

CITY OF SEASIDE: THE REAL COST OF FIREWORKS



Stock photo from Microsoft 365

SUMMARY

The Civil Grand Jury (CGJ) investigated a complaint regarding the year-round use of explosive fireworks within the City of Seaside and a perceived indifference by City officials to the issue.

Through the course of investigation, the CGJ found City officials aware of illegal fireworks use causing significant and persistent problems in Seaside. Limited resources have been allocated to address the issue. City efforts to reduce illegal fireworks use appear to have minimal effect.

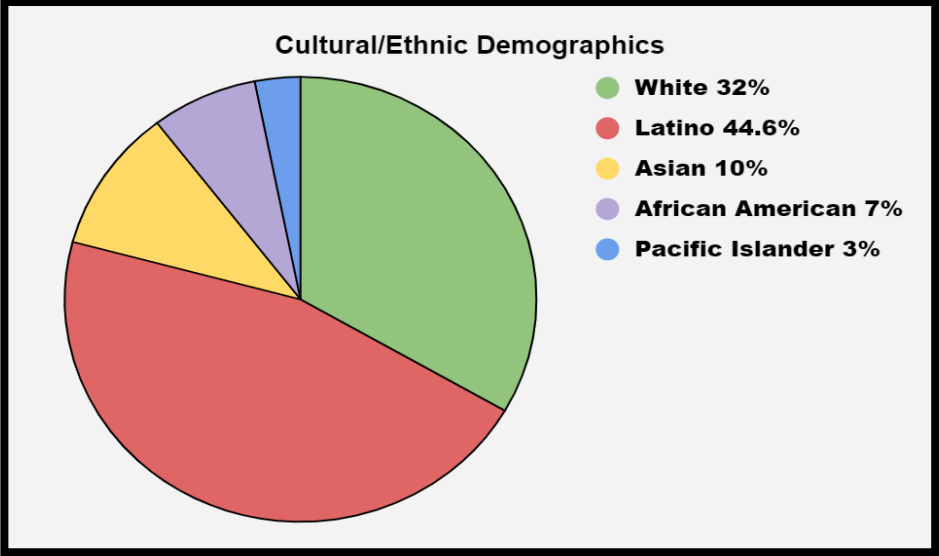
Broader public outreach in the community is necessary to provide clear and concise messaging regarding types of fireworks that are allowed, penalties, and fines for using illegal fireworks, and when and where [“Safe and Sane”](#) fireworks can be used.

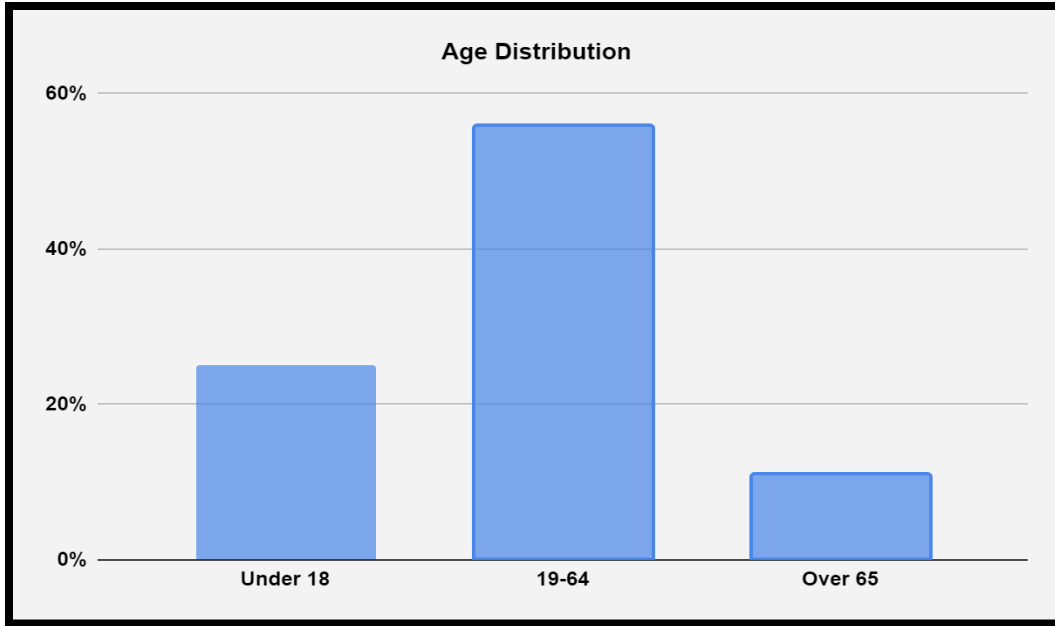
Information needs to be distributed and posted in appropriate languages reflecting the diverse demographics of the City of Seaside.

Effective communication and messaging to reach residents and visitors is a vital tool that City officials should use to the maximum extent possible. The CGJ found that the City of Seaside does not effectively communicate current information regarding a variety of City services and pertinent information to the public. To reflect the City's diversity, necessary resources need to be utilized to update communication platforms, so they are available in multiple languages and the website is easier to navigate.

BACKGROUND

Seaside was founded in 1887, incorporated in 1954, and is located on the central coast of California. It encompasses 9.8 square miles and has a diverse population of 32,300 residents, based on the 2020 Census.





The City of Seaside allows sales and use of certified “Safe and Sane” fireworks within City limits during designated days of the year. Sales and use of all fireworks is prohibited in the surrounding communities of Monterey, Sand City, Del Rey Oaks, Pacific Grove, Carmel, and unincorporated areas of Monterey County. The only city bordering Seaside allowing sales of “Safe and Sane” fireworks is the City of Marina. Several non-profit organizations sell these types of fireworks to raise funds in Seaside.

METHODOLOGY

Review of statewide past grand jury reports.

Review of relevant California Health and Safety Code sections.

Review of City of Seaside Municipal codes, available reports, organization chart, and information obtained from the City’s website.

Interviews with individuals with extensive knowledge about the operations, services, and governance in the City of Seaside.

DISCUSSION

Illegal Fireworks

Illegal fireworks are a significant and ongoing issue in the City of Seaside. Detonated illegal fireworks create loud, explosive noises, add to the risk of potential fires, create a nuisance, and are potentially hazardous to people and property.

Calls for Service (CFS) regarding fireworks over the Fourth of July holiday period from 2018 through 2022 are shown below. Seaside established an illegal fireworks hotline in 2021 to supplement calls received by Monterey County dispatch.

Types of Call for Service	Year (July 4th Holiday Period)				
	2018	2019	2020	2021	2022
Police CFS Total	217	178	306	272	294
Fire Dept. CFS Total	70	62	59	62	97
Fireworks Confiscated	N/A	N/A	30 lbs.	50 lbs.	100 lbs.

State Law limits the sale of fireworks designated by the State Fire Marshal as “Safe and Sane” and can only be sold by licensed retailers from noon on June 28 through noon on July 6 of each year, pursuant to [California Health and Safety Code Section 12670-12672](#).

Illegal fireworks use is problematic throughout the year. Anecdotal information from City officials and Seaside residents confirms this. Planning and resources approved by Seaside for illegal fireworks enforcement is limited to the Fourth of July holiday period. No additional illegal fireworks enforcement resources are dedicated the rest of the year.

Other than the Fourth of July period, the City does not track nor report complaints about illegal fireworks received throughout the year. In addition, the CGJ found no evidence that calls received by 911 regarding illegal fireworks are tracked by the City. Therefore, the scope and scale of the problem cannot be determined.

The Seaside Municipal Code requires the Fire and Police Chiefs to prepare an Illegal Fireworks Operations Plan each year to be presented to the City Council at the first Council meeting in May. The Illegal Fireworks Operations Plan must address the timeframe of June 17 through July 16 of that year and include:

- Identification of areas within the City where illegal fireworks were a problem the previous year
- A general explanation of the supplemental fire and law enforcement deployed within the City
- The additional apparatus and personnel who will be on duty for that period
- Recommendations on what enforcement patrols there should be for that period
- A detailed discussion of expected costs to be incurred by the City that year, and if these costs will be covered by existing fees levied on permittees and unexpended surcharge revenue from prior years
- A proposed recommendation for a resolution establishing a surcharge amount on each sale of “Safe and Sane” fireworks, not to exceed seven percent.

The Seaside Municipal Code also requires the Fire and Police Chiefs to report back to the City Council on or about September 1 each year with an after-action report that should include:

- An evaluation of the effectiveness of the Illegal Fireworks Operation Plan that year, including a listing of any significant fireworks related incidents
- Relevant incident statistics for the period of June 17 through July 16, and identification of fireworks related incidents
- A report on how many calls were received regarding suspected “dangerous fireworks,” how many of the calls the departments responded to, and how many calls resulted in seizures and/or administrative fines.

The CGJ found that the annual “Illegal Fireworks Operations Plans” and “After-Action Reports” are not readily available for public review on the City’s website. The information the City provided to CGJ regarding the Illegal Fireworks Operations Plan

and After-Action Report was in the form of PowerPoint presentations purportedly given to the City Council. However, no evidence of the presentations was found in the City Council meeting agendas. CGJ's review of the presentations found that the information provided did not meet all criteria specified in the Seaside Municipal Code.

Seaside City Council recently approved the purchase of 25 Flock Safety Automated License Plate Reader system cameras and leasing of the Flock Safety Gunshot Detection system, for use in designated areas of the City. The stated purpose of the Flock system is to assist with investigations and act as a deterrent to criminal activities. However, according to public testimony from a Flock representative at a City Council meeting, the Flock Safety Gunshot Detection system is not currently capable of distinguishing gunshots from illegal fireworks.

The Seaside City Council directed the Police Chief to organize a task force to address the problem of the possession and use of illegal fireworks. To date, the task force has met intermittently. It does not have an established mission statement or specific goals and objectives or membership identified.

The CGJ did not find that Seaside conducts any significant public outreach regarding illegal fireworks.



Photo taken by Civil Grand Jury Member

Government Transparency

The CGJ reviewed the information available on the [City's website](#). The most recent Fire Department annual report is from 2018. The municipal code was approved by the City Council on October 7, 2021, indicating that certain aspects of the website have not been updated for more than 18 months.

The website information regarding the use of "Safe and Sane" fireworks and the prohibition of illegal fireworks includes complicated technical and legal terminology. Further, the website information is predominately available in English only.

The City's other public outreach and messaging platforms are also communicated predominately in English only.

FINDINGS

- F1. The City's website is not updated or easy to navigate, creating a lack of governmental transparency resulting in a disservice to residents and visitors.
- F2. Minimal Spanish language content on the City's website results in limited site utility to a significant number of residents.
- F3. Lack of documentation and reporting of illegal fireworks Calls for Service and complaints throughout the year does not provide the City Council with adequate information to make decisions regarding the health and safety of residents and visitors.
- F4. The Flock Safety gunshot detection system's inability to distinguish gunshots from illegal fireworks renders the system useless in combating the use of illegal fireworks in the City of Seaside.
- F5. The City's planning efforts and focus on illegal fireworks enforcement exclusively during the Fourth of July holiday period does not adequately serve the health and safety needs of residents and visitors throughout the year.
- F6. Current efforts by the City to convene a regional illegal fireworks task force are not sufficiently organized to develop meaningful strategies to combat the sale, possession, and use of illegal fireworks and renders it ineffective.
- F7. The limited data collected and compiled by the City does not provide adequate information for the City Council to fully understand, prioritize and address the scope of the illegal fireworks problem.

RECOMMENDATIONS

- R1. The City of Seaside update the website to reflect current available services and government information and to provide historical continuity of City documents by October 31, 2023
- R2. The City of Seaside update the website regularly to reflect any changes in governmental information and available services.
- R3. The City of Seaside modify the website to enhance the search functions by October 31, 2023.
- R4. The City of Seaside provide updated information in easily understood terms regarding illegal and “Safe and Sane” fireworks, and when and where legal fireworks may be used by October 31, 2023.
- R5. The City of Seaside establish a system to identify and document year-round illegal fireworks Calls for Service by October 31, 2023.
- R6. The City of Seaside prepare quarterly reports documenting illegal fireworks Calls for Service received throughout the year and present the findings to the City Council.
- R7. The City of Seaside make the operations plans and after-action reports for illegal fireworks available on the website by October 31, 2023.
- R8. The City of Seaside maintain contact with Flock Safety regarding future system capability to identify and differentiate the sounds of fireworks from gunshot sounds.
- R9. The City of Seaside conduct comprehensive year-round community education on illegal fireworks in multiple languages.
- R10. The City of Seaside enhance public outreach and availability of all information and of city services in multiple languages by October 31, 2023.
- R11. The City of Seaside expand illegal fireworks operations planning and enforcement to address the use of year-round illegal fireworks by October 31, 2023.
- R12. The City of Seaside evaluate the effectiveness of a regional task force to resolve the issue of year-round illegal fireworks by October 31, 2023.
- R13. The City of Seaside dedicate the necessary resources to minimize the problem of illegal year-round fireworks.

RESPONSES REQUIRED

REQUIRED RESPONSES

Pursuant to Penal Code (Sect) 933 and 933.05, the Civil Grand Jury requests required responses:

From the following governing body within 90 days:

City of Seaside City Council
Findings: F1-F7
Recommendations: R1-R13

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

GLOSSARY

CGJ Civil Grand Jury

CFS Calls for Service

Triangulation – the process of determining the exact location of a sound, using a minimum of three receptors.

BIBLIOGRAPHY

City of Seaside Website

<https://www.ci.seaside.ca.us>

Illegal Fireworks Section of the City of Seaside Website

<https://www.ci.seaside.ca.us/649/Illegal-Fireworks-Enforcement>

California Health and Safety Code, Section 12670-12692

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=12670.&lawCode=HSC

Flock Safety Website

<https://www.flocksafety.com/>

ShotSpotter

<https://www.soundthinking.com/>

Note: *All charts in this report were created by CGJ members based on statistics researched.*