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OFFICE OF THE
COUNTY COUNCIL

MEMO TO: GREAT-29 File

F R O M: Keani N.W. Rawlins-Fernandez, Council Vice-Chair



SUBJECT: **TRANSMITTAL OF LEGISLATIVE PROPOSAL RELATING TO
ILLEGAL FIREWORKS IN MAUI COUNTY** (PAF 21-171)

The attached correspondence pertains to Item 29 on the Committee's agenda.

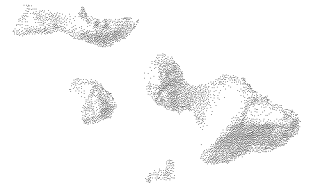
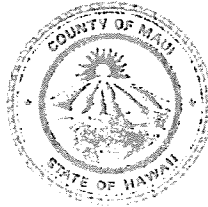
paf:lma:21-171h

Attachment

MICHAEL P. VICTORINO
Mayor

BRADFORD K. VENTURA
Fire Chief

GAVIN L.M. FUJIOKA
Deputy Fire Chief



DEPARTMENT OF FIRE & PUBLIC SAFETY
COUNTY OF MAUI
200 DAIRY ROAD
KAHULUI, HI 96732

October 28, 2021

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, HI 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino 11/3/21

Mayor Date

For Transmittal to:

Honorable Keani Rawlins-Fernandez, Council Vice Chair
Maui County Council
200 South High Street
Wailuku, HI 96793

Dear Council Vice Chair Rawlins-Fernandez,

SUBJECT: FIREWORKS (PAF 21-171)

The Department of Fire & Public Safety is in receipt of your letter dated October 26, 2021 regarding the subject above. We appreciate your dedication and support in addressing the ongoing issues regarding illegal fireworks. After reviewing your proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 8.16, MAUI COUNTY CODE, RELATING TO FIREWORKS" the Department would like to offer the following comments.

The Department of Fire & Public Safety wholeheartedly supports the prohibition of fireworks as defined in Section 8.016.010, Definitions of the proposed bill. Together with State Fire Council, Department of Fire & Public Safety has submitted numerous testimonies during legislation relating to the enforcement of laws which proposes to increase fireworks display permit fees, increase fines for certain firework violations, etc.

While we support the proposed bill we are not capable of handling the responsibilities as described in Section 8.16.060, Illegal Fireworks Social Host Administrative Enforcement. Traditionally and across the State of Hawaii, criminal prosecution of violators is the responsibility of the police department.

Honorable Keani Rawlins-Fernandez, Council Vice Chair

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After discussion with Corporation Counsel regarding the proposed bill, we'd like to change the responsibility mentioned in **Section 8.16.020, Permit Generally** which states "Every permitted display or use of fireworks must be under the direct control of a competent operator approved by the chief of police." We believe this should reflect the Fire Chief as the Department's Fire Prevention Bureau, on behalf of the Fire Chief, is currently responsible for issuing all permits related to fireworks including public and private firework displays.

Thank you for your attention in this matter. If you have any questions, please feel free to call my office at x7561.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Ventura", written over a faint circular stamp.

BRADFORD K. VENTURA
Fire Chief