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# RECOMMENDATION TO BAN THE USE OF PERSONAL FIREWORKS IN PORT ANGELES

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The Fireworks Steering Committee

JANUARY 6, 2015

PORT ANGELES

Washington

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# Introduction

This document is the result of many hours of research and discussions with interested parties and stakeholders pertaining to the use of personal fireworks in Port Angeles. Where noted, sections of this document refer to information previously distributed to members of City Council and other officials.

In presenting this document, the Fireworks Steering Committee officially requests the Port Angeles City Council to enact a ban on the use of personal fireworks within the city limits. We have laid out a compelling case for this ban in detail in the following sections.

In order to further our request, we ask that the subject of a ban on personal fireworks be added to City Council's agenda as soon as possible and that a vote be taken in the coming months. We understand that it takes a full year to implement a new ordinance such as this one and, on behalf of the many residents who are hoping for a ban, we would like July 4<sup>th</sup>, 2015 to be the last holiday where personal fireworks are allowed. Based on the experiences of other comparable cities who have enacted a ban, we understand that it will take time, perhaps several years, for a shift in mentality to take hold among some members of the population. With proper enforcement, we feel confident that an overall shift will indeed occur, and we would like to begin that process as soon as possible.

We understand that another option is to hold an advisory vote. We understand that this could cost the City up to \$25,000 to add it to the next primary election, if there is one. Adding it to the next general election would create an even greater delay. For these reasons, we look to the Port Angeles City Council to demonstrate strong leadership and take action now.

## The Steering Committee's Work

Hundreds of hours of work have gone into researching and developing this document. This includes:

- Many dozens of phone calls to officials in other cities, mostly in the State of Washington. This includes conversations with officials from Port Angeles' 15 comparison city list.
- Interviews with officials from cities who have considered or enacted a ban on personal fireworks, and the collection of documentation from these and other officials.
- Requests for data from the City of Port Angeles and other cities, including information about the role of non-profit fireworks stands and the cost of clean-up, repairs, police and fire responses, and hospital expenses for uninsured victims.
- Talking to Port Angeles residents and analyzing public comments on Peninsula Daily News stories about fireworks.
- Discussions with officials from National Fire Protection Association (NFPA) and their affiliates, specifically pertaining to their Alliance to Stop Consumer Fireworks. The 23 organizations participating in this group include American Burn Association,

The American Academy of Ophthalmology, American Academy of Family Physicians, American Academy of Pediatrics, and many others.

- Analysis of data on PTSD among veterans, provided by the National Center for PTSD, of the US Department of Veterans Affairs.
- Analysis of Washington State laws on fireworks, provided by the State Highway Patrol's "Fireworks Ban or Restricted Sales/Use."
- Analysis of the Washington State Fire Marshal's yearly report, called "2013 Injury and Fire Report." The 2014 report will be available in February 2015.
- Research on the history of fireworks in the United States.
- Research on addiction to fireworks and arson studies.
- Research on injuries and deaths caused by the use of personal fireworks.
- Research on the effects of fireworks on the young and elderly, specifically regarding air pollution and lung and cardio problems.
- Research on water pollution, including "Fireworks Pollutant Detection Pilot Study for Lake Shoecraft and Mongo Pond," provided by the Snohomish County Public Works department.
- Research on air pollution, provided by Gary Palcisko, the air quality toxicologist with the Washington State Department of Ecology. Mr. Palcisko provided numerous graphs detailing spikes in air pollution in numerous western Washington cities on and around the 4<sup>th</sup> of July. Also, the article "Cheap Thrills with Toxic Consequences," published by backcountry.com. Also articles about air pollution in Shanghai, which has banned personal fireworks, and other Chinese cities that have air pollution issues exacerbated by fireworks.
- A study from "Legal Planet" about the effects of fireworks on the environment.
- The Washington State Department of Wildlife's bird biologist referred the group to Professor John Marzluff at University of Washington. He provided information about the effects of fireworks on federally-protected birds in our neighborhoods. As a result of this contact, Marzluff is requesting funding to conduct a two-year study on this subject.
- Extensive conversations with the US Department of Consumer Affairs concerning fireworks and their hazards and injuries.
- Research into safe, family-friendly alternatives to the use of personal fireworks.
- Research into the experience of many other cities who have implemented a fireworks ban, with emphasis on Spokane, Tukwila, Mill Creek, and Kenmore.
- Research into data about the social degradation of neighborhoods caused by the use of personal fireworks. Details can be found in the "The Grand Jury Study: The Anatomy of Safe and Sane Fireworks Sales in Orange County."
- Research into the role of non-profits in bringing personal fireworks into communities. Details can be found in the "The Grand Jury Study: The Anatomy of Safe and Sane Fireworks Sales in Orange County."
- Numerous newspaper articles found on the internet about the use and abuse of personal fireworks nationwide.
- Investigation into the source of personal fireworks in our state, The Washington Independence Day Association. This organization represents companies who

manufacture explosives. They have fireworks lobbyists and had a hand in creating our fireworks laws (or lack thereof).

- Research into the dangers caused by the use of sparkler bombs, tennis ball bombs, flying lanterns, and exploding targets.
- Research into the many safety issues related to children's access to fireworks.
- Research into the municipal and state codes that are being violated by the use of personal fireworks.

Much of the above information was provided to City Council in the folders previously distributed; additional articles not in the folders are available upon request.

## **The Case for a Ban on Personal Fireworks**

The Port Angeles chief of police, the mayor, members of City Council and other officials have acknowledged that the use of personal fireworks in Port Angeles has gotten way out of control. Citizens are voicing their objections to a situation that is increasingly intolerable. The number of fireworks being set off by private citizens vastly overwhelms the public display. Many thousands of dollars' worth of fireworks, both legal and illegal, are being exploded by people who likely have no permits nor insurance, and who may or may not be sober while they are setting them off. Though it may be true that the worst of the problem is caused by a small minority of one or two hundred residents, the fact remains that those individuals and groups can and do cause enough mayhem to destroy the peace for everyone else in town.

Arguments supporting a ban are provided in this section.

### **Social Breakdown of Neighborhoods**

Independence Day is supposed to be a fun-filled holiday where we all enjoy a community celebration and honor our nation. Unfortunately, in Port Angeles, many of us dread the holiday instead of celebrating it. We spend the day and surrounding days trying to calm terrified pets or stationed on roofs with fire hoses in fear of fire. Even normally thoughtful neighbors don't seem to notice that their fireworks party might be causing tremendous stress in nearby households. The use and abuse of personal fireworks in our neighborhoods is so pervasive, there is no possible escape from the noise and smoke. This creates deep, ongoing resentment and animosity, pitting neighbor against neighbor. This is hardly a healthy situation for any town.

More information about the damage done to the social fabric of neighborhoods can be found in "The Grand Jury Study: The Anatomy of Safe and Sane Fireworks Sales in Orange County," provided in the folder already distributed.

### **Trauma to Domestic and Wild Animals and Birds**

No one can deny that the extremely loud bangs and concussions that go on for hours and hours in Port Angeles terrify many if not most of the animals in town – not just dogs and cats and other domestic animals but the birds and wildlife that make Port Angeles a special place to live. We have laws against animal abuse and protections for wild species, but those

concerns all go out the window when it comes to personal fireworks. Residents have told stories about how beloved pets have died from the trauma inflicted by hours of explosions. Others feel they have no option but to pack up and get out of town with their pets. Those who have financial restraints or pets such as parrots and other birds that cannot be moved, do not even have this option.

Most animals have extremely sensitive hearing, far more sensitive than humans. A dog's hearing, for example, is ten times more sensitive than a human's. Damage to the human ear begins at 80 to 85 decibels. A nearby clap of thunder might hit 120 decibels. Gunshots can generate sounds between 145 to 190 decibels, depending on the weapon. Fireworks can hit up to 175 decibels. A team of researchers in Mississippi tested the hearing in hunting versus non-hunting dogs, using Labrador retrievers as test cases. The test showed that "practically all of the hunting dogs have some hearing loss and practically all of the non-hunting dogs have great hearing." The difference in hearing ability between the two groups of dogs was described as "extreme."

One of the greatest problems with fireworks for animals is not just that the explosions are loud but that they are sudden, unpredictable, and sporadic. This can create a sort of anticipatory anxiety in an animal that can continue for days or even months after the fireworks stop. In elderly, young, sick, or sensitive animals, the stress and anxiety can literally kill them.

Once animals have entered that fear or panic zone, it is extremely difficult to calm them. This is particularly true if the fireworks are going off nearby, such as next door or down the street. When rockets fly near or over the home, it sounds like the "threat" is coming from all sides and that there is no escape.

A great deal of information about the trauma fireworks wreaks on wild and domestic animals can be found on the internet. A few samples are provided below:

- "Loud Fireworks Affect Wildlife," by West Sound Wildlife Shelter. [http://www.westsoundwildlife.org/wildlife/Coexisting/CO\\_Fireworks.html](http://www.westsoundwildlife.org/wildlife/Coexisting/CO_Fireworks.html)
- "Audubon Asks for Public to Protect Coastal Birds this 4th of July Weekend". <http://fl.audubon.org/newsroom/press-releases/2014/audubon-asks-public-protect-coastal-birds-4th-july-weekend>
- "Why Fireworks and Pets Don't Mix," ASPCA. <http://www.asPCA.org/blog/why-fireworks-and-pets-dont-mix>

## Trauma to Residents with PTSD

Many residents, particularly veterans, suffer with various forms of PTSD. These citizens have an extremely difficult time when their neighbors are blowing up fireworks. For some, prolonged explosions can result in major anxiety and panic attacks. As one Port Angeles veteran expressed it, "The booms of mortars bring smiles to your faces, while we run and hide, looking for quiet and safe places/We flashback to times and places we would like to forget-but your 8 hour long party, it's not over – oh no....not yet!" (A copy of this poem was previously distributed.)

## **Air Pollution and Litter**

Fireworks are made from chemicals, including the charcoal, calcium and sulfur compounds that are used to make gunpowder. Other chemicals include strontium compounds, magnesium, dioxin-laden copper mixtures, toxic barium, and sodium nitrate. No one can avoid the toxic cloud of smoke and dust that hangs over the city while private households set off thousands of dollars' worth of personal explosives. In some areas, the smoke is so thick, it's impossible to see. Residents, including those with asthma and other breathing problems, have no choice but to breathe these toxins or try to avoid them by staying indoors. In the days afterward, the ground and waterfront, particularly Ediz Hook, are littered with the debris from fireworks. (Ediz Hook is supposed to be a reservation for native birds.) This onslaught of trash endangers the lives of seabirds and other wildlife, who mistake it for food.

## **Fire Hazard**

Port Angeles is a town full of trees, dense foliage, and wooden structures. In today's climate conditions, by the time July 4 rolls around, things are pretty dry and hundreds of households setting off personal fireworks presents a clear and present fire danger. As the fire chief stated during a recent community meeting, when July 4 comes, it's time to "pray for rain."

## **Danger to Persons and Property**

Last July, two people were seriously injured in Port Angeles in incidents related to the use of personal fireworks. One man lost an eye to a mortar; another person was hit in the mouth with a mortar. Three more young men had minor to serious injuries caused by mortar use. Nationwide in 2013, an estimated 11,400 people were treated in emergency departments for fireworks-related injuries.

Property damage, both public and private, is also a cause for concern. Twenty years ago, revelers blowing up fireworks burned down the Moose Lodge in Port Angeles. Six years ago, about a dozen public toilets were blown up.

## **Putting Our First Responders at Risk**

The "anything goes" mentality that takes over Port Angeles during the Fourth of July poses a risk to life and limb to those who are tasked with protecting the public. Port Angeles' first responders, including paramedics, police, and firemen, have to cope with dense smoke and unpredictable explosions coming from every direction as they respond to emergency calls. The situation on Ediz Hook is particularly out of control and represents a true danger to anyone who ventures there. These public servants who work on the front lines need to know that City Council and other officials support them and can ensure them a reasonable environment in which they can perform their duties.

## **Creating a Mentality of Misbehavior**

The use of personal fireworks by individuals, especially family members and neighbors, tends to teach children, particularly young boys, that lighting things on fire and blowing things up is acceptable behavior. According to the National Fire Protection Association (NFPA), "[t]he majority of structure fires in homes caused by play were started by males



(83%). Forty-three percent of the fires were started by a child under age 6. Older children were more likely to start outside fires, with two of five (38%) of all outside or unclassified fires started by a child between the ages of 10 and 12.”

The report continues, pointing out a correlation between Fourth of July and a drastic increase in fire incidents in July: “Nearly one quarter of these fires (24%) were started during the month of July, likely influenced by fires during the July 4<sup>th</sup> holiday. Fireworks were the heat source in 30% of all non-trash outside or unclassified fires caused by fireplay, with lighters the heat source in 29% of the fires and matches the heat source in 20%.” (Source: “Playing with Fire,” National Fire Protection Association.)

## Violations of Port Angeles Municipal Codes

As a society, we have good laws against public disturbances, explosions, smoke and other air pollution, littering, chemical and noise pollution, and the mistreatment and abuse of animals. These laws were adopted so that residents can co-exist peacefully in densely populated towns and cities. They represent the vital characteristics of a civilized community. Yet all these laws go out the window on and around Independence Day because of the use and abuse of personal fireworks. During these periods, numerous municipal and state codes are violated with impunity.

The following Port Angeles Municipal Codes are violated by the use and abuse of personal fireworks:

- **Animal Cruelty Code 7.09.02.** Tormenting or abusing any animal.
- **Nuisance Code 8.30.045(C.3a).** “Filthy, littered, trash-covered, or overgrown premises or abutting streets and alley rights-of-way...Debris and trash...An accumulation of garbage, litter, debris...” etc.
- **Nuisance Code 8.30.045(D).** “Loud unnecessary noises, including but not limited to, making, causing, or permitting noises to be made by sound trucks, loudspeakers or other sound-amplifying devices.”
- **Nuisance Code 8.30.045(F).** “Burning...to cause or permit the smoke, ashes, soot, or gases arising from such burning to become annoying or to injure or endanger the health, comfort, or repose of said persons.”
- **Nuisance Code 8.30.045(H).** “Throwing, depositing, exposing, or causing to be disposed of, in any street or other public place within the City, any garbage, waste, refuse, litter, debris, or other offensive material, unless the disposal of such items in such place is specifically authorized by law.”
- **Nuisance Code 8.30.045(J).** “All obstructions to streets, rights-of-way, or other public ways in the City...”
- **Nuisance Code 8.30.045(K).** “...[P]lacing, depositing, leaving...in or upon, any private lot, building, structure, or premises, in or upon any street, alley, sidewalk, park, parkway, or other public or private place...dangerous or otherwise injurious chemicals or other materials such as oil, grease, poisons, explosives...and other similar substances in such a manner as to be offensive or injurious to public health, or unpleasant or disagreeable to the adjacent residences or persons.”

- **Nuisance Code 8.30.045(Q.2).** “Toxic or caustic substances. Improper storing or keeping of any toxic, flammable, or caustic substances or materials.”
- **Nuisance Code 8.30.045(U).** “Conditions or acts that unreasonably annoy, injure, or endanger the comfort, repose, health, or safety of others.”
- **Nuisance Code 8.30.045(W).** “Illicit discharges into the municipal storm drainage system.”
- **Nuisance Code 8.30.045(X).** “Unauthorized interference with, damage to, or polluting of designated habitat areas, publicly owned restoration sites, streams, creeks, lakes, wetlands, or tributaries and similar areas thereto.”
- **Code 9.16.140(B).** “Littering prohibited...No person shall throw, drop, deposit, discard, or otherwise dispose of litter upon any public property in the City or upon private property in the City not owned by him or in the waters within the City....”
- **Code 9.24.030.** “Disturbing the peace. It shall be a Class II misdemeanor for any person to create a noise nuisance. For the purposes of this section, a “noise nuisance” is created where: A) A person intentionally makes or permits to be made any excessive noise which unreasonably and knowingly disturbed another...”

## Some “Safe and Sane” Fireworks are Neither

A number of today’s personal fireworks differ drastically from the harmless little sparklers and snakes that many of us grew up with. Some residents are under the misapprehension that any sort of rocket or exploding firework is illegal. That is not true. Some so-called “safe and sane” fireworks, or legal fireworks, are not much different from illegal fireworks. They include several varieties of airborne rocket that shoot high into the air and create concussions just as loud as illegal fireworks. People often bundle them together to create bigger explosions, such as sparkler bombs. The terrorists in Boston used “safe and sane” fireworks to build the bombs that blew up at the Boston Marathon, killing three people and injuring 264.

Legal or “safe and sane” fireworks include the following:

- **Roman Candles.** A cardboard tube approximately one inch thick and one and a half feet long, filled with individual pyrotechnic charges, shells, or balls. They shoot 50 to 60 feet into the air.
- **Helicopters.** A spinner with wings. Once ignited a helicopter spins on the ground before it travels up into the air while shooting out sparks.
- **Tube Mines and Shells.** A large cardboard tube loaded with pyrotechnic charges. Shoots high into the air and explodes in one or more bursts.
- **Wheels.** Remains on the ground, spinning and shooting off a spray of sparks.
- **Combination Items.** A combination of one or more other fireworks.
- **Smoke Device.** Generates a thick cloud of colored smoke.

## A Full Ban Should be Easier to Enforce

From a distance, it is virtually impossible to differentiate between these “safe and sane” fireworks and illegal fireworks, particularly if users are combining them. This may explain

why, since 2011, the Port Angeles PD has issued only two citations for the mis-use of personal fireworks. Banning all personal fireworks will solve this problem.

### **National and Statewide Trend**

More and more cities and counties across the nation have banned personal fireworks or are considering bans. Most metropolitan areas, including Seattle, Olympia, Spokane, Bellingham, and Port Townsend do not allow personal fireworks.

Five Washington cities comparable to Port Angeles have enacted a ban on fireworks: Tukwila, Mill Creek, Mukilteo, Anacortes, and Kenmore. Other comparable communities considering fireworks bans include Bothell, Ocean Shores and all of Clark County.

### **Other Cities Experienced Decrease in Problems After Ban**

We were provided with data from three comparable cities who have enacted bans on personal fireworks: Tukwila, Kenmore, and Mill Creek. Their police departments report that, since enacting the ban, the number of complaints and responses has greatly declined. The City of Spokane has also provided a great deal of information about their experience implementing a ban. More details are below.

#### **Spokane, Washington**

Spokane reports a very successful implementation of their fireworks ban. Spear-headed by Fire Marshal Lisa Jones, the effort involved active participation from every City department. A detailed report from Lisa Jones can be found in the folder already distributed.

#### **Mill Creek, Washington**

Mill Creek Chief of Police Bob Crannell reports that Mill Creek passed a ban in the late 1980s, due to concerns about the fire hazard of personal fireworks. Mill Creek at that time was 25% of today's population. Crannell says, "We don't really have much of an issue with fireworks today due in part to about 75% of the City never having the ability to discharge them. Also, the sale (firework stands) are also banned which keeps the supply and availability to a minimum."

#### **Tukwila, Washington**

Tukwila, Washington. Tukwila banned fireworks in 1996. The City provided detailed information showing a reduction in calls but there were legal restrictions about releasing the information publicly (such as in this document). This information can be provided upon private request.

#### **Kenmore, Washington**

The City of Kenmore passed an ordinance banning fireworks in 2004 and began enforcement in June 2005. Appendix B provides a breakdown of fireworks-related complaints and responses, provided by the chief of police. Due to "aggressive enforcement," his figures show a marked reduction in problems.

# Response to Arguments Favoring Use of Personal Fireworks

Several arguments have been made about why the use of personal fireworks should be allowed to continue despite the many objections, including profit motives for the City via sales tax, benefits to non-profits who operate fireworks stands, the expression of patriotism, and free speech. Each of these is discussed below.

## Financial Incentives for the City

There is no financial incentive for Port Angeles to continue allowing the use of personal fireworks. In fact, there is considerable cost involved in allowing it. Based on figures supplied by the City, Port Angeles collected less than \$2,000 in sales tax from fireworks stands. Costs for police presence on July 4 were approximately \$8,000. The latter figure does not include expenses for cleaning up the mess, which is mostly performed by volunteers and homeowners. Nor does it cover the cost to repair damages such as the \$600 replacement needed for a light pole that was blown up by revelers last July 4, or to the costs incurred by residents who were required to clean up and repair the damage done by their neighbors in that case.

## Concern for Well-Being of Non-Profits

One council member expressed concern about possible negative impacts on non-profits who operate fireworks stands to raise funds. According to data provided by the City, the following organizations operated fireworks stands in Port Angeles July 2014:

- Pyro Fundraising, Port Angeles, WA.
- 4<sup>th</sup> of July Spectacular Port Angeles Football Club, Port Angeles, WA.
- Olympus Fireworks, Syracuse, Utah.
- Sequim Vineyard Community Church, Sequim, WA.
- Western Fireworks Inc., Aurora, Oregon.

It's not clear exactly which of these organizations actually represent non-profits.

There is no evidence that non-profits will disappear or otherwise fail if they are compelled to find alternate funding sources. Providing an easy source of funding for a select group, at the expensive of town residents and City coffers, is not a valid reason to continue allowing the use and abuse of personal fireworks.

The "Grand Jury Study: Anatomy of Safe and Sane Fireworks Sales in Orange County" (provided to City Council) makes two salient points that are pertinent to this discussion:

- "Non-profit organizations that sell legal fireworks and the wholesalers that distribute them are not required to help pay the municipal cost of disposing of fireworks debris left on public streets, sidewalks, and parks, nor the additional costs for police and fire services."

- “Cities do not give non-profit organizations encouragement or guidance to use in other fund raising methods.”

## The Mythology of Personal Fireworks Equated with Patriotism

Some defend the use of personal fireworks by citing a historical call by President John Adams to celebrate Independence Day with “...illuminations from one End of this Continent to the other...” However, nowhere does John Adams call for individual citizens to blow up explosives. Instead, the first celebration was described as a “grand exhibition of fireworks...” which took place “on the Commons,” not in every citizen’s front yard. The *Philadelphia Evening Post* wrote that “Everything was conducted with the greatest order and decorum, and the face of joy and gladness was universal.” (Source: “The Rockets’ Red, White, and Blue Glare: How did fireworks become America’s Fourth of July pastime?” Slate Magazine.)

“Order and decorum” and “universal gladness” are a far cry from the mayhem that grips the town of Port Angeles with neighborhood fireworks parties blasting on into the night while other citizens hide in their homes. There is no evidence that those who blow up fireworks in neighborhoods are more patriotic than those who stay indoors trying to calm their pets and avoiding the smoke. In a significant number of cases, this cry of patriotism has become nothing more than a shabby excuse for anti-social behavior.

As one Port Angeles resident eloquently stated in a December City Council meeting: “I suspect you may have concerns about angering people who love their fireworks, some of whom will tell you it’s unpatriotic to restrict them. But I don’t know what’s patriotic about terrifying neighbors and their pets, endangering others’ property and health, creating all sorts of pollution and litter, and making sure that many in town can’t get a decent night’s sleep for days.”

“Patriotic” proponents of personal fireworks might be disappointed to learn that the vast majority of personal-grade fireworks purchased in the USA are manufactured overseas, primarily in China. Fireworks manufacturers in India and Guatemala are notorious for using child labor.

On the other hand, most fireworks used in public displays, called display fireworks, are manufactured in the USA.

## “Free Speech” Vs. Public Safety

Some have argued that setting off personal fireworks is a matter of free speech. It’s not clear how loud explosions and smoke bombs constitute “speech.” In one notable case, this argument was made by Chinese-Americans when Mayor Rudy Giuliani of New York City banned the use of personal fireworks in that city. The mayor rejected this argument, stating that “public safety comes first.”

## Public Opinion in Port Angeles

An analysis of comments on the Peninsula Daily News website for articles about the fireworks issue shows a small majority favoring a fireworks ban. The sampling is extremely

small and represents only those with facebook or yahoo accounts and who tend to comment online. This approaches the results in other cities who have put it to a vote. For example, in Olympia, Washington, a fireworks ban was passed by 58%.

Appendix A shows some sample comments from online PDN fireworks-related articles. We feel these samples are important, particularly those against a ban, as some of them demonstrate the lack of neighborly concern that exacerbates the personal fireworks problem. These include sentiments such as “boo freaking hoo,” “You people make me sick,” and “Try Seattle they shoot people over there.” In a very intrusive way, the legality of personal fireworks gives this type of individual free rein to impose their bad attitudes on their neighbors.

A public meeting held in Port Angeles last September brought out about 40 residents. Of those, three attendees were against a ban. The remaining attendees were in favor of a ban and many described the very negative experiences they endured on July 4, 2014 that inspired them to attend this meeting. The committee has received similar emails from concerned citizens expressing support for a fireworks ban.

## Implementation and Enforcement

There are a number of measures that the City and other interested parties could take to make sure that a ban on personal fireworks is successfully implemented.

### Develop Alternatives to Personal Fireworks in Neighborhoods

- Conduct an investigation into “fireworks zones,” possibly located on reservations. Legal fireworks lighting areas have proven to be a success with two tribes in western Washington, including the Puyallup and Tulalip tribes. (These areas are also used by ATF and police departments for detonation of illegal bomb material.)
- Create an enhanced Fourth of July festival in downtown Port Angeles that would lure visitors to town and contribute to efforts to revitalize the City’s core. (This would constitute a much better scenario than the current situation where residents flee with their pets, taking their holiday funds with them.) Activities could include a more elaborate public fireworks display, historical re-enactments, seafood stands, music, kite-flying, bubbles, digital glow sticks, whale-watching, and other family-friendly activities such as the successful Kinderfest put on by the revitalized town of Leavenworth, Washington.

### Community Education to Assist with Enforcement

We propose a community education program that will explain the law and what residents should do if confronted by fireworks in the neighborhood. This could include flyers in utility bills, articles in the local paper and radio station, and public meetings. Officials who have implemented a ban, such as Fire Marshal Lisa Jones of Spokane, have offered to come to town to speak to City officials and other interested parties about their experiences in successfully implementing a ban.

## Methods Used by Other Cities to Enforce a Ban

Discussions with City officials who have implemented bans have produced the following tips:

- Saturation public education, including billboards and media
- Hefty fines
- Develop a culture of aggressive enforcement, beginning with the department heads from every pertinent City entity
- Hire off duty policemen to run fireworks ticketing teams, which could include firemen
- Set a minimum number of tickets for teams
- Officers hide their cruiser around the corner and walk the block where the complaint is located (Kenmore Police Department).

## Conclusion

The fireworks steering committee feels that we represent a “quiet majority” of Port Angeles residents who are fed up with the mayhem that grips our town on July 4<sup>th</sup> and surrounding days. We recognize that others in town enjoy setting off fireworks. We argue that their explosions and smoke impinge much more aggressively on our right to a peaceful and safe holiday than our objections impinge on their ability to celebrate the Fourth of July. Those who love fireworks can still enjoy the beautiful public display sponsored by the Chamber of Commerce and local businesses. In time, as attitudes shift, perhaps those who currently have to stay home to calm terrified pets or guard their property might also be able to head downtown and enjoy the celebration.

# Appendices

## Appendix A Sample Comments from PDN Website

**Note:** Errors left intact.

### Comments Favoring a Ban

"I say ban them all together. Let the professionals put on the show. It breaks my heart what fear and anxiety in puts in our four legged family members. So many pets are terrorized. They hide, they shake, they don't eat, they run away. I would sign a petition to ban them. But like so many other things, it's all about the money."

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"Banning them inside city limits is fair. If it were just the sparklers of yore, that's different, but it's not anymore and too many 'illegals' are being discharged with no concern of neighbors, pets or homes. These are the ones that need to be reigned in/enforced."

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"I think they should be banned. People do not follow the law. In my neighborhood it was ridiculous. People who work had to try to sleep for the week before and several days after with loud fireworks going off. Ban them! I did not notice any enforcement either. I live in the City and think that too many people have done what they wanted with no consequence. Have a City fireworks display. But my vote is to ban resident fireworks! If the City will not enforce the law then it is time to ban them."

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"I am totally in support of banning them! This year was horrible for our pets who were terrorized by the super loud ones that went on and on and on well past midnight."

### Comments Opposing a Ban

"So a bunch of sad over the hill people want to ban Fireworks on the fourth of July. Amazing that there all going to have meeting at the Library. I would encourage that the 4th of July be expanded to two days of non stop buzz bombs, sky rockets, mortar shells and a competition open to everyone yearly. Say at Editz Hook. Can yo imagine several firewprks companies giving a free shop to test their products. Take the fourth to a New Level. Independence Day where thousands come to shoot fireworks and enjoy the displays and vendors.

Jan Butler go on vacation on the 4th of July. Try Seattle they shoot people over there"

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"yes and we see how well people follow the rules now.... police will just have to drive around like crazy and give out all sorts of unneeded tickets. give your dog benadryl it will calm them just fine to make it through the celebrations..."



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“ITS ONE DAY OUT OF THE YEAR!!! You people make me sick, always whining and crying about something. This is the ONE day out of 365 that America celebrates its freedom and the day we declared independence. I am a veteran and I have pets, plus I had to go to work just like everyone else. You all know when the 4th of July is, prepare for it. You think they were too loud this year? just wait until you ban them! Put your pets in a crate, buy some ear plugs and a redbull for the morning.”

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Give me a break... its one night a year that port angeles is loud boo freaking hoo!! Let people enjoy the day, its not like you didnt know this day was coming!! The laws now are fair and all because we had one "bad" year doesnt mean we should ban them all together!! And as far as pets go.. vets provide medication to give animals to keep them calm, so quit blaming everyone else because you weren't prepared.. we might as well ban the whole damn holiday while were at it.. and whats even more disappointing is this article fails to mention how a member of our military was seriously injured that night! We should focus on what is really causing our city to become unsafe.. like all the theifs and meth addicts.

#### **Comments Suggesting More Restrictions**

“Lets empty out and open up the hospital parking lot for the kids on the 4th. oh and plant a fire truck right in the middle of the lot! Seriously i think fire works after midnight should be banned and ticketed. If a few parents receive a 100 dollar ticket because their unsupervised children are shooting off large loud fireworks on the 5th of july they might be more inclined to put the kids to bed at a reasonable hour.”

## Appendix B Kenmore PD Reduction in Problems after Ban

The following information was provided by Clifford Sether, Kenmore Police Chief.

The ordinance banning fireworks made it a misdemeanor to sell, possess, use and discharge ALL fireworks, which includes the safe and sane fireworks sold in some communities.

Kenmore Police aggressively enforced this ordinance with extra fireworks patrols the week prior to the 4<sup>th</sup> of July.

We have seen a dramatic decrease in the use of police resources in response to firework complaints after the first year. Below is our arrests prior to and after the ordinance:

<u>YEAR</u>	<u>NUMBER OF FIREWORK ARRESTS</u>
2002	18
2003	12
2004	18
*ban passed & implemented*	
2005	9
2006	2
2007	3
2008	3
2009	1
2010	7
2011	1
2012	2
2013	0
2014	3

I can attest that since 2011 we rarely have any dispatch calls for fireworks complaints.

**Clifford Sether, Kenmore Police Chief (206.477.7455 work)**