Eugene City Council
125 E. 8th Ave., 2nd Floor
Eugene, OR 97401-2793
541-682-5010 • 541-682-5414 Fax
www.eugene-or.gov

AMENDED AGENDA
EUGENE CITY COUNCIL
November 20, 2017

7:30 p.m. **CITY COUNCIL MEETING**
Harris Hall
Lane County Public Service Building
125 East 8th Avenue
Eugene, Oregon 97401

Meeting of November 20, 2017;
Her Honor Mayor Lucy Vinis Presiding

Councilors

Alan Zelenka, President	Mike Clark, Vice President
Emily Semple	Greg Evans
Claire Syrett	Chris Pryor
Jennifer Yeh	Betty Taylor

Note: This agenda has been amended to reflect the addition of an Executive Session as Item 2.

7:30 p.m. **CITY COUNCIL MEETING**
Harris Hall, 125 East 8th Avenue

1. **PUBLIC HEARING:**
   An Ordinance Concerning Fireworks Restrictions and Amending Sections 4.934 and 4.996 of the Eugene Code, 1971

   Manager: *Introduces topic, presents background information.*

   Mayor opens the public hearing: *Those wishing to speak during the Public Hearing must submit a completed "Request to Speak" form to the information desk, prior to the beginning of the Public Hearing. When you come to the podium, please give your name, city of residence, and, for Eugene residents, your ward if known; you will have three minutes to comment. There are lights on the timer; the red light indicates the end of three minutes.*

Mayor: *Closes the public hearing.*

2. EXECUTIVE SESSION
Pursuant to ORS 192.660(2)(e) and ORS 192.660(2)(h)

Mayor: *The Eugene City Council will now meet in Executive Session held pursuant to ORS 192.660(2)(e) and ORS 192.660(2)(h) to discuss the negotiation of a real property transaction and to consult with legal counsel regarding current litigation or litigation likely to be filed.*

Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.

Adjourn.

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

For more information, contact the Council Coordinator at 541-682-5010,
or visit us online at ***www.eugene-or.gov.***

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Public Hearing: An Ordinance Concerning Fireworks Restrictions and Amending Sections 4.934 and 4.996 of the Eugene Code, 1971

Meeting Date: November 20, 2017 | Agenda Item Number: 1
Department: Fire | Staff Contact: Fire Chief Joe Zaludek
www.eugene-or.gov | Contact Telephone Number: 541-682-7115

ISSUE STATEMENT
The City Council will hold a public hearing on an ordinance concerning fireworks restrictions.

BACKGROUND
Over the past few years, Council has considered a complete ban of fireworks with exceptions for professional event displays and within designated locations in Eugene. The efforts since 2014 have been to focus on education and enforcement. Impacts from the pervasive use of fireworks include the risk of injuries and property damages from fires, and the noise generated from them disrupts the quality of life for military veterans, senior citizens, animals, refugees, and community members at-large.

Following their discussion at the work session on October 25, 2017, the council directed staff to schedule a public hearing on an ordinance that limits all consumer fireworks citywide to those that do not bang, whistle, or screech in a manner that is audible from 50 feet. The ordinance as written limits the days such described quieter consumer fireworks can be used to December 31, January 1, July 3 and 4, and limits the days for use of display fireworks to July 3-5.

COUNCIL OPTIONS
No options are presented at this time; this is a public hearing only.

ATTACHMENTS
A. Proposed Ordinance Concerning Fireworks Restrictions

FOR MORE INFORMATION
Staff Contact: Fire Chief Joseph Zaludek
Telephone: 541-682-7115
Staff E-Mail: joe.s.zaludek@ci.eugene.or.us

ORDINANCE NO. _____

AN ORDINANCE CONCERNING FIREWORKS RESTRICTIONS AND AMENDING SECTIONS 4.934 AND 4.996 OF THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 4.934 of the Eugene Code, 1971, is amended to provide as follows:

4.934 **Fireworks Restrictions.** In addition to restrictions on the sale, possession, use, detonation or explosion of fireworks under state law, it is unlawful to***:***

(1) [~~u~~]***U***se, light, detonate or display any ***consumer*** fireworks anywhere in the city at any time except on December 31, January 1, ***July 3 or July 4*** [~~June 23 through July 6 or other times as authorized by the city manager in administrative rules adopted pursuant to section 2.019 of this code. For purposes of this section, "fireworks" has the meaning given in Oregon Administrative Rule 837-012-0610 (2014)~~].

(2) ***Use, light, detonate or display on December 31, January 1, July 3 or July 4 any consumer fireworks that produce audible effects, such as bangs, whistles or screeches, that are plainly audible fifty feet or more from the consumer fireworks.***

(3) ***Use, light, detonate or display any display fireworks anywhere in the city at any time except July 3 through July 5, unless specifically authorized by the city manager or designee.***

For the purposes of this section, "consumer fireworks" and "display fireworks" have the meanings given in ORS 480.111.

Section 2. Subsection (8) of Section 4.996 of the Eugene Code, 1971, is added to provide as follows:

4.996 **Administrative Civil Penalty.**

(8) ***In addition to, and not in lieu of any other enforcement mechanism authorized by this code the city manager or designee may impose upon the person responsible for violation of section 4.934 of this code, an administrative civil penalty as provided by section 2.018 of this code.***

Section 3. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

___ day of _____, 2017

_____

City Recorder

Approved by the Mayor this

____ day of _____, 2017

_____

Mayor