



Agenda Item

City Council

Item #: 9.1.

5/13/2025

File #: 25-0189

TO: Honorable Mayor and Members of the City Council

THRU: Tom Kisela, City Manager

FROM: Leslie Hardy, Community and Library Services Director

1. SUBJECT

Lottery selection for permits to sell Safe and Sane Fireworks.

2. SUMMARY

On February 11, 2025, the Orange City Council adopted Resolution No. 11597 regarding rules and regulations for the number of permits, application process, and lottery process to sell Safe and Sane fireworks pursuant to Orange Municipal Code Chapter 8.13. An eligibility pool has been created from a compiled list of qualified applicant organizations and a lottery drawing can now be conducted wherein permittees are chosen via random selection for continuance in the permit process.

3. RECOMMENDED ACTION

Conduct a lottery via random selection process and provide notification to permittees regarding next steps in the Safe and Sane Fireworks sale permit process.

4. FISCAL IMPACT

None.

5. STRATEGIC PLAN GOALS

Goal 3: Enhance Public Communication Strategy and Quality of Life.

6. DISCUSSION AND BACKGROUND

On May 14, 2024, the City Council adopted Resolution No. 11545, submitting to the voters a question on whether to permit the sale, possession, and use of Safe and Sane Fireworks. Assigned the letter designation "AA" by the Orange County Registrar of Voters, Measure AA was approved in November 2024 with 61.18% of the vote. The Council adopted Resolution No. 11597, finalizing the lottery and permit process pertinent to the sale of Safe and Sane fireworks within the City (Attachment 1).

Staff finalized necessary application forms, created a webpage, and conducted outreach to allow interested groups to participate in the lottery process. The lottery process will determine which organizations will advance to the permit process.

The application process allowed for "Qualified Organizations" as defined in Orange Municipal Code Chapter 8.13 and Resolution No. 11597 to submit an application, which was made available electronically on the City's website between March 3, 2025, and March 31, 2025 (application period).

At the conclusion of the application period, a total of 32 applications were received and reviewed to determine eligibility for the lottery. Based on the requirements outlined in Section 3, Subsection D of Resolution No. 11597 it was determined that a total of 26 qualified organizations should be included in the lottery process (Attachment 2).

Several applications were received but determined not to be included in the lottery process. The El Modena Girls Basketball Booster Club submitted an application but is not included because the organization is affiliated with El Modena High School which is automatically receiving a permit covering all of their school organizations. An application was received from the Kiwanis Club of Greater Westminster, which did not meet several requirements of a Qualified Organization. Calvary Chapel Old Towne and Orange AYSO Region 1335 had submitted applications but withdrew from consideration during the review period.

A maximum number of twelve permits can be issued to Qualified Organizations, eight being issued to Qualified Organizations selected randomly from an eligible pool of lottery entrants and the remaining four permits being designated for El Modena High School, Orange High School, Orange Lutheran High School, and Richland Continuation High School. Staff coordinated with the administrations of each High School to determine interest in pursuing a permit for the sale of Safe and Sane fireworks. All of the High Schools except for Richland Continuation School indicated they would pursue a permit as allotted. Richland's election to withdraw results in an additional selection being added to the lottery, raising the total number allotted lottery permittees to nine.

Per Resolution No. 11597, it is recommended that an additional number of applicants be selected randomly to serve as "alternates" in the event that one or more of the initial nine selected applicants fails to obtain a permit. As such, it is recommended that six alternates be selected. These additional applicants shall be considered for a permit in the order they were drawn.

Applicants selected in the lottery will be contacted by the Orange Fire Department to begin the process to secure all necessary approvals to receive their permit for 2025 (Phase II).

7. ATTACHMENTS

- Attachment 1 - Resolution No. 11597
- Attachment 2 - List of Qualified Organizations