



Commonwealth of Virginia

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Board Matter

Franconia District Supervisor Rodney Lusk

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Mr. Chairman,

The celebration of our nation's independence is an American tradition like no other. With Fairfax County's proximity to the capitol, we are lucky to have so many safe and incredible ways to celebrate.

Unfortunately, we also see far too many cases of unsafe and illegal fireworks displays that put our residents in danger. My office has over the years received several concerns about these illegally purchased fireworks, as I am sure yours have too.

Although the noise of these fireworks is of substantial concern, the biggest concerns with fireworks are serious injuries and the fire hazards they pose. Just on July 4 of this year, Fairfax County firefighters

responded to up to 12 fires, almost all of which were certainly related to fireworks. In this year's Independence Day holiday season, there has been approximately \$1.5 million dollars in damages during 32 incidents started by fireworks. Deputy Chief John Walser said this July 4th had "the most significant number of incidents of any in the time I have been in the Fire Marshal's office." On the police side, between July 1st and July 4th, there were 60 calls for service related to fireworks displays for the Franconia District station alone. This is a serious issue of concern for Fairfax County residents, and it puts a strain on our County's public safety resources.

I have learned that the Fairfax County Code designates only the Office of the Fire Marshal as the enforcement agency for any codes relating to fireworks. This means that when an officer responds to a call for service for illegal fireworks, they have no jurisdiction per the County Code to cite those responsible with this illegal fireworks violation. They can only seek voluntary compliance. This is a problem, as it stifles our ability to prevent and end illegal fireworks displays. The Office of the Fire

Marshal does all they can, but ultimately, they do not have the staff necessary to provide the services needed on or around major holidays.

They are unable to respond to the large number of calls for service and also provide on-site safety oversight of permitted fireworks displays.

After consultation with the County Attorney, they have determined that Fairfax County already has the necessary legislative authority to change the code to allow our police officers to enforce the regulations on the possession and use of illegal fireworks. I believe this is an important change for the Board to consider so we can give our public safety staff the resources and authority they need to protect residents from the dangers of illegal fireworks. Additionally, I believe a renewed fireworks safety campaign should be coordinated and planned to discuss the dangers of fireworks, the applicable laws and regulations, and how to properly store and handle fireworks. If the Board is in approval, it would be ideal to have this ordinance change and public safety campaign implemented by Independence Day of next year.

Having consulted with the Fairfax County Police Department and the Fire and Rescue Department, I move that the County Executive assign the appropriate staff to develop a presentation that includes draft language for an ordinance change that allows Fairfax County police officers to enforce the sections of the County Code related to fireworks for the Board to consider at a future Safety and Security meeting before the end of the first quarter of next year. Additionally, I move that the County Executive assign the appropriate staff to coordinate and prepare a renewed interagency public safety campaign on the rules and safety of fireworks.