

OFFICE OF OPERATIONS

NOTICE NO. 26

May 28, 1997

TO: All Concerned Personnel, Office of Operations

FROM: Chief of Police

SUBJECT: FOURTH OF JULY ILLEGAL FIREWORKS ENFORCEMENT

PURPOSE

This Notice addresses the Department's response to illegal fireworks activity in the City of Los Angeles. During the Fourth of July holiday period of June 27 to July 6, 1997, Area patrol personnel shall be responsible for the enforcement of laws related to illegal fireworks.

INFORMATION

Illegal fireworks activity and the number of injuries resulting from their use continues to be an enforcement problem. In 1996, over 2500 complaint calls were generated during a nine-day period Citywide. In Los Angeles County alone there were 67 injuries caused by fireworks, contributing to the statewide total of 221.

As in the past two years, the Department will continue to provide escorts for the Los Angeles Fire Department (LAFD). Although the Department is not automatically obligated to provide escorts for LAFD, all Area commanding officers shall deploy personnel on July 4th to ensure that requests for such escorts are accommodated whenever possible.

Note: For purposes of this Notice, deployment on July 4th shall be established by taking the heaviest normal deployment day (e.g. Saturday) and increasing the deployment by a percentage commensurate with the anticipated increase in work load.

Fourth of July Illegal Fireworks Enforcement

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1.2.1

PROCEDURE

Officers investigating illegal fireworks complaints shall take appropriate action. Officers taking enforcement action which involves the possession, sales and/or use of illegal fireworks, may use the codes listed on the attached page when applicable. The Health and Safety Code Sections most often violated have been underlined (See attachment).

Violators may be cited using the Notice to Appear, Form 5.2.2. Evidence may be booked using the Release from Custody Report Continuation, Form 5.02.8. All evidence shall be confiscated, transported and booked in accordance with Manual Section 4/540.20 (Booking Explosive Substances).

Note: The advice of the Explosives Unit, Scientific Investigation Division, shall be obtained without delay when fireworks/explosives are seized in any amount.

During off-hours, notification shall be made to Detective Headquarters Division in accordance with Manual Section 4/212.50.


BAYAN LEWIS
Chief of Police

Attachment

DISTRIBUTION "A"

CITABLE ILLEGAL FIREWORKS VIOLATIONS

57.55.01 LAMC		Fireworks
12670	H & S	Advertise the sale of fireworks without a license.
12671	H & S	Sell, offer for sale, possess, store, discharge, use or transport fireworks not registered by the State Fire Marshal.
12672	H & S	Sell Safe and Sane Fireworks other than from June 28 to noon July 6.
<u>12673</u>	<u>H & S</u>	<u>Store fireworks without a permit.</u>
12674	H & S	Store or possess fireworks for which a license is required after license revoked.
12675	H & S	Failure to record on bill of lading, manifest or invoice required fireworks license numbers.
12676	H & S	Sell, transfer, give, or otherwise convey title of dangerous fireworks unless receiver has valid permit.
* 12677	H & S	Possess dangerous fireworks without a permit.
12678	H & S	Use Agricultural and Wildlife Fireworks without a permit.
12679	H & S	Sell, use or store fireworks within 100 feet of where gasoline or other flammable liquids are stored or dispensed.
<u>12680</u>	<u>H & S</u>	<u>Place, throw, ignite or discharge dangerous fireworks at a person or crowd where injury can occur.</u>
12681	H & S	Sell or transfer Safe and Sane Fireworks at other than fixed place of business.
12682	H & S	Allow or permit fire nuisance where fireworks sold, manufactured, assembled, packaged, stored or distributed.
12683	H & S	Sell, use or discharge an unregistered emergency signal device.

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- 12684 H & S Use of emergency signal device outside of instructions for use.
- 12685 H & S Conduct public fireworks display without a permit.
- 12686 H & S Use Special Effects Fireworks without a pyrotechnic license.
- 12687 H & S Sell, give, transfer or deliver Special Effects Fireworks without a pyrotechnic license.
- 12688 H & S Advertise to sell, or transfer any class of fireworks without a license or permit. (Dangerous, Safe & Sane, Agricultural, Wildlife, Model-rocket engines).
- 12689a H & S Sell, give or deliver dangerous fireworks to anyone under 18 years of age.
- 12689b H & S Sell, give or deliver Safe & Sane Fireworks to anyone under 16 years of age.
- 12690 H & S Perform or act with an expired fireworks permit or license.
- 12691 H & S Violate provisions of regulations adopted by the State Fire Marshal.

* Section 12677 H & S is the misdemeanor section used for booking violators who are in possession of dangerous fireworks without a permit.