Meeting was brought to order by Committee Chairperson Susie Weinacht at 3:00 p.m.

Present: Council members Susie Weinacht, Scott Overland and Pat Shey; Fire Chief Mark English, Fire Marshal Vance McKinnon, Community Development Director Jennifer Pratt, Utilities Director Steve Hershner, and Captain Jeff Hembera

Reports were presented from the various City departments as follows:

*Review of Iowa Fireworks Law (Fire Marshal Vance McKinnon)*

The sale of fireworks is allowed annually in a permanent building between June 1 and July 8, and between December 10 and January 8. Sale is allowed in a temporary structure annually between June 13 and July 8. To sell fireworks, a vendor must have a permit from the State Fire Marshal, and an inspection by the Cedar Rapids Fire Marshal’s Office. Only first-class and second-class consumer fireworks may be sold in Iowa (labeled 1.4G – DOT classification or UN0336).

By State law, consumer fireworks can be set off from 9:00 a.m. and 10:00 p.m. on June 1 through July 8, and again between December 10 and January 3. Extended hours are allowed between 9:00 a.m. and 11:00 p.m. on July 4. Expanded hours are also allowed on Saturday and Sunday before and after July 4, during these times. By State law, extended hours are allowed between 9:00 a.m. on December 31 through 12:30 a.m. on January 1. Extended hours are allowed between 9:00 a.m. and 11:00 p.m. on the Saturday and Sunday before and after December 31.

Fireworks must be discharged from real property, which means that they must be discharged from a property that a person owns or has the permission of the owner. Many people do not know or understand this. Fireworks are not allowed in parks or other publicly owned locations without a permit from the Cedar Rapids Fire Department. An individual must be 18 years of age to purchase fireworks. However, there is no age restriction to use fireworks.
Iowa SF489 allows cities to shorten the duration of the use or ban use within their jurisdictions. Cities have retained the right to regulate the use of fireworks within their borders and set a permitting process for local control on sales within parameters set by the State law.

**Neighborhood Impact (Fire Marshall McKinnon)**

Residents who discharge fireworks that should have 70 feet clearance, impacts five adjoining properties in a typical Cedar Rapids neighborhood. Residents who discharge fireworks that should have 140 feet clearance, impacts nine adjoining properties in a typical Cedar Rapids neighborhood.

**Reported Fireworks Incidents (Fire Chief English)**

- Fire Department – 13 total incidents
- 4 medical calls
  - Asthma
  - 14-year old with serious burns
  - PTSD exacerbation resulting in suicidal ideation
  - Elderly victim startled by fireworks with possible hip fracture
- A total of 9 fire-related calls
  - 3 building fires
  - 2 dumpster fires
  - fireworks thrown at house
  - fireworks discharged in cemetery
  - tree fire
  - hazardous device investigation

**Building Fires (Fire Chief English)**

The Fire Department noted three incidents where fireworks contributed to building fires. On May 4, a property on G Avenue NW had a fire in a detached garage. Fireworks were detonated near the garage and caused an estimated $1,500 in damage. On June 4, a property on 12th St. SE had a garage fire. Juveniles were detonating fireworks prior to the fire. The estimated damage for that fire is $35,000. On June 19, a property on Dalewood Avenue SE had a garage fire that spread to the house, causing an estimated $140,000 in damage.

**Injuries – Area Hospitals and Area Ambulance (Chief English)**

- UnityPoint Health-St. Luke’s Hospital reported 7 fireworks injuries during June 1 through July 8.
- Mercy Medical Center (Since January) reported 14 total patients:
• Burn injuries – 9 patients
• Lacerations – 1 patient
• Head Injuries – 1 patient
• Fractures – 2 injuries
• Chest wall injury – 1 patient
• Area Ambulance Service transported four patients with serious injuries as the result of fireworks

Inspection and Permit Issues (Chief English)

Seventeen retailers were identified that were selling fireworks without a permit. A fireworks tent on Edgewood Road SW was selling fireworks without a Fire Department permit or inspection. The Fire Marshal’s office received 51 complaints from citizens regarding fireworks, and another 110 objections were received in the City Manager’s Office. Seven tents were set up without proper permits.

Police Calls for Service (Police Captain Jeff Hembera)

During the time period of June 1 through July 8, 2016, there were 166 calls for service where a police officer was dispatched. During this time period, there were also 320 Computer Aided Dispatch messages sent to police officers by Dispatchers about fireworks problems.

During the time period of June 1 through July 8, 2017, there were 372 calls for service. During this same time period, there were also 576 Computer Aided Dispatch messages sent to police officers by Dispatchers about fireworks problems.

There were nearly four times as many police calls for service during illegal hours in 2017 compared to 2016.

Dispatchers answered over 500 phone calls from citizens about fireworks during legal hours from June 1 – July 8, 2017. An officer was not dispatched unless there was a safety concern. There were 30,322 total calls to the dispatch center from June 1 through July 8, 2016. There were 33,247 total calls to the dispatch center from June 1 through July 8, 2017, an increase of 3,000 calls.

Shots Fired Calls and Citations (Police Captain Hembera)

There were 33 Police calls for service where Dispatch received a report of shots fired that was likely fireworks. These were reports of shots fired between June 1 – July 8, 2017. There were two actual shooting incidents in which some citizens advised that they did not call 911 because they thought it was fireworks. Seven citations were issued during the legal fireworks period.
Law Enforcement and Other Issues (Police Captain Hembera)

It is challenging to enforce fireworks during periods in which fireworks are “legal” and difficult to discern legal versus illegal fireworks. Officers were dispatched to fireworks incidents primarily after permitted hours. There is no law against children discharging fireworks.

Emails or phone calls were received detailing the effect of fireworks on pets, veterans with stress disorders and children. There was also concern about noise and debris on private property.

Environmental Issues (Utilities Director Steve Hershner)

Two soil samples taken on July 5th showed detectable results for perchlorate (0.53 mg/kg and 6.31 mg/kg). Because perchlorate disrupts the thyroid's ability to produce hormones for normal growth, they are tracking it. One sample location between wells 17 & 18 has been sampled yearly since 2013, and results range from no detect to 0.54 mg/kg. The other location in the same vicinity was tested in 2013 and had no detect for perchlorate, but this year it recorded a result of 6.31 mg/kg. This same location was heavily utilized this year for public fireworks, and fireworks debris was found in this area. That result of 6.3 mg/kg is a very significant increase caused from debris and discharge of fireworks. Their concern is that perchlorate will move through the soil and be carried into the wells and our drinking water.

Results of an air quality monitor located by the Health Department, near Roosevelt Middle School were reported. From the readings from Saturday night, July 1st overnight, and Sunday night, there were times where there were significant periods where it was unhealthy for sensitive groups, and there were also periods that were unhealthy for any individual. On July 4th, there were some significant levels that come very close to exceeding air quality levels that are established for particulate matter.

Safety and Aesthetics (Community Development Director Jennifer Pratt)

The Community Development Department has received complaints about tents selling fireworks in commercial corridors and neighborhood centers. She also emphasized the safety issue associated with the sales, and the storage of the fireworks. Jennifer suggested that fireworks sales could be restricted to industrial-zoned properties only. This would be a better fit, and it is an approach that is similar to the City of Des Moines, which allows fireworks sales in their industrial areas. This was challenged in court; however, it was upheld.

Recommendations (Chief English/Captain Hembera)

Fire Chief English stated that fireworks are legal in the state of Missouri; however, urban areas ban the use of fireworks, including Kansas City, St. Louis, Springfield, Columbia and Jefferson City. As Fire Chief, he recommends banning fireworks. Fireworks in
densely-populated communities put citizens at risk for more fires and injuries. Noise, debris on other people’s property, and other complaints were significant neighborhood issues. A ban is the most effective means of enforcing fireworks laws and is preferred by Public Safety. Most large cities have banned fireworks. They also recommend restricting fireworks sales to industrial-zoned property, which has withstood legal challenge, and is an effective means for mitigating safety and aesthetic issues.

Police Captain Hembera presented law enforcement’s strategy with a ban on fireworks. They would have hire-back teams of police officers to address fireworks related issues. Police officers would be dedicated to responding to and investigating fireworks complaints. Officers can investigate and file charges. The Police Department is working toward making fireworks violations ECCO (Electronic Citation Component for filing citations) compliant to expedite citation process. The SAFE-CR program can assist with noise disturbance complaints and repetitive calls for service.

**Council Committee**

Councilwoman Weinacht moved to recommend to City Council to ban the use of fireworks within Cedar Rapids, and the sale of fireworks be limited to industrial-zoned areas. The motion was seconded by Councilman Shey, and the motion carried.

**Public Comment**

Three comments were heard in support of banning fireworks in Cedar Rapids.

The meeting was adjourned at 3:55 p.m.

Respectfully submitted,

Jean Novak
Administrative Assistant III
Cedar Rapids Police Department