

PRESS RELEASE

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[FOR IMMEDIATE RELEASE]

City of Ontario
Fire Department

THE ONTARIO FIRE DEPARTMENT WANTS TO REMIND THE COMMUNITY THAT POSSESSION AND USE OF ANY FIREWORKS WITHIN THE CITY OF ONTARIO IS PROHIBITED

In May 2007, the Ontario City Council enacted an ordinance which reaffirmed existing Ontario Municipal Codes prohibiting fireworks and declared fireworks within the City of Ontario a nuisance, carrying a \$1,000 fine. This fine is in addition to any other civil penalty, criminal prosecution or fine. Ontario revised the ordinance in October 2015 to include:

- Holding residential property owners responsible for violations occurring on their property;
- Holding parents and legal guardians responsible for any violations of the code by a minor;
and
- Issuing citations via mail.

Possession and use of any type of fireworks within the City of Ontario is illegal, therefore are prohibited unless a permit is issued to use, transport or store the fireworks or explosives. Permits must be obtained by the California State Fire Marshal and approved by the Ontario Fire Department. Only state-licensed pyro technicians will be issued permits.

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Persons caught possessing or using fireworks will have their fireworks confiscated and destroyed. This includes Safe and Sane fireworks that are sold in neighboring communities.

Any person that starts a fire regardless of size, from the use of fireworks, may be prosecuted, assessed fines, and be required to pay restitution for any fire damage as well as cost recovery for Ontario Fire Department firefighting actions and investigation. Parents are reminded that they are responsible for any damages caused by their children using fireworks, in addition to any criminal prosecution.

Possession of explosives, destructive devices and components to make them is prohibited. Devices such as M-80's and "dry-ice" bombs are extremely dangerous and are classified as explosives or destructive devices. Persons caught possessing or using these items will be arrested and prosecuted. Persons convicted of charges relating to these offenses may face mandatory jail and/or prison. The same laws apply to altering Safe and Sane fireworks to make them explode.

The Ontario Fire Department wants everyone to enjoy a safe Independence Day holiday and encourages citizens to take advantage of the numerous public fireworks displays throughout Southern California instead of using illegal and dangerous fireworks.

The City of Ontario is sponsoring a free public fireworks display at Westwind Park beginning at approximately 9 PM. In addition to the free fireworks display in the evening, the City of Ontario is also sponsoring a variety of other Independence Day events and activities, including an Independence Day Parade, Blast at Ontario Town Square where a selection of patriotic music

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can be enjoyed, and the All-States Picnic along Euclid Avenue. More information on these events is available on the City's website at www.ontarioca.gov/recreation/independence-day-2017.

FREQUENTLY ASKED QUESTIONS ABOUT FIREWORKS IN ONTARIO

1. CAN WE BUY, USE OR OWN FIREWORKS IN THE CITY OF ONTARIO?

Fireworks are not permitted to be used or owned in the City of Ontario, without a permit obtained from the Ontario Fire Department. In May 2007, the Ontario City Council adopted an ordinance prohibiting the use, storage, possession or manufacture of ALL fireworks, explosives, destructive devices and components. Any person found violating this ordinance faces a \$1,000 fine. The ordinance was revised in 2015 to allow citations to be issued to property owners where fireworks are discharged and hold adults responsible for the illegal actions of their children.

This includes Safe and Sane-type fireworks, dangerous fireworks, and emergency signal devices used as fireworks. Only commercial public display fireworks are permitted when operated by a state-licensed pyro technician.

2. WHY ARE FIREWORKS ILLEGAL IN THE CITY OF ONTARIO?

Statistics have shown a distinct increase in structure and vegetation fires during the Independence Day holiday time frame. In addition to the monetary loss of property due to fire, many fireworks-related injuries have been reported especially to young children. The Ontario Fire Department is committed to reduce preventable incidents. With the increase in fireworks-related fires and injury incidents, the closest emergency unit may be prevented from

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responding to time sensitive emergencies such as heart attacks, traffic accidents, etc. Use of fireworks by unlicensed individuals has been illegal in the City of Ontario for over 30 years.

The Ontario Fire Department Bomb Squad has encountered a steady increase in improvised explosive devices constructed from Safe and Sane fireworks, many of them made by juveniles. 22% of the Ontario Fire Department Bomb Squad's responses in 2016 were fireworks related. 53% of improvised explosive devices (IED) were constructed using components taken from Safe and Sane fireworks.

3. WHAT IS THE DIFFERENCE BETWEEN SAFE AND SANE FIREWORKS AND DANGEROUS FIREWORKS?

Safe and Sane fireworks are those fireworks that may be purchased from permitted fireworks stands in communities that allow the sale and use. All Safe and Sane fireworks must display the seal of the California State Fire Marshal and may only be sold and used between June 28 and July 4 or 5, depending on the jurisdiction. These types of fireworks include cones, fountains, smoke, Piccolo Petes, etc. Dangerous fireworks are not legal at anytime in California and include firecrackers, bottle rockets, skyrockets, mortars, etc. If it explodes, travels across the ground or in the air, it is illegal year-round.

In recent years, the Ontario Fire Department Bomb Squad has encountered an unsettling steady increase in improvised explosive devices constructed from Safe and Sane fireworks, many of them made by juveniles.

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4. CAN I USE SAFE AND SANE FIREWORKS IN ONTARIO, IF I LEGALLY PURCHASED THEM IN A CITY OR AREA WHERE IT IS LEGAL?

No. Safe and Sane fireworks are only permitted to be used in jurisdictions that permit their sale and use. No fireworks of any kind are allowed in the City of Ontario without a permit from the Ontario Fire Department.

5. IF I USE, POSSESS OR TRANSPORT ANY TYPE OF FIREWORKS IN ONTARIO, COULD I BE ARRESTED OR CITED? ISN'T IT JUST A TICKET?

The cost of ILLEGALLY using fireworks in Ontario is quite expensive. If you are cited under the October 2015 City Ordinance, you would face a \$1,000 fine in addition to any criminal penalties. Depending on the type of fireworks and the amount of fireworks, you could be issued a citation requiring a court appearance as well as seizing the illegal fireworks. The citation may result in a misdemeanor conviction, a fine, and/or imprisonment in the county jail, as well as being held liable for the cost of any damage resulting from the fireworks. If the fireworks start a fire, you can be charged not only for use of fireworks but also with starting the fire and you will be required to pay for the cost of putting out the fire. If the fireworks total amount of pyrotechnic material exceeds 1 pound, you may be arrested and charged with a felony that may result in state prison time.

6. ARE M-80'S CONSIDERED BIG FIRECRACKERS OR FIREWORKS?

M-80'S ARE NOT FIREWORKS AT ALL, THEY ARE EXPLOSIVE DEVICES. Possession or discharge of an explosive device is a felony in California. You may be arrested and taken to jail if these are found in your possession. Bail for these devices is \$500,000 and carries a

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mandatory prison sentence if convicted. M-80 explosive devices are not legal in any state in the United States.

7. DO THE POLICE AND FIRE DEPARTMENT HAVE THE AUTHORITY TO SEIZE AND DESTROY FIREWORKS?

Yes. California State Law allows for the seizure and disposal of fireworks confiscated by authorities. Safe and Sane fireworks may be stored until an appeals procedure is completed. These fireworks would then either be destroyed or returned to the owner. Dangerous fireworks and explosive devices are destroyed after investigation is complete. Whether the fireworks are purchased from stands in nearby cities or in out of state fireworks businesses, all fireworks will be seized and destroyed according to law. The cost of disposing the fireworks is extremely high because of the hazardous components. The cost of destruction will be paid by the violator in addition to any fine or penalty.

8. WHERE MAY I BUY SAFE AND SANE FIREWORKS IN SAN BERNARDINO COUNTY AND DISCHARGE THEM LEGALLY?

Each city or county regulates the possession, sales or use of Safe and Sane fireworks during the period from June 28 to July 4 or 5. Contact the local municipality or fire department for more information. Fireworks are never permitted in State or Federal parks or forests.

9. IF MY CHILD OR TEEN CAUSES A FIRE WITH FIREWORKS, AM I LIABLE FOR THE DAMAGES?

Yes. Not only might you be held liable civilly for any damages, you and your child may face criminal charges, as well as pay for the cost of firefighting and emergency medical services.

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10. I HAVE FIREWORKS THAT I WANT TO TURN IN TO THE FIRE DEPARTMENT. WILL I BE CITED IF I VOLUNTARILY BRING THEM IN?

The goal of the City of Ontario and the Ontario Fire Department is to reduce the number of injuries and fires caused by illegal fireworks. Reducing fireworks volumes in the community contributes to this goal. In most cases, persons that voluntarily surrender fireworks will not be fined or charged with crimes. Contact the Ontario Fire Department at (909) 395-2002 to arrange disposal.

11. I HAVE MORE QUESTIONS, WHO CAN I CALL FOR MORE INFORMATION?

You can call the Ontario Fire Prevention Bureau at (909) 395-2029. To report fireworks activity in the City of Ontario, call the Fireworks Hotline at (909) 988-3650.

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