



City of Oceanside

300 North Coast Highway,
Oceanside, California 92054

Staff Report

File #: 26-1347

Agenda Date: 5/6/2026

Agenda #: 22.

DATE: May 6, 2026

TO: Honorable Mayor and City Councilmembers

FROM: Fire Department

TITLE: **INTRODUCTION OF AN ILLEGAL FIREWORKS ABATEMENT ORDINANCE**

RECOMMENDATION

Staff recommends that the City Council introduce an ordinance adding Article V to Chapter 17 of the Oceanside Municipal Code relating to illegal fireworks abatement.

BACKGROUND AND ANALYSIS

The possession, sale, and use of illegal fireworks pose significant threats to public safety, including increased risk of structure fires, wildland fires, and serious bodily injury. Such conduct constitutes a public nuisance endangering public health and safety within the meaning of Government Code section 36900(d).

On August 20, 2025, the City Council directed staff to explore enforcement strategies to address the proliferation of illegal firework usage within the City, similar to programs recently adopted by other California jurisdictions. On January 28, 2026, the City Council accepted receipt of an informational report outlining proposed abatement measures and directed staff to draft an ordinance addressing illegal fireworks enforcement based on the options discussed at that meeting.

The proposed ordinance makes it unlawful for any person to ignite, discharge, or possess illegal or dangerous fireworks or for any host to knowingly allow, permit, or promote the use of illegal fireworks on property under their control within the City of Oceanside. Staff recommends that the proposed ordinance be structured as Article V of Chapter 17 (Nuisance Abatement) of the Oceanside Municipal Code. As such, illegal fireworks activity would be declared a public nuisance subject to abatement under the procedures set forth in the ordinance. This structure allows the City to utilize Chapter 17's existing enforcement tools, including lien authority and tax-roll collection procedures, to recover costs associated with fireworks-related incidents. The remedies provided in the proposed ordinance are cumulative and do not limit the City's authority to pursue criminal, civil, or other enforcement remedies under existing law.

The proposed ordinance provides administrative enforcement, including tiered penalties, recovery of response costs, and defined notice and appeal procedures, to supplement existing criminal enforcement. The goal is to enhance deterrence, reduce fire risk, and provide a clear, consistent

enforcement structure for high-impact fireworks activity.

Public outreach efforts, including social media announcements, press releases, flyers, and community education materials emphasizing fire risk, penalties, and drone enforcement, shall be conducted jointly by the Oceanside Police and Fire Departments, beginning at least thirty (30) calendar days prior to July 4 each year.

The proposed enforcement program would deploy enhanced staffing during peak fireworks periods using a coordinated air and ground response model. Specifically, the program would consist of 2-3 Unmanned Aircraft Systems (UAS) teams, each staffed with one Police Officer and one Deputy Fire Marshal, along with one ground contact team staffed by two Police Officers. One Police Sergeant would specifically supervise the firework enforcement activities. These staffing enhancements would be deployed during a seven-hour operational window aligned with periods of historically high fireworks activity. UAS teams would be used in a response-based manner to relay real-time information to ground personnel. UAS operations would not involve continuous or indiscriminate surveillance and would be conducted in compliance with applicable federal and state law, as well as local policies governing UAS use and privacy protections. On the ground, contact teams would respond to identified incidents, attempt to make contact with violators, investigate violations, and confiscate fireworks when feasible. Although this enforcement model is initially proposed for the period surrounding the Fourth of July holiday, the program is structured broadly enough to be used during other periods of heightened fireworks activity.

Violations of the proposed ordinance shall be subject to recovery of response costs and administrative penalties of \$1,000 for the first violation; \$2,500 for the second violation within one year; and \$5,000 for each additional violation within one year. During the first twelve (12) months following the effective date of the proposed ordinance, administrative penalties would be reduced by fifty percent (50%). No property shall be subject to administrative penalties exceeding a cumulative total of ten thousand dollars (\$10,000) within any calendar year.

At the request of the City Manager or City Council, the Police and Fire Departments shall submit a report summarizing outreach, enforcement, and recommendations.

FISCAL IMPACT

Fiscal impacts to the Fire and Police Departments include overtime costs necessary to enforce the proposed ordinance, estimated at \$32,060 annually. This is in addition to staffing within police and fire budgets that have previously been utilized for the Fourth of July.

Staff is requesting to use the unassigned fund balance account **101.3100.0001** in the amount of \$32,060 to fund the overtime costs and appropriate the funds to accounts **550552101.5120** and **150519103.5120**. The unassigned fund balance account currently has a balance of \$6,580,610; therefore, sufficient funds are available. Ongoing costs in future years will be incorporated into the annual budget process.

Description	Annual Appropriation	Account Number	Funding Source	Available Balance
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Overtime	\$5,421	550552101.5120	101.3100.0001	\$6,580,610
Overtime	\$26,639	150519103.5120	101.3100.0001	
Total	\$32,060			

Any fines or penalties collected are incidental to enforcement and are not intended as a revenue-generating measure.

COMMISSION OR COMMITTEE REPORT

The item was presented to the Police and Fire Commission on April 14, 2026, and the Commission unanimously recommended that the City Council introduce the ordinance.

CITY ATTORNEY'S ANALYSIS

The City Attorney has reviewed and approved the proposed ordinance as to form.

Prepared by: Blake Dorse, Division Chief
Reviewed by: David Parsons, Fire Chief
Submitted by: Jonathan Borrego, City Manager

Attachments:

- Ordinance