

June 16, 2020

City Council

Request for Presentation at the Courtesy of the Floor

Council Meeting to be Held June 17, 2020

Dear Council Members:

The following is the text of a letter that the West Park Civic Association has submitted to our State Representatives, Senator Pat Browne and Representative Michael Schlossberg. While we recognize that it is the State of Pennsylvania that passed the law permitting the consumer purchase of aerial fireworks, we also would like to request that the city take action to limit this unlawful activity given that the detonation of fireworks in city public spaces and 150 from any residential building is illegal. There are also clearly violations of the time that fireworks are being set off. We feel it is incumbent on the city to attempt to address the issues being caused by the indiscriminant use of fireworks. We would respectfully request that the city undertake actions to educate the public of the laws and also work with owners of buildings with parking lots that are frequently being used as the staging area. We would also request more frequent patrol of areas where repeated complaints by residents are originating. In addition we would like the city to explore the use of cameras in areas of known offenses, whether privately or publicly funded. For example, if night after night there are fireworks being set off in a parking lot, can a camera be installed and can that camera be used to prosecute offenders? We feel that the city must explore alternative remedies rather than simply saying if they do not catch someone lighting the fuse there is nothing that can be done. Finally, we also would like to request that a study be undertaken as to the potential damage that these very strong fireworks could be causing to the underground infrastructure in the city. As you are well aware our gas and water pipes are quite old and have been subject to breakage in several areas. There is a public safety concern that damage could be caused that, while not immediate, could pose a significant public safety issue.

Sincerely,

Margaretha C. Haeussler

1406 Hamilton Street

Allentown, PA 18102

On behalf of West Park Civic Association Board

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Letter sent to Senator Pat Browne and Representative Mike Schlossberg

We, the undersigned board members of the West Park Civic Association, are writing to express our concern with respect to changes in laws regarding the purchase of fireworks in the state. Since the end of 2017, when the state law changed allowing residents to buy and use the full line of fireworks that comply with federal requirements for consumers, we have experienced a significant deterioration in the quality of life in our neighborhood.

While this change may have created an opportunity to increase tax revenue to 12 percent levied on purchases, the impact of the broadened use of fireworks by city residents has had a significant negative impact on residents of our West Park neighborhood. We would also note that other residents in the city, including Center City, West End, and other areas are experiencing significant issues this summer. What used to be weekend noise, is now becoming a nightly occurrence, starting before dusk and continuing past midnight – contrary to ordinance regulations.

A significant burden has been placed on our police force to respond to calls from residents. In discussing this issue with our local police and city officials, we understand that prior to the change in the law, police when responding to noise complaints would seize aerial fireworks. But the law now permits powerful fireworks (such as bottle rockets and Roman candles), so there is little police can do.¹ The law allows residents to purchase aerial fireworks. Before, Pennsylvania residents were only permitted to purchase ground-based fireworks (such as sparklers or fountains). Now residents can legally possess very powerful aerial fireworks.

By ordinance Allentown bans fireworks between 10 p.m. and 7 a.m. Fireworks also are banned on city property like parks, streets and sidewalks. In addition, consumers “may not intentionally ignite or discharge consumer fireworks within 150 feet of an occupied residential structure”, whether the occupants are present or not. But if police are called and officers do not witness someone lighting a fuse, there is not sufficient evidence to file charges now that possession of the fireworks is now legal.

We fail to see how the net impact of the tax increase is positive after taking into account the cost of the increased calls and responses that police have to make. We would encourage you to undertake an analysis of net economic impact of this law by compiling data from communities throughout the state regarding the increase in calls to first responders as a result of the increased use of fireworks.

We would respectfully ask that you assess the impact of this use on the health of the state’s residents including, in particular, on veterans and other residents suffering from PTSD.^{2,3} We would also ask that you consider, how, in the face of COVID19, the impact has increased even more as residents are trying to shelter in place and respect the recommendations of the Centers for Disease Control and Prevention (CDC) for limiting exposure to the virus.

¹ “Pennsylvania’s new fireworks law frustrates firefighters, police, residents alike”, Morning Call, July 1, 2019

² Please see the work of <https://www.militarywithptsd.org/> among other organizations that are trying to raise awareness of the negative impact of fireworks on veterans suffering from PTSD, including distributing lawn signs to help raise awareness.

³ “Coping with PTSD During Fireworks Season”, Michigan Medicine, Department of Psychiatry, July, 1, 2019

We would also note that the city of Allentown is very likely to experience negative economic impacts as the current environment is sure to impede any effort by the city and state to improve development in the city. How can we recommend the city to any potential resident given the current quality of life in the city caused by the change in law and the inability of local police to take action against offenders? Again we would stress that this is not the fault of the local police but rather a consequence of the actions of the state lawmakers by changing the law which effectively ties the hands of our local law enforcement.

As we head into the summer season in the face of COVID-19, it appears that the fireworks issue is even more of a problem than it was last summer. It is not the only cause but at least one contributing factor may be that public fireworks displays are being canceled. At least one of the companies that supplies fireworks for public events is already "bragging" that their retail business is "saving them" with sales up significantly.

We are concerned that the issue of uncontrolled fireworks being set off in a densely populated area is only going to become an increasing problem in our city. It is likely to cause harm to the local residents, their pets, and the on-going efforts to revitalize the city. We strongly encourage the state to reconsider the law allowing residents to buy these dangerous and loud fireworks for the good of all residents of the state.

Sincerely,

West Park Civic Association Board
Allentown, PA

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