

## ORDINANCE NO. 2025-001

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHINO, CALIFORNIA, AMENDING CHAPTER 8.12 (FIREWORKS) OF THE CHINO MUNICIPAL CODE

**WHEREAS**, the City of Chino has adopted a fireworks ordinance, codified at Chapter 8.12 of the Chino Municipal Code ("Fireworks Ordinance"), which is aimed at regulating the sale and use of fireworks, as well ensuring the safety of the community; and

**WHEREAS**, the Fireworks Ordinance Sections 8.12.110, 8.12.130 and 8.12.180 were reviewed to ensure they were achieving their aim, while continuing to adhere to legal requirements; and

**WHEREAS**, the City Council now desires to amend Chapter 8.12 of the Chino Municipal Code to amend the Section 8.12.110, 8.12.130 and Section 8.12.180.

### NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHINO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The City Council finds that the above recitals are true and correct and are incorporated herein by this reference.

Section 2. Section 8.12.110 of the Chino Municipal Code, entitled "Stands – Adults in charge or as a watchman," is hereby amended as follows (new text in **bold underline**):

#### 8.12.110 - Stands—Adults in charge or as a watchman

Each stand must have an adult in attendance to sell and serve as “watchman” while fireworks are stored therein. **At the close of each business day, stands shall be locked and secured. At least one “watchman” must stand guard during hours of closure.** Sleeping or remaining in the stand after close of business each day is forbidden.

Section 3. Section 8.12.130 of the Chino Municipal Code, entitled "Removal of unsold stock and accompanying litter," is hereby amended as follows (new text in **bold underline**, deleted text in **bold strike through**):

#### 8.12.130 - Removal of unsold stock and accompanying litter

All unsold stock and accompanying litter shall **remain in the stand under “watchman” until unsold stock is returned to wholesaler. Unsold stock must be delivered to the wholesaler at a central location established by the wholesaler within the City of Chino beginning at 9:00 p.m. on the 4<sup>th</sup> day of July through 12:00 p.m. on the 5<sup>th</sup> day of July. be removed from the location by 5:00 p.m. on the 5<sup>th</sup> day of July. Storage of unsold stock must be kept in accordance with Chino Municipal Code Section 8.12.110.**

Section 4. Section 8.12.180 of the Chino Municipal Code, entitled "Wholesale permit," is hereby amended as follows (new text in **bold underline**):

8.12.180 - Wholesale permit.

Except as provided herein, no manufacturer, importer, exporter or wholesaler of fireworks shall offer for sale or sell at wholesale any fireworks of any kind without having first applied for and received a wholesale permit therefor, from the tax and license collector. All applications for a wholesale permit to sell fireworks shall:

A. Be made in writing, accompanied by the fee charged as stated in the comprehensive fee schedule.

B. Be made only between the 15th day of February and the 15th day of March of each calendar year.

C. Be accompanied by an assurance that if the wholesale permit is issued to the applicant, the applicant shall, at the time of receipt of such wholesale permit, deliver to the tax and license collector of the city, one-million-dollar public liability and property damage certificates with riders attached to the policies designating the city and its employees, officials and agents as additional insured thereunder.

D. Contain such other information as may be required by the tax and license collector.

E. It shall contain a statement that fireworks shall not be furnished, sold, distributed or placed in the possession of any person or organization in the city, or for sale, use or distribution in the city, unless such person or organization holds a valid and unrevoked permit from the city to so possess, sell, use or distribute such fireworks.

**F. Affirm that the holder of the wholesale permit shall provide, and identify the location of, a central location within the City of Chino for the collection of unsold stock beginning at 9:00 p.m. on the 4<sup>th</sup> day of July through 12:00 p.m. on the 5<sup>th</sup> day of July.**

Section 5. Severability If any court of competent jurisdiction holds any section, subsection, sentence, clause, phrase or portion of this ordinance invalid or unconstitutional, such determination shall not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have enacted this ordinance and each section, sentence, clause or phrase hereof irrespective of any determination of invalidity.

Section 6. This ordinance shall become effective 30 days after adoption.

Section 7. The City Clerk shall certify as to the passage of this Ordinance and shall cause the same to be published and/or posted at the designated locations in the City of Chino.

ADOPTED THIS \_\_ DAY OF \_\_\_\_\_, 2025.

EUNICE M. ULLOA, MAYOR

NATALIE GONZAGA, CITY CLERK

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