



Memorandum

TO: CITY COUNCIL

FROM: Mayor Sam Liccardo
Councilmember Peralez
Councilmember Diep
Councilmember Arenas
Councilmember Khamis

SUBJECT: SEE BELOW

DATE: October 24, 2019

APPROVED:

[Handwritten signatures in blue ink: Sam Liccardo, Cynthia Peralez, Sam Diep, and another signature]

SUBJECT: FIREWORKS ORDINANCE WORKPLAN STATUS REPORT

RECOMMENDATION

Accept the Fireworks Ordinance Workplan Status report, and

1. Place this item on a future Council Priority Setting session, to direct the City Attorney to draft an amendment to the SJ municipal code that includes a social host ordinance.
2. Direct the City Manager to improve the reporting tool, and make it more readily accessible as a mobile site, and evaluate the suitability for integration to the next generation the MySanJose App.

BACKGROUND

Increased use of illegal fireworks have caused numerous quality of life issues, and our response as a City has not allowed for the mitigation. San José's municipal code was last amended in April of 2016, and it is necessary to bring forth new amendments as a direct response to the activity we are seeing year after year.

It is essential that we include the public's opinion throughout the planning of our response to this issue. I'd like to thank Ryan Dulin and his team for their outreach and communication to various neighborhood groups, schools and commissions, however more can be done to get better outreach to the harder to reach areas of our neighborhoods.

We propose the Council consider a social host ordinance, similar to that of Pacifica, that would place liability for discharged fireworks on the property owner, putting the onus on the social host to identify the person who discharged the fireworks.

The reporting tool is constantly being tailored, however making the reporting tool more mobile-friendly will improve reporting. This interim solution gives ample time for developers to prepare the eventual integration of the fireworks reporting tool into the MySanJose app.