Agenda Report Reviewed by:
City Manager:

CITY OF SEBASTOPOL
CITY COUNCIL
AGENDA ITEM

Meeting Date: May 19, 2020

To: Honorable Mayor and Honorable City Councilmembers

From: Fire Chief Bill Braga

Subject: Temporary Use Permits – Retail Fireworks Stands

Recommendation : City Council Discussion and Direction to Staff

Funding: Currently Budgeted: _____ Yes _____ No ___XX__ N/A

Net General Fund Cost: N/A

Amount: N/A

Account Code/Costs authorized in City Approved Budget (if applicable) __*AK*____ (verified by Administrative Services Department)

INTRODUCTION:

This item is to request that the City Council Discuss and Consider the requests for temporary use permits for firework stands for non-profits.

BACKGROUND:

The City Council may, by resolution, authorize temporary use permits for retail sales of fireworks at temporary fireworks stands. City of Sebastopol Resolution #3082 authorizes issuance of Temporary Use Permits for the retail sale of fireworks in the corporate City limits. The period of sale is from 12:00 noon, June 28th through 12:00 midnight July 4th.

The following three applicants have applied for the Temporary Use Permits and have sold fireworks last year:

Sebastopol Gravenstein Lions Club
Sebastopol Sea Serpents
V.F.W. Post #3919

The fireworks stand vendors are required to provide proof of insurance, a valid California State Fire Marshall License and must meet strict fire regulations on the sale and storage of the fireworks. The Temporary Use Permit is not valid until these requirements are met.

DISCUSSION:

Sebastopol, along with every jurisdiction in the nation has been battling the Novel Coronavirus (COVID-19) pandemic, which has caused a state of emergency in the City, County, and Statewide. Due to this pandemic, all City offices are closed to the public and many Department Directors are working remotely to continue the operations of the City as well as protecting the safety of those office staff working in city offices. For now, this is the "new norm" and there is no ending date to this Shelter-in-Place and no date as to when the city and community will be open to the public. Going forward, open to the public and routine City functions and services, however, will take on a new look and will not be "business as usual."

The federal, state, and local governments have all determined that the COVID-19 pandemic presents a serious public health threat to all individuals. The State of California Governor Newsom and the County of Sonoma Public Health Officer Dr. Sundari Mase have issued Shelter-in-Place Directives to help slow the spread. The Sonoma

County Public Health Officer has now extended a Shelter-in-Place Order for the County, which has no definite end-date. The stated intent of the County Order is to ensure that County residents "continue to shelter in their places of residence to slow the spread of COVID-19 and mitigate the impact on delivery of critical health care services."

This order also stipulates when residents may lawfully leave their residences for "essential travel" and for "essential activities," prohibits all public and private gatherings of any number of people occurring outside a single household, and also requires social distancing when out in public.

The City does not know when any modification or easing of restrictions will happen. In light of this order, the City reached out to the County of Sonoma County Counsel regarding sale of safe and sane fireworks. County Counsel confirmed that it is their opinion, as of the writing of this staff report and based on the order, that selling fireworks is not an essential business.

The City has also been notified that the Kiwanis has canceled the July 3rd Fireworks Event. The City also reached out to our local Sonoma County cities that sell fireworks and have provided the following information:

Cloverdale:	Temporary Ban on Firework Sales/Canceling of Fireworks Show
Petaluma:	Banned Fireworks from this day forward due to extreme Fire Threats & Conditions
Rohnert Park:	Permits are on hold - Waiting new County Health Directive

It is expected that many localities are temporarily or permanently banning the sale of safe and sane fireworks as these events do have the potential to be large gatherings which are prohibited in the current order.

The Fire Chief has spoken with all three applicants who have informed the Chief that they understand the situation and all three applicants have stated that they can return all unsold fireworks to their suppliers for a full refund.

City staff is requesting City Council direction for sale of safe and sane fireworks. Typically, the City would recommend approval for these permits; however, with the COVID 19 pandemic, this is not a typical permit and requires discussion for what is best for the health and safety of our community during this serious public health threat to all individuals.

PUBLIC COMMENT:

No public comments have been received as of the writing of this staff report.

Public Notice:

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to scheduled meeting date.

Fiscal Impact

There is no direct fiscal impact associated with the recommended action tonight.

RECOMMENDATION:

Staff recommends that the City Council Discuss and Consider the requests for temporary use permits for retail fireworks stands and provide direction to staff.

Attachment:

Applications (3) for Temporary Use Permits

CITY OF SEBASTOPOL

7425 Bodega Avenue
Sebastopol, CA 95472
(707) 823-8061
Fax 823-4703

APPLICATION FOR USE PERMIT

RETAIL FIREWORKS STAND

DATE RECEIVED: 5-4-2020 FILING FEE: $200.00

RECEIPT NO._____ RECEIVED BY:_____

NAME OF APPLICANT: Sebastopol Sea Serpents

ADDRESS: PO Box 2517, Sebastopol CA 95473

EMAIL ADDRESS: lehla.irwin@sea-serpents.org

TELEPHONE NUMBER: 707-849-8319

CELL PHONE NUMBER: same as above

NAME OF PROPERTY OWNER: (pending)

ADDRESS OF PROPERTY OWNER: (pending)

LOCATION OF BOOTH: 788 Gravenstein Hwy North

SIGNATURE OF OWNER:_____

SIGNATURE OF APPLICANT: Lehla Irwin Digitally signed by Lehla Irwin Date: 2020.05.04 12:42:06 -07'00'

City of Sebastopol
7425 Bodega Avenue
Sebastopol, CA 95472
(707) 823-8061
Fax 823-4703

APPLICATION FOR USE PERMIT

RETAIL FIREWORKS STAND

DATE RECEIVED: 5-4-2020 FILING FEE: $200.00

RECEIPT NO._____ RECEIVED BY:_____

NAME OF APPLICANT: GRAVENSTEIN LIONS CLUB
Lions Contact is Mike Mortensson, Club Secretary

ADDRESS: PO BOX 572, SEBASTOPOL, CA 95473

EMAIL ADDRESS: handlebarsmike1367@sbcglobal.net

TELEPHONE NUMBER: 707-887-2759

CELL PHONE NUMBER: 707-484-7388

NAME OF PROPERTY OWNER: SEBASTOPOL SAFEWAY STORE

ADDRESS OF PROPERTY OWNER: 406 NORTH MAIN STREET
SEBASTOPOL, CA 95472

LOCATION OF BOOTH: SAFEWAY PARKING LOT, along Main Street side

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SIGNATURE OF OWNER:_____

SIGNATURE OF APPLICANT:_____

CITY OF SEBASTOPOL

7425 Bodega Avenue
Sebastopol, CA 95472
(707) 823-8061
Fax 823-4703

APPLICATION FOR USE PERMIT

RETAIL FIREWORKS STAND

DATE RECEIVED: 5-4-2020 FILING FEE: $200.00

RECEIPT NO._____ RECEIVED BY:_____

NAME OF APPLICANT: VFW 3919 SEBASTOPOL "DAVE KIMBLE"

ADDRESS: 282 SMITH ST. # 100A 95472

EMAIL ADDRESS: DAVEKIMBLE@GMAIL.COM

TELEPHONE NUMBER: 707-975-0661

CELL PHONE NUMBER: 707 342-2581

NAME OF PROPERTY OWNER: SIESTA 116 OF CA LP. SPYRIDON STROUZAS

ADDRESS OF PROPERTY OWNER: 550-586 GRAVENSTEIN HWY SEBASTOPOL

LOCATION OF BOOTH: 550 GRAVENSTEIN HWY NORTH SEBASTOPOL CA.

SIGNATURE OF OWNER: SPYRIDON STROUZAS for "SIESTA 116"

SIGNATURE OF APPLICANT: VFW 3919 SEBS