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# **AMENDMENTS TO FIREWORKS ORDINANCE**

*May 4, 2021*

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# SUMMARY OF AMENDMENTS

- ❑ Strict liability for (1) those who have the care, custody, or control of a minor who violates the Fireworks Ordinance and (2) social hosts where a violation occurs on their property
  - ❑ Increased fines
  - ❑ Those with multiple violations in any 12-month period held responsible for the County's costs of responding to the violations
  - ❑ Updates appeal rights/procedures and County's ability to collect outstanding fines and costs for violations.
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# SOCIAL HOSTS

- ❑ Social hosts defined as:
  - ❑ Owner of the property where the violation occurs;
  - ❑ Anyone who has the right to use, possess, or occupy the property under a lease, permit, license, rental agreement, or contract; or
  - ❑ Anyone who hosts, organizes, supervises, officiates, conducts, or accepts responsibility for a gathering at the property

# SOCIAL HOST LIABILITY EXCEPTIONS

- ❑ Property owner not liable if, at the time of the violation:
  - ❑ The owner had either (1) rented or leased the property to another or (2) the violation was committed by an individual who was unlawfully present or had trespassed on the owner's property; and
  - ❑ The owner was not present; and
  - ❑ The owner had no prior knowledge the violation was going to occur.
- ❑ No strict liability for violations occurring within common areas of multifamily properties

# INCREASED FINES AND CONSEQUENCES

- ❑ \$1,000 fine for *all* violations
- ❑ Violation causing serious bodily injury or property damage in excess of \$1,000 a misdemeanor separately punishable by a \$1,000 fine and/or up to six months in jail
- ❑ Violators with two or more violations within 12-month period liable for public safety personnel response to violation

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# Questions?

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