fireworks stand, and retail sales from any other building or structure are hereby prohibited. Temporary fireworks stands shall be subject to the following provisions:*

A. *No stand shall be located within twenty-five (25) feet of any other building or within one hundred (100) feet of any gasoline pump or other gasoline distribution point.*

B. *Stands need not comply with the provisions of the building code of the city; provided, however, that all stands shall be constructed in a manner which will reasonably ensure the safety of attendants and patrons; and provided further, that any electrical installation shall comply with all applicable codes.*

C. *No stand shall have a floor area in excess of seven hundred fifty (750) square feet.*

D. *Each stand shall have at least two (2) exits. Each stand in excess of forty (40) feet in length shall have at least three (3) exits spaced approximately equidistant apart; provided, however, that in no case shall the distance between the exits exceed thirty-two (32) feet. Exit doors shall be not less than twenty-four (24) inches wide and six (6) feet in height and shall swing in the direction of exit travel.*

E. *Each stand shall be provided with two two-and-one-half-gallon water type (minimum rating 2A) or soda-and-acid fire extinguishers, in good working order and easily accessible for use in case of fire.*

**Section 3101.14 is added to read:**

***3101.14 Safe and sane fireworks--General requirements for permittees.***

A. *All weeds and combustible materials shall be cleared from the location of the fireworks stand to a distance of at least twenty-five (25) feet surrounding the fireworks*

stand. All trash resulting from the operation of the fireworks stand must be removed on a daily basis.

B. "NO SMOKING" signs shall be prominently displayed on the safe and sane fireworks stand.

C. Each safe and sane fireworks stand must have an adult in attendance and in charge thereof while fireworks are on sale or stored therein. Sleeping or remaining in the stand after close of business each day is prohibited. On closing of the safe and sane fireworks stand each day, all fireworks must remain in the stand and be guarded by qualified watchperson or security personnel during these non-sale hours.

D. All unsold stock of fireworks in the hands of the permittee after nine (9:00) p.m. on July 5th shall be returned to the wholesaler/distributor and removed from the city within five (5) business days. On closing of the safe and sane fireworks stand, all litter shall be removed from the premises.

E. No fuel-powered generator or similar equipment shall be allowed within fifty (50) feet of a safe and sane fireworks stand.

F. Each safe and sane fireworks stand must post its city permit to sell safe and sane fireworks, its temporary sales tax permit from the California Department of Tax and Fee Administration, its State Fire Marshal retail sales permit, and proof of their required insurance in a prominent place inside the safe and sane fireworks stand.

G. No person shall smoke within twenty-five (25) feet of the safe and sane fireworks stand. No person shall light, cause to be lighted or permit to be lighted any safe and sane fireworks or combustible material within fifty (50) feet of any safe and sane fireworks stand.

H. No alcoholic beverages shall be allowed on the premises. No person who is under the influence of alcoholic beverages shall enter or be allowed in the building or structure used for fireworks storage.

**Section 3101.15 is added to read:**

***3101.15 Nonprofit organization fee and surcharge.***

A. Pursuant to California Health and Safety Code Sections 12599 and 12635.5, the City may, through adoption of a resolution by the City Council, require each applicant receiving a permit to pay a fee to the City of a pro rata portion of the actual and reasonable costs the City incurs that is related to any of the following:

1. Processing and issuing permits.
2. Inspection of fireworks stands.
3. Public education and awareness campaigns regarding the safe and responsible use of safe and sane fireworks, and the dangers and risks posed by the use of illegal fireworks.

4. *Enforcing the provisions of the municipal code of the City with respect to the sale and use of safe and sane fireworks, including extra personnel time and cleanup of the fireworks trash and debris. "Extra personnel time" means employee or contracted employee time that the City would not otherwise incur but for the sale and use of safe and sane fireworks.*

5. *Fire operation and suppression efforts that are directly related to safe and sane fireworks.*

*B. The pro rata share of the costs shall be specified in the resolution and calculated using gross sales as shown on each permittee's sales and use tax return for the applicable period. The pro rata share of costs shall not exceed seven (7) percent of the gross sales of the fireworks sold in the City during the applicable period.*

*C. All nonprofit retail booth locations in the City may assess a surcharge up to seven (7) percent on all retail sales of state-approved fireworks that occur in the city in order to pay the above fee to the City. In no event may the City, or any of its departments, agencies and/or contracted organizations, impose a fee or charge to the nonprofits for their sale of fireworks other than those listed above.*

*D. Each nonprofit organization must pay its pro rata share of the costs to the City Clerk within thirty (30) days of the City Council adopting the resolution discussed in this section.*

**Section 3101.16 is added to read:**

***3101.16 Safe and sane fireworks--Revocation of permit--Appeal.***

*A. The city manager or the city manager's designee may revoke, immediately and without notice or hearing, the permit of any permittee who violates any of the following provisions: Section 3101.12, Section 3101.14. If the revocation occurs between June 22nd and July 5th, the city manager shall inform the permittee that the permittee may seek review of the city manager's decision by the city council at the next regular meeting by submitting a notice of appeal to the city clerk within five business days of receiving the notice of revocation. At the earliest opportunity on the next business day after the revocation, the city manager shall provide the city council with written notice that a fireworks permit has been revoked, including the name of the permittee and a brief statement of the grounds for revocation. If the revocation occurs before or after the specified period, the appeal procedures of subsection (B) of this section shall apply.*

*B. The city manager, or the city manager's designee, may revoke the permit of any permittee who violates any provision of this chapter not specified in subsection (A) of this section. Such revocation shall not take effect for five days, during which time the permittee may appeal the city manager's decision by submitting a written request to the city clerk for review of the revocation by the city council. The city manager shall provide the city council with written notice that a fireworks permit has been revoked, including the name of the permittee and a brief statement of the grounds for revocation. The city council shall consider the appeal of revocation at its next regular meeting.*

C. Any permittee whose permit has been revoked pursuant to subsection (A) or (B) of this section shall be barred from receiving a permit under this chapter for up to two (2) years from the date of revocation.

**Section 3101.17 is added to read:**

***3101.17 Safe and sane fireworks--Limitation on places and hours of discharge.***

A. It shall be unlawful to discharge any safe and sane fireworks except during the hours of nine (9:00) a.m. to ten (10:00) p.m. on July 1st through July 5th, or during the hours of nine (9:00) a.m. to eleven (11:00) p.m. on the day of the city's Fourth of July public display of fireworks.

B. It shall be unlawful for any person to ignite, discharge, project or otherwise fire or use any safe and sane fireworks, or permit the ignition, discharge or projection thereof, upon or over or onto the property of another without his/her consent, or to ignite, discharge, project or otherwise fire or make use of any safe and sane fireworks within ten feet of any residence, dwelling or other structure used as a place of habitation by human beings.

**Section 3101.18 is added to read:**

***3101.18 Safe and sane fireworks--Supervision of minors.***

It shall be unlawful for any person having the care, custody or control of a minor (under eighteen years) to permit such minor to discharge, explode, fire or set off any dangerous fireworks, at any time, or to permit such minor to discharge or set off any safe and sane fireworks unless such minor does so under the direct supervision of a person over eighteen years of age and during the hours and on the days permitted by this chapter.

**Section 3101.19 is added to read:**

***3101.19 Seizure of fireworks.***

The fire chief, or the fire chief's designee, may seize, take, remove or cause to be removed, at the expense of the permittee or licensed fireworks wholesaler, whichever is applicable, all stock of fireworks offered or exposed for sale, stored or held in violation of this chapter when such violation creates an imminent threat to public health or safety.

**Section 3101.20 is added to read:**

***3101.20 Police and fire department illegal fireworks operation plan and after-action report.***

A. On or before May 1st of every year, both the city's police and fire departments must present to the city council an operation plan for the thirty-day period surrounding the 4th of July (June 17th through July 16th) for that year. Said operation plan must include, but not be limited to, the following information:

1. Identification of areas within the city where illegal fireworks were a problem in the previous year;

2. *A detailed explanation of the deployment of fire and law enforcement personnel to deal with those troublesome areas as well as with the balance of the city;*

3. *A report on the apparatus and personnel who will be on duty for the period of June 17th through July 16th of that year, and more particularly, on the 1st through the 5th of July, inclusive;*

4. *Recommendations on and discussion of what, if any, dedicated illegal fireworks enforcement patrols there should be for that year and all other relevant information and statistics deemed necessary by the city council.*

B. *By no later than October 1st of that same year, both police and fire departments must report back to the city council with an after-action report. That report must include, but is not limited to:*

1. *An evaluation of the success or failure of that department's operation plan for that year including a listing of any significant fireworks-related incidents, both dangerous fireworks and safe and sane fireworks;*

2. *Relevant incident statistics for the period of June 17th through July 16th, arrest and citation statistics for all crimes, but more particularly for the possession, sale and/or use of dangerous fireworks, altered safe and sane fireworks and misuse of safe and sane fireworks outside the strict limitations of this chapter;*

3. *A report on how many calls there were regarding suspected dangerous fireworks, how many of those calls either of the departments responded to, how many of those calls resulted in seizures and/or administrative fine citations, the status of payment of those administrative fines, and how many fireworks seizures resulted in no citations, and if so, why.*

**Section 3101.21 is added to read:**

***3101.21 Submittal of Financial Summary***

A. *On or before September 15<sup>th</sup> of any year authorized pursuant to a permit, the permittee shall submit to the city manager a financial summary of total sales from fireworks, on a form supplied by the city which shall include the following information:*

1. *Total gross receipts from the fireworks stand operated by the permittee;*

2. *All expenses incurred and paid in connection with the purchase of fireworks and the sale thereof;*

3. *Total net receipts from fireworks stand operated by permittee;*

4. *A summary of to whom and for what purpose of the net proceeds were or will be disbursed; and*

5. *A copy of the most recent report filed by the permittee to the California Department of Tax and Fee Administration.*

B. *The filing of such a financial summary with the city shall be a condition precedent to the granting of any subsequent permit.*

**Section 3101.22 is added to read:**

***3101.22 Exception--Permit required for agricultural and wildlife fireworks.***

*It shall be unlawful for any person to possess, sell, furnish, or give away, or offer or expose for sale, or fire, discharge, or explode, any agricultural and wildlife fireworks in the city without first obtaining a permit from the city manager.*

*The permit shall not be transferable, and shall particularly describe the place where agricultural and wildlife fireworks are to be stored, sold, or discharged. Such permit shall be for such length of time as the city manager shall determine, but in any event not to exceed twelve months.*

**Section 3101.23 is added to read:**

***3101.23 Exception--Permit required for model rockets.***

*The sale, purchase, storage, firing or discharge of model rockets may be allowed by written permit from the city manager which shall include, but not be limited to, the conditions contained in Title 19 of the California State Administrative Code and any other conditions which the city manager may deem to be reasonably necessary for the safety and welfare of the public and the community.*

**Section 3101.24 is added to read:**

***3101.24 Administrative fines and penalties.***

***A. Purpose.***

*1. This chapter authorizes the imposition of administrative fines on any person who violates any provision of this chapter in order to encourage and obtain compliance with the provisions of this chapter for the benefit and protection of the entire community. This section governs the imposition, enforcement, collection and administrative review of all administrative fines related to: the possession, use, storage, sale and/or display of those fireworks classified as dangerous fireworks in California Health and Safety Code Section 12500 et seq., with the exception of a pyrotechnic licensee when operating pursuant to that license; and the use of safe and sane fireworks as defined in California Health and Safety Code Section 12500 et seq. on or at dates, times and/or locations other than those permitted by this chapter. Said administrative fines are imposed under authority of Government Code Section 53069.4, Health and Safety Code Section 12557, and the police power of the city.*

*2. The issuance of citations imposing administrative fines may be performed at the discretion of the officials of the city authorized hereunder, and the issuance of a citation to any person constitutes but one remedy of the city to redress violations of this code by any person. By adopting this chapter, the city does not intend to limit its authority to employ any other remedy, civil or criminal, to redress any violation of this code by any person which this city may otherwise pursue.*

3. *The imposition of fines related to dangerous fireworks under this chapter shall be limited to persons who possess, sell, use and/or display, or the seizure of, less than twenty-five pounds (gross weight) of such dangerous fireworks.*

4. *Fines collected pursuant to this chapter related to dangerous fireworks shall not be subject to Health and Safety Code Section 12706, which section provides that certain fines collected by a court of the state be deposited with, and disbursed by, the county treasurer. However, the city shall provide cost reimbursement to the State Fire Marshal pursuant to regulations to be adopted by the State Fire Marshal addressing the State Fire Marshal's cost for the transportation and disposal of dangerous fireworks seized by the city, which costs will be part of any administrative fine imposed. Unless and until said regulations have been adopted by the state of California, the city shall hold in trust two hundred fifty dollars or twenty-five percent of any fine collected, whichever is greater, to cover the cost reimbursement to the State Fire Marshal for said cost of transportation and disposal of the dangerous fireworks.*

5. *Because of the serious threat of fire or injury posed by the use of dangerous fireworks that can result from persistent or repeated failures to comply with the provisions of this code and the effect of such conditions or activities on the safety and the use and enjoyment of surrounding properties and to the public health, safety and welfare, this chapter imposes strict civil liability upon the owners of residential real property for all violations of this code existing on their residential real property. Each contiguous use, display and/or possession shall constitute a separate violation and shall be subject to a separate administrative fine.*

6. *At least fifty (50) percent of the fines collected pursuant to this chapter must be placed in a segregated fund entitled "Carson Illegal Fireworks Enforcement Fund." The sole and exclusive purpose of this fund is to pay for increased fire and police deployment, protection and investigation of and against illegal fireworks in the city for the thirty-day period surrounding the 4th of July (June 17th through July 16th).*

*B. Issuance of Administrative Citation--Contents.*

1. *Whenever a code enforcement officer (CEO) determines that a violation of the code has occurred, the CEO may issue an administrative citation on a city-approved form listing the code violation(s) and the amount of the administrative fine required to be paid by the responsible person(s) in accordance with the provisions of this chapter.*

2. *Each administrative citation shall contain the following information:*

*a. The name, mailing address, date of birth, CDL number, and home or business telephone number of the responsible person charged with any violation of this code:*

*b. The address or description of the location of the violation;*

- c. *The date or dates on which the person violated this code;*
- d. *The section or sections of this code that were violated;*
- e. *A description of the violation(s);*
- f. *The amount of the administrative fine for each violation, the procedure in place to pay the fines, and any late fee and interest charge(s), if not timely paid, and notice that if the city is required to take action to collect such fines, the responsible person may be charged costs and attorney's fees;*
- g. *Notice of the procedure to request an administrative hearing to contest the citation (including the form to be used, how to obtain the form, and the period within which the request must be made in order for it to be considered timely);*
- h. *The name and signature of the CEO who issued the citation and the name and signature of the citee, if he or she is physically present and will sign the citation at the time of its issuance. The refusal of a citee to sign a citation shall not affect its validity or any related subsequent proceedings, nor shall signing a citation constitute an admission that a person is responsible for a violation of the code; and*
- i. *Any other information deemed necessary by the director for enforcement or collection purposes.*

C. *Administrative Fines.*

1. *Each person who violates any provision of this code as it relates to the possession, use, storage, sale and/or display of dangerous fireworks shall be subject to the imposition and payment of an administrative fine or fines as provided below:*

| <i>Number of Offenses in 1-Year Period</i> | <i>Amount of Administrative Penalty</i> | <i>Late Charge</i> | <i>Total Amount of Penalty Plus Late Charge</i> |
|--|---|--------------------|---|
| <i>First</i>                               | <i>\$1,000</i>                          | <i>\$250</i>       | <i>\$1,250</i>                                  |
| <i>Second</i>                              | <i>\$3,000</i>                          | <i>\$500</i>       | <i>\$3,500</i>                                  |
| <i>Third</i>                               | <i>\$5,000</i>                          | <i>\$1,000</i>     | <i>\$6,000</i>                                  |

2. *Each person who uses safe and sane fireworks on or at dates, times and/or locations other than those permitted by this chapter shall be subject to the imposition and payment of an administrative fine or fines as provided below:*

| <i>Number of Offenses in 1-Year Period</i> | <i>Amount of Administrative Penalty</i> | <i>Late Charge</i> | <i>Total Amount of Penalty Plus Late Charge</i> |
|--|---|--------------------|---|
| <i>First</i>                               | <i>\$250</i>                            | <i>\$75</i>        | <i>\$325</i>                                    |
| <i>Second</i>                              | <i>\$500</i>                            | <i>\$150</i>       | <i>\$650</i>                                    |
| <i>Third</i>                               | <i>\$750</i>                            | <i>\$300</i>       | <i>\$1,050</i>                                  |

3. *In the case of a violation of any of the provisions listed above, the administrative fine(s) shall be due and payable within thirty calendar days from the issuance of the administrative fine citation, and the citee shall be required to abate the violation and surrender all dangerous fireworks to the CEO immediately. For penalties not paid in full within that time, a late charge in the amount set forth above is hereby imposed and must be paid to the city by the citee. Fines not paid within the time established by this section shall accrue interest at the prevailing established rate. On the second and each subsequent time that a person is issued a citation for the same violation in any twelve-month period, the fine is increased as indicated above and the citee shall be liable for the amount of the new fine until it is paid, in addition to being responsible for payment of previous fines. Each device (firework) possessed, ignited, exploded, discharged, used, or displayed constitutes a separate violation of this ordinance and therefore is subject to a fine for each device. Possession is defined as having direct or indirect custody and/or control of any dangerous and illegal fireworks prohibited under this chapter.*

4. *All administrative fines and any late charges and interest due shall be paid to the city at such a location or address as stated on the citation, or as may otherwise be designated by the city manager. Payment of any fine or fines shall not excuse the citee from complying with the provision of the code so violated. The issuance of the citation and/or payment of any fine shall not bar the city from employing any other enforcement action or remedy to obtain compliance with the provisions of the code so violated including the issuance of additional citations and/or criminal prosecution.*

5. *Upon confirmation of the citation or when the citation is deemed confirmed, all unpaid administrative fines, late fees and/or interest shall constitute a judgment which may be collected in any manner allowed by law for collection of judgments including but not limited to recordation to create a lien on any real property owned by the responsible person. The city shall be entitled to recover its attorney's fees and costs incurred in collecting any administrative fines, late charges and/or interest.*

6. *Payment of the administrative fine shall not excuse or discharge a citee from the duty to immediately abate and correct a violation of this chapter, nor from any other responsibility or legal consequences for a continuation or a repeated occurrence(s) of a violation of this chapter.*

D. *Host Liability*

1. Any host shall be strictly liable for any unlawful possession, ignition, explosion, discharge, use, or display of any fireworks in violation of this chapter on their property or at their gathering, except that no person who has the right to use, possess, or occupy a unit in a multifamily residential property under a lease, rental agreement, or contract shall be liable for a violation of this chapter occurring in the common area of the property unless the person hosts, organizes, supervises, officiates, conducts, or accepts responsibility for a gathering at which the violation occurs.

2. Any person having the care, custody, or control of a minor shall be strictly liable for any unlawful ignition, explosion, discharge, use, or display of fireworks by the minor in violation of this chapter.

3. Except as provided below in subsection 4 below, no host shall permit or allow another person on private property, or at a gathering on public property, where the host knows or reasonably should know that the person is engaged in a violation of this chapter.

4. The provisions of this section shall not apply to:

a. Conduct involving display, use, or discharge of fireworks as permitted under Federal or State law;

b. A host who initiates contact with law enforcement or fire officials to assist in removing any person from the property or gathering in order to comply with this chapter; if the request for assistance is made before any other person contacts law enforcement or fire officials to complain about the violation of this chapter.

5. A violation of this section shall be subject to the fine amounts listed in Section 3101.24(C)(1) of this chapter: Each device (firework) possessed, ignited, exploded, discharged, used, or displayed constitutes a separate violation of this ordinance and therefore is subject to a fine for each device. Possession is defined as having direct or indirect custody and/or control of any dangerous and illegal fireworks prohibited under this chapter.

E. Right to an Administrative Hearing.

1. Any citee may contest the violation(s), or that he or she is a responsible person, by filing a request for an administrative hearing on a city-approved form with the city clerk within thirty calendar days from the issuance date of a citation. If the city clerk does not receive the request in the required time period, the citee shall have waived a right to a hearing and the citation shall be deemed confirmed and final.

2. No fees shall be charged for the filing of a request for a hearing.

3. Citees must deposit the full amount of the penalty listed on the citation on or before the request for a hearing is filed. Failure to deposit the full amount of all penalties within the required time period, or the tender of a nonnegotiable check, shall render a request for an administrative hearing incomplete and untimely. Penalties that are deposited with the city shall not accrue interest. Penalties deposited shall be returned to the person who deposited them if the citation is overturned.

4. A request for a hearing shall contain the following:

- a. The citation number;
- b. The name, address, telephone number and any facsimile numbers and e-mail addresses of each person contesting the citation;
- c. A statement of the reason(s) why a citation is being contested; and
- d. The date and signature of the citee(s).

5. The city will notify all persons who filed a request for a hearing in writing by first class mail of the date, time and place set for the hearing at least ten calendar days prior to the date of the hearing. Service of this notice is deemed complete at time of mailing. The failure of a citee to receive a properly addressed notice shall not invalidate the citation or any hearing, city action or proceeding conducted pursuant to this chapter.

6. The hearing will be conducted within sixty days of the date a timely and complete request is received by the city clerk.

7. If the CEO submits an additional written report concerning the citation to the city for consideration at the hearing, the CEO shall also serve a copy of such report by first class mail on the person requesting an administrative hearing no less than seven calendar days prior to the date of the hearing. Failure to receive said report shall not invalidate the citation or any hearing, city action or proceeding pursuant to this chapter.

F. *Administrative Hearing--Procedures.*

1. The hearing officer designated or appointed by the city manager shall hear all requests for administrative hearings of administrative fines in accordance with the procedures established herein.

2. Administrative hearings are informal, and formal rules of evidence and discovery do not apply. The city bears the burden of proof to establish a violation and responsibility therefore by a preponderance of evidence. The citation is prima facie evidence of the violation, however, and the CEO who issued the citation is not required to attend or participate at the hearing. The citee(s) and CEO, if present, shall have an opportunity to present evidence and witnesses and to cross-examine witnesses. A citee may bring an interpreter to the hearing provided there is no expense to the city. The hearing officer may question any person who presents evidence or who testifies at any hearing.

3. *A citee may appear at the hearing in person or by written declaration executed under penalty of perjury. Said declaration and any documents in support thereof shall be tendered to and received by the city at least seven business days prior to the hearing. If the citee fails to attend or does not submit a written declaration in a timely manner, he or she shall be deemed to have waived the right to a hearing. In such an instance, the hearing officer shall cancel the hearing and not render a decision. In such instances, the citation shall be deemed confirmed.*

4. *Hearings may be continued once at the request of a citee or the officer who issued the citation. The hearing officer may also continue the hearing for cause.*

G. *Hearing Decision--Right of Appeal.*

1. *After considering all the testimony and evidence submitted at the hearing, the hearing officer shall issue a written decision to uphold or overturn the citation and shall state the reasons therefor.*

2. *The hearing officer shall serve citee(s) by first class mail with a copy of the written decision. The date the decision is deposited with the U.S. Postal Service shall constitute the date of its service. The failure of a citee to receive a properly addressed decision shall not invalidate any hearing, city action or proceeding conducted pursuant to this chapter.*

3. *Decisions of the hearing officer may be appealed to the city council within thirty days after the date of their service. Each decision shall contain a statement advising the citee of this appeal right and the procedure for its exercise. A citee shall file a notice of appeal with the city within twenty calendar days after the date of service of the hearing officer's decision.*

4. *If a hearing officer's decision is not appealed in a timely manner, the decision shall be deemed confirmed.*

5. *The city council is the sole reviewing authority and an appeal from a hearing officer's decision is not appealable to the superior court. If a responsible person prevails on appeal, the city shall reimburse his or her fine deposit within thirty calendar days of the city council's decision on the appeal.*

**Section 3101.25 is added to read:**

***3101.25 Recovery of Response Costs.***

A. *In addition to any fines or penalties which may otherwise be levied by the City pursuant to this chapter, the City shall be entitled to recover from any person found to be in violation of any provision of this chapter, the City's full response costs.*

B. *For purposes of this chapter, the term "response costs" shall remain those reasonable and necessary costs directly incurred by the City for a response to complaint of discharging illegal fireworks prohibited under this section and shall include the cost of*

*providing police, fire, and/or other emergency response services at the scene to include, but not limited to:*

- 1. Salaries and benefits of law enforcement and/or emergency personnel for the full amount of time spend responding to, remaining at, or otherwise dealing with such illegal fireworks, and the administrative costs attributable to such responses;*
- 2. The cost of any medical treatment to or for any law enforcement personnel injured while responding to, remaining at, or leaving the scene; and*
- 3. The cost of repaying any City equipment or property damaged and the cost of the use of any such equipment used in responding to, remaining at, or leaving the scene.*

**Section 3101.26 is added to read:**

***3101.26 Amendment.***

*This chapter shall not be repealed or amended except by a vote of the people of the city of Carson.*

**Section 3101.27 is added to read:**

***3101.27 Concurrent authorities.***

*Any provisions of the Carson Municipal Code in conflict herewith are hereby repealed. This chapter supersedes any conflicting provisions of the Uniform Fire Code, International Fire Code, and the Uniform Building Code.*

**Section 3101.28 is added to read:**

***3101.28 Severability.***

*If any section, subsection, sentence, clause or phrase of this chapter that is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The people of the city of Carson hereby declare that they would have passed this chapter and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.*

**RECEIVED**

*By Anjanette at 2:13 pm, Mar 05, 2026*

**RESOLUTION 25-134**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENT(S) AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS REGARDING AN INITIATIVE MEASURE, WHICH WILL ALLOW THE SALE AND USE OF "SAFE AND SANE" FIREWORKS IN THE CITY OF CARSON**

**WHEREAS**, a General Municipal Election is to be held in the City of Carson, California, on June 2, 2026, at which there will be submitted to the voters an initiative measure, which proposes a City Ordinance that would amend Article III, Chapter 1, Fire Prevention, of the Carson Municipal Code to allow the sale of and use of "Safe and Sane Fireworks" in the City of Carson ("Fireworks Measure").

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**Section 1.** Pursuant to California Elections Code § 9282, the persons filing the initiative petition may file a written argument in favor of the Fireworks Measure, and the City Council may submit an argument against the Fireworks Measure.

**Section 2.** In the event that more than one argument for, or more than one argument against, the Fireworks Measure is timely submitted to the City Clerk/Elections Official, the City Clerk/Elections Official shall select one argument in favor and one argument against the measure to be printed and distributed to the voters. In selecting the arguments, the City Clerk/Elections Official shall give preference and priority in the order named, to the arguments of the following:  
(1) to the City Council, or member or members of the City Council authorized by the City Council;  
(2) to the individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure; (3) to bona fide associations of citizens; and (4) to individual voters who are eligible to vote on the measure, in accordance with the provisions of California Elections Code Section 9287(a).

**Section 3.** In accordance with the requirements of Division 9, Chapter 3, Article 4 of the California Elections Code, all written arguments for or against the Fireworks Measure: (1) shall not exceed three hundred (300) words in length; (2) shall be filed with the City's designated elections official; (3) shall be accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of the principal officers who is the author of the argument; and (4) shall be accompanied by the Form of Statement to be Filed by Author(s) of Argument as provided for in California Elections Code § 9600. All written arguments may be changed or withdrawn until and including the date fixed by the City's designated elections official, after which time no arguments for or against the Fireworks Measure may be submitted to the elections official.

**Section 4.** The City Council hereby directs the City's designated elections official to transmit a copy of the Fireworks Measure to the City Attorney. In accordance with California Elections Code § 9280, the City Attorney is hereby directed to prepare an impartial analysis of the Fireworks Measure, not to exceed five hundred (500) words in length, showing the effect of the measure on the existing law and the operation of the measure. The analysis shall include a statement indicating whether the Fireworks Measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the City. In the event the entire text of the Fireworks Measure is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10- point bold type, a legend substantially as follows: "The above statement is an impartial analysis of Ordinance or Measure \_\_. If you desire a copy of the ordinance or measure, please call the elections official's office at (310-952-1720) and a copy will be mailed at no cost to you." The impartial analysis shall be filed by the date set by the City's designated elections official for the filing of primary arguments.

**Section 5.** The City's designated elections official shall cause the City Attorney's Impartial Analysis, and duly selected arguments, to be printed and distributed to voters in accordance with State law regarding same.

**Section 6.** The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions. This Resolution shall be effective immediately upon passage and adoption.

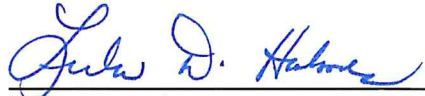
**PASSED, APPROVED, AND ADOPTED** this 5<sup>th</sup> day of November 2025.

APPROVED AS TO FORM:



Sunny K. Soltani, City Attorney

CITY OF CARSON:



Lula Davis-Holmes, Mayor

ATTEST:



Dr. Khaleah K. Bradshaw, City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) ss.  
CITY OF CARSON                 )

I, Dr. Khaleah K. Bradshaw, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing resolution, being Resolution No. 25-134 adopted by the City of Carson City Council at its meeting held on November 5, 2025, by the following vote:

|          |                  |  |
|----------|------------------|--|
| AYES:    | COUNCIL MEMBERS: | Davis-Holmes, Hicks, Dear, Hilton, Rojas |
| NOES:    | COUNCIL MEMBERS: | None                                     |
| ABSTAIN: | COUNCIL MEMBERS: | None                                     |
| ABSENT:  | COUNCIL MEMBERS: | None                                     |



Dr. Khaleah K. Bradshaw, City Clerk

RESOLUTION NO. 25-135

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS REGARDING AN INITIATIVE MEASURE, WHICH WILL AMEND ARTICLE III, CHAPTER 1 "FIRE PREVENTION" OF THE CARSON MUNICIPAL CODE TO ALLOW THE SALE AND USE OF "SAFE AND SANE" FIREWORKS IN THE CITY OF CARSON, TO BE SUBMITTED AT THE GENERAL MUNICIPAL ELECTION ON JUNE 2, 2026

WHEREAS, a General Municipal Election is to be held in the City of Carson, California, on June 2, 2026, at which there will be submitted to the voters an initiative measure, which proposes a City Ordinance that would amend Article III, Chapter 1, Fire Prevention, of the Carson Municipal Code to allow the sale of and use of "Safe and Sane Fireworks" in the City of Carson ("Fireworks Measure"); and

WHEREAS, California Elections Code § 9285 authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments regarding city measures submitted at municipal election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

**Section 1.** The recitals set forth above are incorporated herein by this reference.

**Section 2.** Pursuant to Elections Code § 9285, when the City's designated elections official has selected the arguments for and against the Fireworks Measure which will be printed and distributed to the voters, the City's designated elections official shall send copies of the argument in favor of the Fireworks Measure to the authors of the argument against the Fireworks Measure, and copies of the argument against to the authors of the argument in favor. The author or a majority of the authors of an argument relating to the Fireworks Measure may prepare and submit a rebuttal argument not to exceed two hundred and fifty (250) words in length. A rebuttal argument may not be signed by more than five (5) persons. The rebuttal arguments shall be filed with the City Clerk not more than ten (10) days after the final date for filing primary arguments. The rebuttal arguments shall be accompanied by the Form of Statement to be Filed by Author(s) of Argument as provided for in California Elections Code § 9600. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

**Section 3.** All previous resolutions providing for the filing of rebuttal arguments for city measures are repealed.


**Section 4.** The provisions of Section 2 of this Resolution shall apply only to the General Municipal Election to be held on June 2, 2026, and shall then be repealed.

**Section 5.** The City Clerk shall certify to the passage and adoption of this Resolution

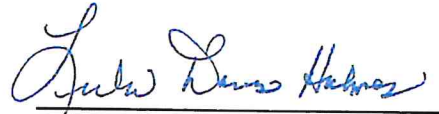
and enter it into the book of original Resolutions. This Resolution shall be effective immediately upon passage and adoption.

**PASSED, APPROVED, AND ADOPTED** this 5<sup>th</sup> day of November 2025.


APPROVED AS TO FORM:

  
\_\_\_\_\_  
Sunny K. Soltani, City Attorney

CITY OF CARSON:

  
\_\_\_\_\_  
Lula Davis-Holmes, Mayor


ATTEST:

  
\_\_\_\_\_  
Dr. Khaleah K. Bradshaw, City Clerk

STATE OF CALIFORNIA        )  
COUNTY OF LOS ANGELES    ) ss.  
CITY OF CARSON                )

I, Dr. Khaleah K. Bradshaw, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing resolution, being Resolution No. 25-135 adopted by the City of Carson City Council at its meeting held on November 5, 2025, by the following vote:

|          |                  |  |
|----------|------------------|--|
| AYES:    | COUNCIL MEMBERS: | Davis-Holmes, Hicks, Dear, Hilton, Rojas |
| NOES:    | COUNCIL MEMBERS: | None                                     |
| ABSTAIN: | COUNCIL MEMBERS: | None                                     |
| ABSENT:  | COUNCIL MEMBERS: | None                                     |

  
\_\_\_\_\_  
Dr. Khaleah K. Bradshaw, City Clerk