

LEGISLATIVE DIGEST

[Police Code - Penalties for Prohibited Discharge of Fireworks]

Ordinance amending the Police Code to provide penalties for the prohibited discharge of fireworks, including that a first offense is punishable as an infraction with a fine not less than \$125 or more than \$250, and a second and any subsequent offenses within five years of a prior offense are punishable as misdemeanors with a fine not less than \$250 or more than \$750, or imprisonment in the County Jail of not more than six months, or by both such fine and imprisonment.

Existing Law

Section 1290 of the Police Code prohibits the private discharge of fireworks of any kind within the City but prescribes no penalty for violations or enforcement mechanism.

Amendments to Current Law

This ordinance would provide penalties for the prohibited discharge of fireworks, including that a first offense is punishable as an infraction with a fine not less than \$125 or more than \$250, and a second and any subsequent offenses within five years of a prior offense are punishable as misdemeanors with a fine not less than \$250 or more than \$750, or imprisonment in the County Jail of not more than six months, or by both such fine and imprisonment. In addition, this ordinance adopts the definition of fireworks from the California Health and Safety Code Section 12511, as may be amended from time to time.