

MEMORANDUM
City of Chino
Community Services,
Parks & Recreation Department

DATE: OCTOBER 28, 2024
TO: COMMUNITY SERVICES, PARKS & RECREATION COMMISSION
FROM: SILVIA AVALOS, DIRECTOR OF COMMUNITY SERVICES, PARKS & RECREATION
SUBJECT: INVESTIGATION AND HEARING – CHINO MUNICIPAL CODE 8.12.110 AND CALIFORNIA CODE OF REGULATIONS, TITLE 19, CHAPTER 6, ARTICLE 13, SECTION 991.1 VIOLATION

cc: File

BACKGROUND

The Community Services, Parks & Recreation Commission has been charged by the City Council with the regulation of the sale and use of fireworks in the City of Chino. This responsibility includes conducting investigations and hearings in the event of a violation of Chapter 8 of the Chino Municipal Code.

Chino Municipal Code 8.12.200 states:

8.12.200 – Penalties

The Community Services, Parks & Recreation Commission shall investigate and conduct hearings regarding violations of this chapter, and any organization found in violation of this chapter or proceeding without appropriate consent from the Commission shall be ineligible to obtain a permit for selling fireworks for three years immediately following the violation; after which time, they will be required to participate in a permit lottery.

ISSUES/ANALYSIS

On July 4, 2024, around 2315 hours, Fire Inspector Lin and San Bernardino County Sheriff's Deputy Nosek were dispatched to a residential neighborhood in the unincorporated area of Chino. During this response, they discovered an unattended truck and trailer loaded with safe and sane packaged fireworks. The location of the truck and trailer was on Sonoma Court and Kern Road.

After speaking to numerous subjects near the pick-up truck, Fire Inspector Lin, obtained information that the fireworks were the unsold product from Praise Chapel. Due to the police activity that began to occur, the owner of the truck and trailer proceeded to head over to their vehicle, waving down Fire Inspector Lin. Fire Inspector Lin confirmed that the fireworks were the unsold product from the Praise Chapel booth.

The sale of fireworks allowed by the City of Chino Municipal Code shall cease at 9:00 p.m. on July 4. The respective booth operators can keep the unsold stock in the booth or transport it to their respective residence until the following day when they are to return it to TNT, located in Rialto.

As required by the City of Chino Municipal Code, Section 8.12.110, *“Each stand must have an adult in attendance to sell and serve as watchman while fireworks are stored therein.”*

California Code of Regulations, Title 19, Chapter 6, Article 13, Section 991.1 states, *“Retail licensee may store unsold stock in a place and manner approved by the fire authority having jurisdiction until stock is returned to the wholesaler.”* The manner in which the unsold product was openly exposed in an area of the Fire District where no fireworks, including safe and sane, are allowed, is not an approved manner. The unattended storage on the public street, in an area where illegal fireworks were being utilized was unsafe.

The Chino Valley Fire District submitted a letter to the City of Chino notifying the City of the violation (see Attachment 1). In advance of this hearing, Praise Chapel was contacted via letter to inform them of this hearing and inviting their attendance (see Attachment 2).

RECOMMENDATION

It would be appropriate for the Community Services, Parks & Recreation Commission to conduct an investigation and hearing regarding Praise Chapel’s violation of Chapter 8.12.110 of the Chino Municipal Code and California Code of Regulations, Title 19, Chapter 6, Article 13, Section 991.1, and make a recommendation based on the findings and guidelines found in Chapter 8.12.200 of the Chino Municipal Code.

SA:mra

Attachments:

#1, Letter from Chino Valley Fire District

#2, Letter to Praise Chapel