

RESOLUTION NO. 2025-301

**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF SAN BERNARDINO, CALIFORNIA,
SETTING THE 2025 REGULATORY FEE FOR THE SALE
OF SAFE AND SANE FIREWORKS IN THE CITY OF SAN
BERNARDINO**

WHEREAS, Section 8.60.095(A) of the City of San Bernardino (“City”) Municipal Code (“Code”) requires the City to assess a regulatory fee based on the gross sales of fireworks to raise sufficient funds for the City to pay for fireworks public education and an awareness campaign about fireworks (“Firework Education”), and for enforcement (including extra personnel time for fire inspection and enforcement duties); and

WHEREAS, Section 8.60.095(B) of the Code requires the City to prepare a study of the anticipated cost for Firework Education and thereafter adopt a resolution setting the regulatory fee no later than 7:00 p.m. on July 1 of each year, with such regulatory fee not exceeding ten percent (10%) of the total gross sales of the fireworks sold in the City by licensees.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Anticipated Cost Study. The Mayor and City Council have determined the total anticipated costs for the City to cover the reasonable regulatory costs of issuing the permits and enforcing the provisions of the Code (including extra personnel time for inspection and enforcement duties) for the 2025 season is two hundred sixty-nine thousand, eight hundred forty-four dollars (\$269,844).

SECTION 3. 2024 Total Gross Sales Percentage. Ten percent (10%) of the total gross sales of fireworks as reported by the licensees in the 2024 fireworks season (“2024 Season”) amounted to ninety six thousand, seven hundred six dollars (\$96,706).

SECTION 4. 2025 Regulatory Fee. The Mayor and City Council hereby set a regulatory fee rate, which does not exceed ten percent (10%) of the total gross sales in the 2024 Season in accordance with Section 8.60.095(B) of the Code.

SECTION 5. California Environmental Quality Act (“CEQA”). The Mayor and City Council finds this Resolution is not subject to CEQA pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines (Chapter 3 to Title 14 of the California Code of Regulations) because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 6. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications; and to this end the provisions of this Resolution are declared to be severable.

SECTION 7. Effective Date. This Resolution shall become effective immediately.

APPROVED and **ADOPTED** by the City Council and signed by the Mayor and attested by the City Clerk this 4th day of June 2025.

Helen Tran
Mayor

Attest:

Telicia Lopez, CMC, Acting City Clerk

Approved as to form:

Sonia Carvalho
City Attorney

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF SAN BERNARDINO)

I, Telicia Lopez, CMC, Acting City Clerk, hereby certify that the attached is a true copy of Resolution No. 2025-301, adopted at a regular meeting held on the 4th day of June 2025 by the following vote:

<u>Council Members:</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
SANCHEZ	_____	_____	_____	_____
IBARRA	_____	_____	_____	_____
FIGUEROA	_____	_____	_____	_____
SHORETT	_____	_____	_____	_____
KNAUS	_____	_____	_____	_____
FLORES	_____	_____	_____	_____
ORTIZ	_____	_____	_____	_____

WITNESS my hand and official seal of the City of San Bernardino this 5th day of June 2025.

Telicia Lopez, CMC, Acting City Clerk