



Memorandum

TO: PUBLIC SAFETY, FINANCE
AND STRATEGIC SUPPORT
COMMITTEE

FROM: Robert Sapien, Jr.
Paul Joseph
Chris Burton
Khaled Tawfik

SUBJECT: Fireworks Ordinance Work
Plan Status Report

DATE: August 1, 2025

Approved

Date: 8/13/2025

RECOMMENDATION

Accept the status report on the implementation of the Fireworks Ordinance Work Plan.

BACKGROUND

In 1984, the City Council amended the San José Municipal Code to prohibit all fireworks, including “safe and sane” varieties, except for controlled public fireworks displays conducted by licensed pyrotechnicians and authorized through permits issued by the Fire Department.

In August 2014, in response to a rise in noise and safety complaints from residents, the City Council directed the City Manager to revise the City’s fireworks enforcement approach. Both the Fire Department and the Police Department were tasked with identifying enforcement mechanisms to deter and ultimately reduce the illegal sale, use, possession, and storage of fireworks.

Subsequently, in June 2015, the City Council directed the City Manager to develop a framework for citing, fining, and adjudicating violations related to the use, possession, sale, advertisement, transportation, and manufacturing of fireworks. City staff were also directed to evaluate the use of administrative citations and criminal penalties as enforcement tools under the City’s fireworks policy.

On April 12, 2016, the City Council adopted an ordinance amending Section 10.17 of the San José Municipal Code to explicitly prohibit the sale, use, possession, and storage of fireworks, and to establish civil liability under specific circumstances for individuals responsible for minors who violate the ordinance.

To support these efforts, the City Council established administrative fines for fireworks-related violations. City staff proceeded to implement the Fireworks Ordinance Work Plan, with objectives focused on public education and outreach, reporting enhancements, and enforcement strategies aimed at reducing illegal fireworks-related injuries and fires, increasing actionable reports, and mitigating activity in identified hotspots.

Fireworks Ordinance Work Plan

As part of the Fireworks Ordinance Work Plan, City staff implemented a range of strategies aimed at mitigating the use of illegal fireworks and raising public awareness regarding their associated dangers. These efforts included the development of a comprehensive marketing and outreach campaign, the launch of an online community fireworks reporting tool, the establishment of a dedicated phone line for reporting support, the implementation of enhanced enforcement and mitigation strategies, and regular updates to the Public Safety, Finance, and Strategic Support (PSFSS) Committee. These initiatives involved close coordination among multiple departments, including the City Attorney's Office, City Manager's Office, Fire Department, Information Technology Department, Planning, Building and Code Enforcement Department (PBCE), and Police Department.

In 2019, community outreach and messaging efforts were significantly expanded. New elements included the "Fed Up with Fireworks" banner displays at all 33 City fire stations and the distribution of outreach toolkits featuring campaign messaging to key stakeholders, such as the Mayor's Office, City Councilmembers' offices, and community organizations. For the first time, school electronic billboards were also utilized. Additionally, PBCE Code Enforcement Division conducted its first customer survey, targeting users of the online reporting tool, and provided valuable insights into residents' experiences. The Division also ensured timely follow-up with individuals whose reports led to the issuance of warning notices or administrative citations.

On October 27, 2020, the City Council directed the City Manager to implement several new action items under the Fireworks Ordinance Work Plan. Subsequently, on August 17, 2023, the PSFSS Committee requested staff to include illegal fireworks activities associated with the Lunar New Year (Tết) reporting period.

The status of each work plan item is outlined in Attachment A, "Fireworks Ordinance Work Plan Items." A detailed chronology of the City's policy and enforcement actions on illegal fireworks is provided in Attachment B, "Illegal Fireworks Activities Timeline." Attachment C, "2025 Illegal Fireworks Fine Adjustment Study," summarizes fine amounts throughout jurisdictions within the state of California. Attachment D, "Lunar New Year (Tết) Summary," further provides corresponding data for the Lunar New Year (Tết). Lastly, Attachment E, "Fourth of July Summary," presents data related to enforcement and regulatory efforts surrounding the Fourth of July.

ANALYSIS

This memorandum provides an update on the implementation of action items under the Fireworks Ordinance Work Plan. It outlines the City's efforts to mitigate the use of illegal fireworks during calendar year 2025, specifically related to the Lunar New Year (Tết) and the Fourth of July holidays.

The Fireworks Ordinance Work Plan Team includes representatives from the Fire Department, City Attorney's Office, Information Technology Department, PBCE, and the Police Department. These departments coordinated closely to plan, implement, and evaluate the activities described in this section.

2025 Lunar New Year (Tết) and Fourth of July Holiday Reporting Periods

The illegal fireworks reporting period for the 2025 Lunar New Year (Tết) holiday spanned from January 24, 2025, through February 3, 2025. This timeframe was established to encompass both the weekend preceding the holiday (January 29, 2025) and the weekend following.

For the Fourth of July holiday, the reporting period spanned from June 1 through July 8, 2025. This standard reporting window was utilized by all participating departments involved in the enforcement and mitigation of illegal fireworks. The Fire Department, Police Department, and PBCE Code Enforcement Division use this timeframe to accurately capture data related to fire incidents and enforcement actions. A summary and analysis of the efforts undertaken by City staff during these periods is provided below.

Fire Department

The Fire Department concentrated its outreach efforts on raising public awareness about the dangers and risks associated with the use of illegal fireworks, while also educating the community on how to report such activity through the *San José 311* online portal and mobile application. Emphasis was placed on the significant threat that illegal fireworks pose to people, property, and the environment, particularly during wildfire season. As part of its commitment to equity and accessibility, the Fire Department developed and distributed multilingual safety and educational materials, including videos, graphics, and messaging designed to reach a broad and diverse audience. These materials were made available in English, Spanish, Vietnamese, and both Traditional and Simplified Chinese. A fireworks safety messaging toolkit was distributed to various stakeholder groups, including the City Council, school districts, the All-District Leadership Group, and neighborhood associations.

Fire agencies across Santa Clara County collaborated on a regional campaign to reinforce the message that fireworks are illegal, hazardous, and can lead to preventable injuries and fires. Co-branded social media graphics were also disseminated to inform

residents about the locations of professional fireworks displays and drone shows throughout the county, encouraging the public to attend these sanctioned events rather than engage in illegal activity. In addition, between June and July 2025, coordinated media messaging focused on wildfire awareness and fireworks-related hazards was implemented to amplify the campaign's reach.

The Fire Department further expanded its efforts through targeted, data-informed social media advertising campaigns. Utilizing *San José 311* fireworks hotspot data from the previous 2024 Fourth of July reporting period, the Fire Department identified neighborhoods with elevated levels of illegal fireworks activity. Multilingual digital and social media advertisements were deployed citywide, with a particular focus on areas with high incidence rates. One of the many social media ads announced a new drone-based enforcement tactic in a joint message from the Police and Fire Departments. Public awareness was also promoted through strategically placed billboards, banners, and bus shelter signage in identified hotspot locations, as well as more than 50 advertisements on the KYLD 94.9 FM radio station and flyers distributed at all libraries and community centers throughout San José.

In advance of the Fourth of July holiday, the Fire Department convened a press conference at Lake Cunningham Regional Park in collaboration with the City Manager's Office, the Mayor's Office, the Office of District 8 Councilmember Domingo Candelas, the Office of District 7 Councilmember Bien Doan, and the Police Department. The event was held to reinforce safety messaging about fireworks, remind residents that all fireworks are illegal, introduce the Unmanned Aerial Vehicle (UAV) enforcement tool pilot (see below for details), and promote attendance at professional fireworks shows. Although the press conference was partly meant to promote the free, professional fireworks show at Lake Cunningham Park, officials had just learned the fireworks were destroyed in the deadly Oakdale Fire and explosion the day before in Yolo County, which killed seven people. The timing allowed City leaders to inform residents of the catastrophic event promptly, maintain public engagement through updates, and ultimately, announce a first-ever drone show as the new centerpiece for the Fourth of July celebration. Event attendees shared positive feedback despite the difficult circumstances.

During the 2025 Lunar New Year (Tết) reporting period, the Fire Department responded to 21 fireworks-related incidents, including one structure fire, two outside rubbish fires, three medical emergencies, and 15 calls related to smoke, noise, or potential fireworks activity. Fire Communications dispatch received a total of 3,466 calls for service during the reporting period. Notably, 348 calls were received on Lunar New Year Day (January 29, 2025) and 338 the following day, resulting in an 11 percent above the average for this timeframe.

During the 2025 Fourth of July reporting period, the Fire Department responded to 69 fireworks-related incidents, including three structure fires, 20 vegetation fires, 27 outside rubbish fires, 15 smoke/noise/investigation complaints, and four medical emergencies

linked to illegal fireworks, which required the Department's response. Fire Communications dispatch received a total of 11,581 calls for service during the reporting period. Notably, 343 calls were received on the Fourth of July (July 4, 2025), resulting in a 10 percent increase above the average for this timeframe.

These responses occurred within a broader context of heightened community engagement, with the elevated call volume underscoring the cultural significance of the Lunar New Year (Tết) and Fourth of July holidays within the community. It highlights the critical need for proactive planning, public outreach, and resource allocation to ensure community safety during periods of high activity. The data further emphasizes the importance of continuous collaboration between public safety agencies and the community in managing risk and preserving the celebratory spirit of these significant holidays.

Police Department

The Police Department employed a comprehensive approach to addressing the challenges of illegal fireworks this year. The Police Department conducted surveillance and investigations during and in the lead-up to the Fourth of July holiday. Collaboration among the Police Department, Fire Department, and PBCE Code Enforcement Division enabled the use of UAV technology to capture illegal fireworks in the days surrounding the Fourth of July holiday for use in conjunction with the existing Social Host Ordinance for enforcement. The Social Host Ordinance holds property owners and renters accountable for illegal fireworks use that occurs during gatherings at their residences.

Licensed and certified UAV operators from the Police Special Operations Unit and Community Emergency Response Team were utilized for the implementation of the pilot program. This year's surveillance, targeted investigations, and UAV pilot yielded positive enforcement results. Moving forward, the partnering departments will take collective action to prevent large, illegal fireworks displays from occurring in historically active areas.

On June 23, 2025, because of effective surveillance and targeted investigations, the Police Department executed a series of coordinated search warrants, resulting in the seizure of more than 2,000 pounds of illegal, dangerous fireworks and 50 improvised explosive devices. A few days later, personnel executed a search warrant at a storage facility and seized an additional 1,300 pounds of illegal fireworks and destructive devices.

During the two weekends leading up to and including the Fourth of July holiday, the Police Department deployed UAV teams and spotters throughout the city based on hotspot data from the prior year's Illegal fireworks campaign. As a result of this novel approach, the Police Department is actively working on eight cases with the PBCE Code Enforcement Division and the City Attorney's Office for prosecution for violations

of the Municipal Code. This represents a significant increase in on-view fireworks cases subject to Administrative Citations compared to last year.

Staffing challenges, response times, access to equipment, and competing demands from higher-priority calls constrained patrol-related efforts. A key takeaway from the UAV pilot is that focused surveillance and investigation efforts can yield significant enforcement successes, especially on the day of a holiday where illegal fireworks use is typically more sustained (versus the days surrounding a holiday, where illegal fireworks use is typically more sporadic or short-term). UAV deployments improved the prior enforcement challenges by providing standoff, high-resolution videos of the sustained illegal fireworks use. However, challenges in collecting evidence for short-term illegal fireworks use continue. Further evaluation may be explored to address short-term illegal fireworks use through other available technologies.

Planning, Building and Code Enforcement Department

PBCE Code Enforcement Division continued year-round review of all registered user and anonymous reports submitted through the *San José 311* online reporting tool for issuance of Warning Notices, citations, or hotspot data. During the 2025 Lunar New Year (Tét) reporting period, PBCE Code Enforcement Division reviewed 71 *San José 311* online reports, resulting in zero citations, 17 warning notices, and 51 hotspot data reports.

Before the Fourth of July holiday, Code Enforcement coordinated with San José's All District Leadership Group to host a webinar presentation and question-and-answer session on June 18, 2025, to assist community members with submitting reports in the *San José 311* reporting platform. Additionally, representatives from the Fire Department and the Police Department participated in the organized session. Code Enforcement also attended the All-District Leadership Group meeting on June 14, 2025, in coordination with the Fire Department and the Police Department, to share information, answer questions, and gather feedback about the upcoming Fourth of July planned outreach and enforcement efforts.

During the Fourth of July reporting period, Code Enforcement reviewed a total of 788 reports. Warning notices or administrative citations were issued for reports with sufficient evidence of illegal fireworks activity and identification of a responsible party. Reports that did not result in a warning notice or administrative citation provided details of where the fireworks occurred and were used for hotspot data. Of the 788 reports received, seven received citations, five were duplicate reports of the same incidents, 71 received warning notices, and 704 were used for hotspot data. To date, Code Enforcement has received and processed eight cases for administrative citations as a result of evidence obtained from the Police Department's use of UAV technology. Code Enforcement is still receiving additional video evidence from the Police Department for evaluation for administrative citations. All parties that filed reports through the *San José*

311 platform with their contact information received automated email updates about the processing and outcome of their report.

Information Technology Department's San José 311

The Information Technology Department's *San José 311* team continues to support the City's efforts to reduce illegal fireworks through its dedicated reporting service, which allows residents to submit violations either by creating an account or submitting anonymously. Anonymous reports contribute to illegal fireworks hotspot mapping, but cannot be used in conjunction with issuing administrative citations. Hotspot mapping identifies high-risk areas and guides education and enforcement efforts in subsequent years.

The public-facing dashboard visually displays reported activity, including trends and the total number of submissions (both anonymous and registered users), organized geographically by City Council district and neighborhood. It allows residents to track the outcomes of their requests, including whether warnings or citations were issued. To safeguard privacy, the dashboard limits the zoom level and omits specific address details. Internally, City staff have access to a more detailed Hotspot Map Dashboard to analyze data at a granular level. This enables targeted enforcement and better resource allocation.

For the Lunar New Year (Tết) reporting period this year, the *San José 311* team significantly improved enforcement responsiveness by updating the dashboard's refresh rate to every five minutes. This near-real-time data visibility allowed City staff to monitor emerging hotspots more effectively and make quicker, data-informed decisions about resource deployment in the field. The enhanced refresh rate marked a key step forward in using technology to support proactive and timely enforcement. Data from key 2025 reporting periods, including Lunar New Year (Tết) and the Fourth of July, continue to inform long-term planning and the identification of recurring hotspots. There were zero phone calls received on the Illegal Fireworks Hotline during the Lunar New Year (Tết) holiday.

Now active year-round, the dedicated Illegal Fireworks Hotline (408-535-5600) provides recorded instructions directing callers to the *San José 311* online reporting services. Residents can also report illegal fireworks by speaking with a customer service representative. Depending on the situation, callers will be directed to 9-1-1 for life safety emergencies, *San José 311* staff during regular business hours for non-emergencies, or an after-hours call center that follows *San José 311* protocols and escalates cases when necessary. During the Fourth of July reporting period (June 1 through July 8, 2025), there were 132 calls received on the fireworks hotline, of which 14 calls were transferred to the after-hours answering service. However, a brief service interruption occurred during the holiday period due to an oversight in system settings. As a result, of the 132 calls received, 68 callers who opted to talk to the after-hours services were not

connected. The issue has since been addressed to prevent similar occurrences in the future.

Next Steps

The 2025 fireworks campaign was strategically developed by building upon the accomplishments and insights gained from prior years. Continued evaluation of recent efforts has demonstrated the critical components of a successful campaign, most notably, proactive public education and outreach, timely reporting mechanisms, and effective enforcement strategies.

City staff will proceed with the implementation of designated work plan tasks to support the 2025 campaign, with particular attention to the following key areas, in chronological sequence:

- Submission for a grant to assist with funding an illegal fireworks campaign refresh
- Reinforcement of early outreach and education efforts in spring 2026
- Enhancement of community reporting tools ahead of peak fireworks activity, including real-time tools to assist in identifying areas for targeted enforcement
- Coordination with public safety agencies to ensure efficient enforcement operations during high-use illegal fireworks periods
- Post-event analysis and data collection to evaluate outcomes and inform future planning
- Continued refinement and implementation of the UAV enforcement program in conjunction with the Social Host Ordinance.

These targeted actions will ensure a coordinated, responsive, and community-centered approach throughout the 2026 campaign.

Public Outreach Campaign

The ongoing “Fed Up with Fireworks” campaign has offered valuable insights. It will continue to serve as a key component of the City’s efforts to promote safe and legal fireworks activity. The Fire Department will maintain coordination with partnering departments to assess opportunities for updating and enhancing campaign messaging, outreach strategies, and distribution methods.

As part of this effort, City staff will continue to develop and refine public outreach materials that emphasize the dangers and illegality of using fireworks. Messaging will include explicit references to increased fines for spectators and the City’s intent to deploy drone technology in support of the Social Host Ordinance enforcement. These enhancements aim to raise public awareness, deter illegal activity, and encourage community participation in safe, legally sanctioned fireworks displays.

San José 311 Online Reporting Tool

Since its launch, the *San José 311* online reporting tool has played a crucial role in streamlining the collection of data on illegal fireworks and enhancing the accuracy of hotspot identification. This has enabled more strategic enforcement efforts. The introduction of anonymous reporting in 2023 expanded access and encouraged broader community participation. However, it also led to a decline in enforcement outcomes due to the inability to use anonymous reports in conjunction with issuing administrative citations.

In 2022, approximately 20% of reports resulted in a warning notice or citation. By 2024, that number had dropped to 12%, despite a higher overall volume of reports. This trend, coupled with growing feedback from community stakeholders expressing concern over the lack of enforcement outcomes, has prompted staff to re-evaluate the reporting model. To increase the proportion of actionable reports, staff will continue to evaluate whether to reinstate a registered-user-only submission requirement, striking a balance between accessibility and accountability.

Additionally, limitations in dashboard refresh rates previously hindered the ability to respond in real-time. To address this, the Information Technology Department implemented a new logic sequence that increased the Hotspot Map Dashboard's refresh rate to every five minutes. This enhancement was successfully piloted during the 2025 Lunar New Year (Tết), enabling near-real-time situational awareness and improved coordination of enforcement activities. The updated system was in place for the 2025 Fourth of July holiday reporting period.

Staff will continue to evaluate additional improvements ranging from report submission processes and data analysis to enforcement protocols and community education strategies to enhance both the effectiveness of the service and the overall user experience of the *San José 311* platform.

Enforcement Efforts

The Illegal Fireworks Team has completed a review of California State Assembly Bill 1403 and engaged with both the City Attorney's Office and the Santa Clara County District Attorney's Office regarding the City's authority to enforce enhanced penalties, raising the maximum fine from \$50,000 to \$100,000, and potential incarceration for up to one year for fireworks-related violations. The San José Police Department, in coordination with the District Attorney's Office, may pursue prosecution of applicable cases under these expanded provisions.

According to San José Municipal Code Section 10.17.100, the City currently imposes a fine of \$1,000 for a first offense, \$2,000 for the second offense, and increasing to \$3,000 for third and subsequent offenses. However, the fine amount for individuals spectating illegal fireworks displays remains at \$25. In coordination with Code Enforcement and the City Attorney's Office, the Fire Department conducted a comprehensive review of penalty structures in peer jurisdictions across California. The

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analysis found that some neighboring jurisdictions impose a spectator fine of \$500. To strengthen deterrence and support the prevention of loss of life, property, and environmental harm caused by illegal fireworks, the Department recommends increasing the spectator fine to \$500. This change would align San José with jurisdictions that are leading in implementing strategies to eliminate illegal fireworks by prioritizing public safety and accountability. City staff are actively working with the City Attorney's Office to amend the schedule of fines through an updated resolution that will be brought to the full City Council for consideration in fall 2025.

Additionally, the Fire Department is exploring enhanced enforcement strategies and technologies designed to mitigate public safety risks using real-time data and adaptive tools. One such strategy piloted in the lead-up to, and during, the 2025 Fourth of July holiday was the deployment of UAVs. This pilot is currently under evaluation for potential ongoing use.

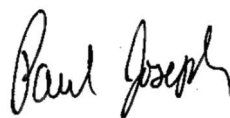
The UAV deployment pilot was conducted in collaboration with the City Attorney's Office, the San José Police Department, PBCE Code Enforcement Division, and the Fire Department, utilizing the Social Host Ordinance and hotspot mapping to enhance situational awareness during incidents involving illegal fireworks. UAVs provide real-time monitoring and video documentation of individuals engaging in fireworks activity, which may support the issuance of administrative citations. This approach aims to enhance enforcement capabilities while prioritizing the safety of both the community and enforcement personnel.

COORDINATION

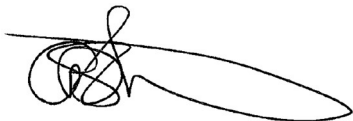
This memorandum was coordinated with the City Attorney's Office, the City Manager's Budget Office, and the City Manager's Office of Communications.



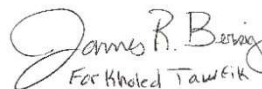
ROBERT SAPIEN, JR.
Fire Chief, Fire Department



PAUL JOSEPH
Chief of Police, Police Department



CHRIS BURTON
Director, Planning, Building
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For Khaled Tawfik

KHALED TAWFIK
Chief Information Officer,
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For questions, please contact James Dobson, Deputy Fire Chief/Fire Marshal, at james.dobson@sanjoseca.gov or (408) 535-7792.

ATTACHMENTS

Attachment A: Fireworks Ordinance Work Plan Items

Attachment B: Illegal Activities Fireworks Timeline

Attachment C: 2025 Illegal Fireworks Fine Adjustment Study

Attachment D: Lunar New Year (Tết) Summary

Attachment E: Fourth of July Summary

Attachment A: Fireworks Ordinance Work Plan Items

- 1. Create a Social Host Ordinance update to the existing Fireworks Ordinance to evaluate the feasibility of integrating the online reporting tool into the San José 311 application to enhance accessibility for mobile platform users and increase actionable reports.**

***Status:** Completed. The Ordinance update was implemented in June 2021, and City staff created the San José 311 Report and Digital Strategy work plan. Illegal Fireworks services went live on the San José 311 online portal and mobile application in June 2022. Anonymous report intake with data-driven Hotspot mapping went live in December 2022.*

- 2. Return to City Council before the end of 2020 with a list of recommended applications to be included in the next San José 311 upgrade, describing any additional resources required.**

***Status:** Completed. This direction was accomplished through the San José 311 Report and Digital Strategy Roadmap item presented at the January 5, 2021, City Council Meeting.*

- 3. Reinstate the Fireworks Ordinance Work Plan in the Public Safety, Finance, and Strategic Support (PSFSS) Committee.**

***Status:** Completed. City staff will continue to provide the PSFSS Committee with an annual report.*

- 4. Evaluate using unmanned aerial vehicles (UAVs) as an enforcement tool.**

***Status:** In Progress. In collaboration with the Fire Department, City Attorney's Office, and Planning, Building and Code Enforcement, the Police Department implemented a pilot program to utilize UAVs (drones) for the 2025 Fourth of July holiday. UAVs, in conjunction with the Social Host Ordinance, are being evaluated for their effectiveness in observing individuals initiating illegal fireworks, capturing video evidence, and potentially issuing administrative citations in areas identified through hotspot mapping.*

- 5. Compare fine amounts across the Bay Area; collaborate with county, state, and federal partners on legislation to ban the use of fireworks and increase the punishment for violators.**

***Status:** Completed. City staff made recommendations to the City Council regarding the City's fireworks fines following a comparison of fine schedules in the Bay Area and similar-sized large cities in the United States. The recommendation to increase the spectator fine amount from \$25 to \$500 may be brought to City Council for consideration. As of January 2025, the City can refer to the state of California District Attorney's Office for the enforcement of up to \$100,000 for possession of dangerous fireworks and potential incarceration for up to one year.*

6. Re-evaluate the protocols for issuing citations.

Status: Completed. The City Attorney's Office has reviewed the due process requirements for fireworks citation issuance. Citations may be issued when there is sufficient evidence to find that a violation of the San José Municipal Code has occurred and to identify the responsible party.

7. Evaluate the reinstatement of the Fireworks Hotspot Enforcement Plan.

Status: Completed. City staff identified resources to reinstate the Fireworks Hotspot Enforcement Plan, resulting in the development and implementation of an enforcement plan by the Police Department that utilizes uniformed and non-uniformed officers to curtail the illegal buying and selling of fireworks within the City limits while focusing their attention on areas known for the high use of illicit fireworks based on complaint data and the Police Department's computer-aided dispatch data. Additionally, implementing changes to the existing online reporting tool includes reporting field requirements and defined data points to minimize incomplete submissions and provide more actionable reports.

8. Collaborate with county, state, and federal partners on legislation to ban the use of fireworks and increase the punishment for violators. Engage with neighboring cities such as the City of Morgan Hill and the City of Gilroy to encourage countywide bans and prevent fireworks sold and used in other cities from entering San José.

Status: Ongoing. The City Manager's Office of Administration, Policy, and Intergovernmental Relations collaborated with partners at the county and state levels and the City of San José's federal lobbying staff to ban fireworks and increase the prosecution of violators.

While the City of Morgan Hill has banned all fireworks within the city limits, the City of Gilroy continues to allow the sale and use of "Safe and Sane" fireworks. The Fire Department reached out to the Gilroy Fire Department to see if movement towards banning all fireworks was being evaluated, and they were told there were no plans to modify current allowances. The Fire Department, Police Department, Code Enforcement Division from Planning, Building and Code Enforcement Department, City Council District Office 7, and neighborhood associations received technical support from the City of Elk Grove Police Department regarding lessons learned from their illegal fireworks drone enforcement program.

9. Evaluate educational campaigns for cultural competency.

Status: Ongoing. Campaign messaging will continue to be refined and refreshed to enhance cultural competency and overall effectiveness. During this reporting period, advertisements were deployed in multiple languages across digital and out-of-home (OOH) channels, with language choices matched to each location to engage diverse communities best and avoid any perception of targeting specific groups. Universally applicable themes were also specifically selected.

10. Search for potential state and federal funding sources to invest in enforcement mechanisms and programs to deter illegal fireworks use.

Status: *Ongoing. The Fire Department submitted an application for a two-year Fire Prevention and Safety (FP&S) grant through the Federal Emergency Management Agency (FEMA) to enhance the education campaign on behalf of the city for \$180,700. While the grant proposal was not accepted, the Fire Department will refine the submittal for the future and continue to analyze available opportunities to provide funding sources.*

11. Update the annual PSFSS Work Plan update to include Lunar New Year (Tết) Illegal Fireworks campaign actions to deter illegal fireworks use.

Status: *Completed. City staff will continue to provide this report to the PSFSS Committee as necessary, including activities surrounding the Lunar New Year (Tết) Holiday.*

Attachment B: Illegal Activities Fireworks Timeline

Date	Activity
1977-1984	State-approved fireworks were allowed in San José.
1984	City Council amended the San José Municipal Code banning all fireworks, including “safe and sane” fireworks.
2014	Fire and Police Departments were directed to look for options that might slow and eventually contain the illegal use, sale, possession, and storage of fireworks.
August 20, 2014	Rules and Open Government Committee directed the City Manager to draft and bring forward to the City Council an ordinance that would authorize the issuance of administrative citations and fines for the use, possession, sale, and storage of fireworks.
June 23, 2015	City Council directed City staff to establish a new framework to cite, fine, and adjudicate the use, possession, sale, advertisement for sale, transportation, and/or manufacturing of fireworks and to explore the use of administrative citations in addition to criminal charges.
April 12, 2016	The City Council adopted an ordinance amending the San José Municipal Code to prohibit the sale, use, possession, and storage of all types of fireworks. A resolution was also adopted, amending the City Council Citation Schedule of Fines to establish administrative fines for fireworks-related violations.
July 1, 2016- July 5, 2016	Illegal Fireworks Pilot Program entailed scope for publicity and enforcement. Illegal Fireworks Online Reporting System was created as a technology solution to allow the public to inform the City of illegal fireworks activity (up to six Code Enforcement Inspectors and four to six Fire Prevention Inspectors to review online reports).
April 2017	The Police Department created a list from 2016 Fourth of July data identifying 62 “hotspots” citywide.
May-June-July 2017	The City instituted a comprehensive marketing and outreach campaign, implemented a new online firework reporting platform, and deployed “in the field” enforcement personnel for the 2017 Fourth of July holiday.
September 2017	The City Manager designated the Fire Department as the lead department for coordination and project implementation. The City Council provided direction on fines and appeals, use of volunteers, and outreach and marketing campaigns.
November 28, 2017	A high-level Illegal Fireworks Plan was developed and presented to the City Council. The Fire Department expanded its illegal fireworks messaging campaign and online reporting to New Year’s Eve and Têt/Lunar New Year, created a “Save Lives, Including Your Own” New Year’s Eve fireworks and Têt/Lunar New Year campaign, established a dedicated phone line for reporting illegal fireworks activity, and updated and improved Illegal Fireworks Online Reporting Form.
January 1, 2018	The City established a new advance deposit hardship waiver qualification criteria for all administrative citations.
March 16, 2018	The Fire Department applied for a Federal Emergency Management Agency, Department of Homeland Security Fire Prevention & Safety Grant to provide education and awareness funding to assist the City in accomplishing illegal fireworks goals.
March 20, 2018	City Council approved the Mayor’s March Budget Message for 2018-2019, which approved one-time funding to support the Rotary International 2018 Fourth of July Fireworks event.

Date	Activity
April 2018	The City established education and awareness, reporting, and enforcement as major program components, along with lowering injuries and fires, increasing the number of actionable reports, and decreasing the number of illegal fireworks hotspots as program goals.
August 2018	Fire Department Information Technology City staff took over support of the online reporting tool.
February 2019	Planning, Building and Code Enforcement Department conducted a community survey, receiving 178 responses out of 616 surveys sent out.
May 2019	The Fire Department partnered with Andrew P. Hill High School, Leigh High School, and Dartmouth Middle School to display messaging campaigns on digital boards and banners.
June 2019	Google translation services were added to the online reporting system.
July 2019	Planning, Building and Code Enforcement Department sent emails and made phone calls to reporting parties who submitted reports during the 2019 Fourth of July reporting period, advising individuals that their report resulted in the issuance of a Warning Notice.
July 2020	COVID-19 Pandemic shelter-in-place orders presented significant challenges. The City focused on fireworks outreach through social media, community-based networks, and alternative activities. These approaches used data from previous years to target social media campaigns and community contact.
December 2020	On December 15, 2020, the City Council approved \$1,000 fines for the first, and \$2,000 and \$3,000 fines for subsequent illegal firework violations.
May 2021	City Council approved a Social Host amendment to the Fireworks Ordinance on May 25, 2021.
June 2021	The Police Department instituted dedicated enforcement leading up to the 2021 Fourth of July holiday, in conjunction with a social media campaign to prevent, educate, and deter illegal fireworks activity. The online reporting tool was refined with an updated version activated on June 15, 2021.
June 2022	The City deployed <i>San José 311</i> as the online portal for mobile application reporting services.
June 2023	Staff developed the updated <i>San José 311</i> "Illegal Fireworks" dashboards for public and City staff use. Staff targeted advertising and initiated resource deployments using hotspot mapping data. The Police Department cited spectators who actively observed illegal fireworks displays in accordance with the social host ordinance.
June 2024	A new fireworks campaign was launched, asking, "What do you have to lose?" and encouraging residents to "Keep pets out of shelters." Additionally, the Fire Department partnered with the Office of Council District 4 Councilmember David Cohen to distribute 300 reusable lawn signs in parks across the city, reminding residents that parks close at dusk and fireworks are illegal.
June 2025	A pilot UAV program was initiated in collaboration with the City Attorney's Office, San José Fire Department, San José Police Department, and Planning, Building and Code Enforcement Department in conjunction with the Social Host Ordinance to enhance situational awareness and enforcement. Additionally, a penalty study was conducted to recommend an increase in the fine amount for City Council consideration.

Attachment C: 2025 Illegal Fireworks Fine Adjustment Study

Jurisdiction	Use, Possession 1st Violation	Use, Possession 2nd Violation	Use, Possession 3rd Violation	Possession of Dangerous Fireworks	Spectator Violation
San José	\$1,000	\$2,000	\$3,000	\$1,000-\$100,000	No Specific Amt. (min. \$25)
Anaheim	\$1,000-\$3,000	\$1,000-\$3,000	\$1,000-\$3,000	\$1,000-\$50,000	N/A
Berkeley	\$1,000-\$5,000	\$1,000-\$5,000	\$1,000-\$5,000	\$1,000-\$50,000	N/A
Fremont	\$1,000-\$50,000*	\$1,000-\$50,000*	\$1,000-\$50,000*	\$1,000-\$50,000	N/A
Hayward	\$1,500	\$3,000	\$5,000	\$1,000-\$50,000	N/A
Long Beach	\$1,000	\$1,000	\$1,000	\$1,000-\$50,000	N/A
LA County	\$500-\$50,000	\$500-\$50,000	\$500-\$50,000	\$1,000-\$50,000	N/A
Mountain View	\$500	\$500	\$500	\$1,000-\$50,000	N/A
Oakland	\$1,000	\$1,000	\$1,000	\$1,000-\$50,000	N/A
Orange County FA	N/A	N/A	N/A	\$1,000-\$50,000	N/A
OSFM (Cal Fire)	\$1,000-\$100,000	\$1,000-\$100,000	\$1,000-\$100,000	\$1,000-\$100,000	N/A
Redwood City	\$100	\$200	\$500	\$1,000-\$50,000	\$500
Riverside	\$1,500	\$1,500	\$1,500	\$1,000-\$50,000	N/A
Sacramento	\$1,000	\$2,500	\$5,000	\$1,000-\$50,000	N/A
Sacramento Metro	\$1,000	\$2,500	\$5,000	N/A	N/A
San Diego	\$1,000	\$1,000	\$1,000	\$1,000-\$50,000	N/A
San Francisco	N/A	N/A	N/A	\$1,000-\$50,000	N/A
San Mateo	\$100	\$200	\$500	\$1,000-\$50,000	\$500/\$1,000 (1 st /2 nd offenses)
Santa Clara Co.	\$250-\$1,000*	\$250-\$1,000*	\$250-\$1,000*	\$1,000-\$50,000	N/A
Stockton	\$1,000	\$2,000	\$3,000	\$1,000-\$50,000	N/A
Sunnyvale	\$1,000	\$2,000	\$3,000	\$1,000-\$50,000	N/A
Vallejo	\$250	\$500	\$750	\$1,000-\$50,000	N/A

Attachment D: Lunar New Year (Tết) Summary

	2024	2025
Hotspots	75 reports	51 reports
Fire Permits	4 events: Bay 101 Casino, History Park (2), Casino M8trix	4 events: (Bay 101, Casino M8trix, Grand Century Mall, History Park)
Police Block Party Permits	0	0
Actionable Online Reports	75	45
Online Report Stats	75 reports were filed. (No duplicates)	71 (3 Duplicate)
Citations Issued	2 (PBCE)*	0 (PBCE)
PD Criminal Citation	7 (Citations) 2 (Arrests)	0
Warnings Issued	18 (PBCE)	17 (PBCE)
Registered User Reports Used for Hotspot Data	32 (PBCE)	16
Fire/PD Confiscations	300 lbs. (2024 calendar year)	0
Fire Calls for Service	23 fireworks-related calls (included one (1) fire / nine (9) medical emergencies, 13 smoke and noise-related complaints)	21 fireworks-related calls (including one (1) fire, three (3) medical emergencies, 15 smoke and noise-related complaints)
PD Calls for Service	106 (February 9-February 19)	122 (January 24 – February 3)
Hotline Calls	6 calls received via the illegal fireworks Hotline; 2 calls answered by the after-hours provider	0 calls received via the illegal fireworks Hotline; 0 calls answered by the after-hours provider

*Planning, Building and Code Enforcement Department

Attachment E: Fourth of July Summary

	2018	2019	2020	2021	2022	2023	2024	2025
Hotspots	N/A ¹	N/A	N/A	N/A	1,341 reports	1,006 reports	819 reports	723 reports
Fire Permits	4 events	4 events	0 (COVID-19)	2 events (Neither on July 4)	2 events: Almaden Lake Park and Discovery Meadow	4 events: Almaden Lake Park, Discovery Meadow, Excite Ballpark, Silver Creek Valley Country Club	5 events: Almaden Lake Park, Lake Cunningham Park, Excite Ballpark (2), Silver Creek Valley County Club	5 events: Lake Cunningham Park Excite Ballpark (2) PayPal Park Silver Creek Valley County Club
Police Block Party Permits	37 permits issued	29 permits issued	0 (COVID-19)	7 permits issued	29 permits issued	30 permits issued	27 permits issued	25 permits issued
Actionable Online Reports	92	161 (Includes duplicates)	335	489 (Includes 101 duplicates)	1,201	998	795	463
Online Report Stats	3,421 reports submitted (1,017 insufficient info, 2,312 incomplete)	1,946 reports submitted (596 insufficient info, 1,189 incomplete)	6,601 reports submitted (2,672 insufficient info, 3,416 incompletes, 178 duplicates)	1,769 reports submitted (1,280 insufficient info)	1,344 reports submitted (143 duplicates)	1,010 reports submitted (12 duplicates)	824 reports submitted (29 duplicates)	889 reports submitted (5 duplicates)
Citations Issued	4 (PBCE) ²	7 (PBCE)	4 (PBCE)	10 (PBCE)	10 (PBCE)	0 (PBCE)	0 (PBCE)	8 (PBCE) UAV ³ Pilot 7 (PBCE) SJ311
Police Criminal Citation	1 (Criminal Citation)	1 (Criminal Citation) 2 (Arrests)	1 (Criminal Citation) 3 (Arrests)	13 (Criminal Citations)	15 (Criminal Citations) 2 (Arrests)	11 (Criminal Citations) 19 (Spectator Citations) 3 (Arrests)	7 (Criminal Citations) 1 (Arrest)	0 (Criminal Citations) 1 (Arrest)
Warnings Issued	88 (PBCE)	150 (PBCE)	331 (PBCE)	378 (PBCE)	252 (PBCE)	120 (PBCE)	105 (PBCE)	71 (PBCE)
Registered User Reports Used for Hotspot Data	N/A	N/A	N/A	N/A	303	269	286	354
Fire/Police Confiscations	0 pounds	300 pounds	450 pounds (Police Department)	550 pounds (Police Department)	50 pounds (Police Department)	39,000 pounds (Police Department in collaboration with Fire Department's Arson Unit)	300 pounds (Police Department 2024 calendar year)	3,300 pounds
Fire Calls for Service	28 fireworks-related calls (including 14 fires)	23 fireworks-related calls (including 15 fires)	124 fireworks-related calls (including 54 fires and 2 medical emergencies)	56 fireworks-related calls (including 32 fires)	79 fireworks-related calls (including 64 fires, 9 medical emergencies, and 6 service calls)	86 fireworks-related calls (included 41 fires, 8 medical emergencies, 37 smoke and noise-related complaints)	102 fireworks-related calls (included 59 fires, 12 medical emergencies, 31 smoke and noise-related complaints)	69 fireworks-related calls (included 50 fires, four (4) medical emergencies, 15 smoke and noise-related complaints),
Police Calls for Service	556 (June 1 – July 6)	430 (June 1 – July 6)	2,031 (June 1 – July 6)	1,078 (June 1 – July 6)	625 (June 1 – July 10)	567 (June 1 – July 10)	522 (June 1 – July 8)	586 (June 1 – July 8)
Hotline Calls	611 (Including 27 by Call Center and 411 after-hours)	787 (Including 68 by Call Center and 434 after-hours)	1,973 (Including 1,073 by Hotline directed to online form, of which 889 were answered by staff and 77 were answered by 311)	1,299 (Including 651 by calls to the Hotline, 409 directed to online form, 236 answered by staff)	527 calls received via the illegal fireworks Hotline; 1 call answered by staff	247 calls received via the illegal fireworks Hotline; 151 calls answered by after-hours provider.	201 calls received via the illegal fireworks Hotline; 85 calls answered by the after-hours provider.	132 calls received via the illegal fireworks Hotline; 14 calls answered by the after-hours provider.

¹ Not applicable
² Planning, Building and Code Enforcement
³ Unmanned Aerial Vehicle