

CITY OF ALLENTOWN

No. 60

RESOLUTION

R - 2019

Introduced by City Council on July 17, 2019

City Council and the Administration support repealing the firework provisions of Act 43, giving local municipalities agency to develop regulations relating to fireworks and ask the solicitor's office to investigate all legal remedies to deal with public safety and quality of life issues because of the state allowing the expanded sale and use of fireworks.

Resolved by the Council of the City of Allentown, That

WHEREAS, the PA legislature approved Act 43 of 2017 which amended the tax code to allow for an expanded sale and use of aerial consumer fireworks such as bottle rockets and Roman candles; and

WHEREAS, Allentown City Council finds the passage of the law has an adverse impact on our citizens quality of life, creating unnecessary costs and major public safety concerns; to wit:

1. The danger of a malfunction can cause serious injury to the person setting off the firework as well as bystanders. Nationwide, last year there were at least five fireworks-related deaths and 9,100 injuries, according to the U.S. Consumer Product Safety Commission. A child was recently killed in a fire in Pittston because of fireworks.
2. The danger of fire as debris from fireworks lands on houses and combustible items.
3. The stress and trauma caused by the noise creates trauma for people with noise sensitivities like PTSD and pets.
4. Fireworks can cause damage to property and vehicles.
5. Debris in the streets, leads to clean up costs and dangerous conditions.

WHEREAS, state legislators need to recognize there are differences between dense urban and rural settings – creating a need for local agency in the regulation of firework; and

WHEREAS, in their need to raise revenue, the state actors were blind to the public safety and quality of life issues at play when they approved Act 43.

NOW THEREFORE BE IT RESOLVED that Allentown City Council and the Administration hereby recommends:

1. The repeal of the fireworks provisions of Act 43.
2. The passage of **HB 1687** – which provides specific guidance to local governments on time frames, distances and use of fireworks with the caveat that it includes a strong provision allowing local jurisdictions to create their own regulations relating to fireworks and provide

greater means for law enforcement officers to actually enforce the 150 feet ban that is presently in place.

3. The Solicitor's Office investigate legal remedies inclusive of confiscating fireworks and citing property owners for illegal use to deal with public safety and quality of life issues.

BE IT ALSO RESOLVED THAT a copy of this Resolution be sent to local state representatives.