



Agenda Item

City Council

Item #: 8.1.

2/11/2025

File #: 25-0068

TO: Honorable Mayor and Members of the City Council

FROM: Tom Kisela, City Manager

1. SUBJECT

Adoption of a resolution modifying the application process, lottery process, and number of permits to sell Safe and Sane Fireworks. Resolution No. 11597.

2. SUMMARY

On May 14, 2024, the Orange City Council adopted Resolution No. 11545, placing Measure AA on the November 5, 2024, General Municipal Election ballot, submitting to the voters a question relating to the sale, possession, and use of Safe and Sane Fireworks. Orange voters approved Measure AA, and on January 14, 2025, the Orange City Council approved Resolution No. 11593 which established the number of permits, fees, as well as the application and lottery process associated with the Safe and Sane Fireworks program. Resolution No. 11597 makes select changes to the processes described in Resolution No. 11593.

3. RECOMMENDED ACTION

1. Identify the maximum number of annual permits to be issued for the sale of Safe and Sane Fireworks and incorporate this number into Resolution No. 11597.
2. Consider and discuss the proposed Section 3, Subsection A of Resolution No. 11597 as it pertains to reserved permits.
3. Adopt Resolution No. 11597. A Resolution of the City Council of the City of Orange, California, rescinding and replacing Resolution No. 11593 to reestablish a fee and adopt rules and regulations regarding the number of permits as well as the application and lottery process to sell "Safe and Sane" Fireworks pursuant to Orange Municipal Code Chapter 8.13.

4. FISCAL IMPACT

None.

5. STRATEGIC PLAN GOALS

Goal 1: Maintain Strong Emergency and Safety Services.

6. DISCUSSION AND BACKGROUND

On May 14, 2024, the City Council adopted Resolution No. 11545, submitting to the voters a question on whether to adopt Ordinance No. 10-14, amending Chapter 8.13 of the Orange Municipal Code (OMC) 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 with 61.18% of the vote.

Ordinance No. 10-24 states the City will adopt rules and regulations regarding the sale, possession, and discharge of safe and sane fireworks for private display via a City Council ordinance and/or

resolution.

The City Council adopted Resolution No. 11593 on January 14, 2025. This resolution established the maximum number of permits to sell Safe and Sane fireworks at eight while detailing the lottery and application processes as well as the fee structure.

Pursuant to City Council direction at the January 28, 2025, meeting, Resolution No. 11597 rescinds Resolution No. 11593 and makes the following modifications:

- Dependent on City Council direction, may increase the total number of permits to sell Safe and Sane Fireworks.
- Dependent on City Council direction, may reserve four permits for the public and private high schools located within the City.
- Requires the City Manager's Office or its designee to hold a lottery to determine which applicants will advance to the permit phase.
- Requires the City Manager's Office or its designee to select additional applicants in case one or more of the initial applicants cannot obtain a permit.
- Clarifies that only one application can be received by a nonprofit organization or educational institution.
- Adds language that the City may request additional information to implement the purposes and intent of the proposed resolution as well as Orange Municipal Code Chapter 8.13.

If approved, staff will finalize the necessary forms and create a webpage where interested groups may apply to be included in the upcoming lottery.

7. ATTACHMENTS

- Resolution No. 11597