

Fireworks – Public Meetings – October 19 and 24, 2016

10/19/2016 – City Hall Assembly Chambers, 6 pm

Mila Cosgrove provided introduction/ process. Assemblymembers present: Mayor Koelsch, Gregory, Gladziszewski, Weldon, Jones, White.

Brett Farrell: Member of PRAC, speaking personally – current situation out of control – this ordinance is a good attempt, people mostly favor some type of restrictions – he favors limiting the dates/times – questions need to allow Jan 2 and July 6 but Dec31/Jan 1 and July 3/4 are OK. Intent of possession is to assist JPD enforce the law. New types of high powered aerial fireworks not appropriate for neighborhoods, should not be banned areawide but banned in neighborhoods.

Debra Baird: Member of Capital Kennel Club and Grateful Dogs – have passed resolutions supporting a complete ban on fireworks – current ordinance does not go far enough, history has shown it is unenforceable, make this easier to enforce, should be in community harmony. Current draft improves but still not enough – amend to prohibit aerial is good idea, amend to allow possession is not a good idea.

Jolene Langel – spoke on behalf of fireworks users – we have the noise ordinance – just add teeth to allow enforcement – not a new separate ordinance – going away from everything is too severe – you can't expect people to abide by the rules if they don't believe in the rules, especially regarding possession. If people have them they will use fireworks – possession should not be a ticketable offense. People enjoy fireworks, this is the consensus of the people. There is not a fireworks problem and JPD numbers support that fact. Enacting an ordinance people don't like will equal non-compliance.

James Langel – He goes to Haines in his boat to get fireworks in August and stores them and an ordinance regarding possession would make him a criminal. Lets find a compromise. This ordinance allows me to only use fireworks on my property = residential. National Fire Protection Association or state law should be controlling (?) PRAC “sold the farm” – we ended up with a minutes slice of the pie. I didn't get to take the PRAC survey. 684 members on a pro-fireworks facebook page, 68 members on an anti-fireworks facebook page. This draft is a reversal of a compromise, we want to use fireworks on a more frequent basis, JPD Chief states fireworks is not a public safety issue and there were few fireworks injuries last year.

Lynne Barnes – mixed feelings – no objection to buying fireworks ahead of time, but 20 nites this summer people shooting off fireworks between 10-midnight in flats neighborhood – affects her dogs – has gotten worse – has to be some way to reign that in – gives her dogs tranquilizers on the 4th – even allowing for a three day series is a lot.

Chris Prussing – PRAC member, speaking personally, said Fireworks on the 4th is a tradition and she is OK with use on New Years Holiday as well, but the booming in the neighborhoods need to stop – imports from China are loud – make the violation an infraction with a fine and not a misdemeanor – aerial fireworks sound like gun shots. There are road accessible beaches available for fireworks use – ok to use

non-aerial in neighborhoods. Reduce noise complaints, allow storage and possession, adjust the hours and add a reasonable fine.

10/24/2016 – Mendenhall Valley Library, 6 p.m.

Rorie Watt provided introduction/ process. Assemblymembers Jones, White, Nankervis, Gregory present.

Joann Flora – concerned about shooting fireworks before and after holidays – fireworks can be physically felt through their home. They have gone to hotels, drugged their dogs, and the holidays are not fun for their family. Suggested using code 42.20.050 – prohibiting the use within ¼ mile of a road. OK for reasonable hours during the holidays and limit use to parks.

Bob Bloom – said Easy Street has a problem with abuse of fireworks and he has an illness for which the fireworks use causes stress. There should be some happy medium.

Karen Capp - She has lived here 33 years and fireworks use was not an issue for the first 28 years. Assembly let the ban lapse and now we have an intolerable situation. She did not like the draft allowing everything, anywhere for several days a year. She prefers setting limits on when/where they can be used. Agreed to prohibit within ¼ mile of road or residence. Allow July 3-4 and Dec 31 – Jan 1 with hours 9 pm – 1 am. Exceptions are inappropriate – make the fine \$300. \$100 is too low. Require people to clean up fireworks litter.

David Kirby – we will have noise whether there is an ordinance or not. A ban won't solve the problem. More laws won't make a difference.

Carol Carlson – lives on the Beach in Douglas and they are subjected to loud fireworks for days on end. They have medicated their three dogs. She asked for a complete ban and asked the Assembly to put this to a public vote.

Dan Palicka – favors a time limit for use of 10 pm – 1 am. Fireworks are safer now than they were 20-40 years ago. Put a price for a permit in the ordinance. Storage year round should be allowed. Do not ban aerial fireworks. Off the road system anything should be allowed anytime.

Martha Palicka – does not support ban on aerial fireworks. Not sure about the possession issue, but it should be allowed most of the year – maybe unlawful outside residence at certain times. Does not support dates – 3 day period overly restrictive as weather can prevent use. Are the fines per firework? = multiple infractions. Over- restricting leads to more littering. She supports reasonable use of fireworks and likes the idea of voting on this.

Corinne Orsborn – her dogs suffer – one or two days is ok but when it continues after a holiday it is not reasonable. We like fireworks, but she lives by gun range and she has gotten used to that – the fireworks are worse. When we ask people to stop they ignore us and the police don't enforce. Have fun but be reasonable.

Bud Jaeger – doesn't see a problem with fireworks – has animals and doesn't have a problem – will the police be able to enforce the law or find the problem? He doesn't support the ordinance.

Mark Choquette – Everyone should be responsible – do not restrict the size of fireworks. He gives fireworks to his grandkids. The big reports have their time and place. Restrict when and where you can shoot them off, but don't restrict possession. It is all in good fun. Don't restrict by type. There have been only 2 injuries in five years.

Greg Gendron – read statement from wife Christy who has an anxiety disorder and suffers from noise pollution. Anti-anxiety medications only help a bit – she has used noise cancelling headphones - tries to avoid triggers. The minority uses fireworks for personal pleasure that causes discomfort to others – can't there be a safe place in the community for fireworks use – treat people with kindness and respect. She is OK with the city fireworks display and suggests limiting use to certain days of the year.

Catherine Sayre – opposes ban on fireworks – she has 5 dogs. A few bad apples ruin it for everyone. If there are restrictions they should be reasonable – allow for more than 2 days a year.

Eric Cole – opposes any ban – opposed to a possession ban – fireworks are not explosives – he has worked in mines and this conversation makes him crazy. He voted no on all three survey points.

Laura Sanbei – this is a non-issue. She has multiple cats and dogs and none suffer from fireworks because she teaches her animals how to behave. Evaluate the noise complaint data – it will show that they are coming from a few concentrated areas. There needs to be a reasonable balance. Bulk of the complaints are coming from a small number of loud objectors. A small vocal group is driving this change and should not impede enjoyment of many. A ban on anything ¼ mile from the road would include beaches, and state and federal property – CBJ can't make regulations affecting state and federal land. The problem is a well-crafted illusion and she was concerned about the stand taken by PRAC.

Gary Stambaugh – responsible use with respect for neighbors and dogs is OK – he did not want to see any restrictions other than smart use away from homes and with litter cleanup. Mentioned 1.4 rated explosive (?). He is against a ban on possession. A week spread on July 4 and New Years is ok, along with the Eaglecrest show. He organizes the city fireworks show. Be responsible and respect others.

Gerald Grant – use the noise ordinance to restrict the time to after 10 pm...otherwise status quo is OK. OK to enforce noise ordinance if after hours. He opposed a ban on possession.

Tom Rutecki – read an email from Mayor Koelsch to the Assembly. JPD advises existing noise ordinance needs to be enforced. He has had loud reports at 3 am at his house which knocked pictures off his wall in September near Twin Lakes. He referred to Debbie White supporting a compromise. PRAC voted to support compromise. He cautioned the assembly on a vote and said a pro-con is not good as some people are intimidated about speaking. He witnessed someone in Mendenhaven shooting a mortar in their driveway at 5 pm and said they were yelling a woman's name who was against fireworks use. He referred to facebook comments. He said we are a Republic, not a Democracy.

Arne Oidna – there is not much that CBJ does that he agrees with. CBJ can't enforce this ordinance. He said that shooting off fireworks after 1 am gets a little over the top. OK to restrict on the time of use – he doesn't run his lawnmower at 1 am. He supported putting this issue on the ballot.

Soapy Lingle – he agreed with Mr. Oidna that the ordinance was not enforceable. There should be time limits and people should be responsible to clean up their mess but he doesn't support the ordinance, especially the ban on possession – put this to a vote of the people.

Paula Smedly – objects to the ordinance – was a dog owner. Why is this a draft ordinance and not a working group to review the noise ordinance. She is against the possession restrictions. Using fireworks after 1 am does not make sense and there should be a way to enforce. We have a noisy community – referred to helicopters. This is not a problem that needs to be solved by a restrictive ordinance.

Bruce Garrison – He hears fireworks on Easy Street. He is pro-fireworks – he works on the city display and the show at Eaglecrest. There are lots of laws such as dogs on leash, noisy mufflers, snow tires, that are unenforceable. He is concerned about the level of disrespect. There is already a noise ordinance – enforce what we have.

Shonda Bellknop – said she has PTSD / anxiety and opposes fireworks regulations. We can't regulate jerks. I get annoyed then I move on. The time period for use in the ordinance is too short. Don't take the fun out of living here. She opposes an all out ban and said we need to communicate better with each other. There is a small coordinated minority pushing this and people will ignore the ordinance.

George Utermohle – submitted three documents – a Grateful Dog Survey, a questionnaire and a pet owner tip sheet to help owners cope with fireworks. The ordinance must be enforceable. The ordinance we have now is not enforceable. Some parks are inappropriate for fireworks use, including the airport and docks. The CBJ Fire Marshal can designate a safe place for storage of fireworks in the community. Limit the sale to only 1.4 G – with a manufacturer's label – the long definition in the ordinance should be reduced. He personally favors a ban on all fireworks.

Lorraine Murray – her neighborhood, Mendenhaven, has never seen fireworks use as it does now. She asked to designate an area in the community for use during the holidays. She said it has become an abusive situation. People and animals should not have to be sedated. There are random explosions in residential areas. If it could be contained to the property owners use, it would be ok, but that is not possible. Freedom should not come at the expense of neighbor's rights. This has been traumatizing for five years and there has been an increase of conflict between neighbors.

Mara Jennings – loves fireworks, but has suffered financially as her dogs have torn down her fence due to noise from fireworks. She supports restriction in neighborhoods and responsible use. There were only 23 shipments from Jan 1 – Aug 18 on the barge lines – fireworks are a controlled shipment – She doubts that the rest of the use cited is shipped in private boats and may be transported illegally on the ferry. Don't restrict use city wide. Completely restrict from parks that have picnic areas and playgrounds. She has worked on the city fireworks barge.

Marina Lindsey – Gastineau Humane Society Board President – GHS submitted a resolution. She supports people having a good time and has respectful neighbors – when they get loud, she lets people know. She supports a restriction on time and place – this is a compromise. She does not agree with the ban on possession.

Chris Brooks – has enjoyed fireworks as a family pastime – has dogs and cats – enforcement would help supports putting this to a vote. Certain days of the year to use fireworks is OK – a ban on possession is not reasonable. Issuing a permit for use does not make any sense. He would like to see CBJ allow buy/sell of fireworks in the community to get tax dollars.

Helen Unruh – supports a ban – most cities in Alaska ban fireworks. She said all the people present who support fireworks are responsible but she heard 3-4 loud bangs in her neighborhood after 11 pm last week. She spoke about the frustration of being considered in a small minority and being called names, such as a Nazi. She asked for respect and responsibility, and said she would not personally talk to people when they were making too much noise shooting off fireworks because she did not know what their reaction would be. Aerial fireworks are a hazard to her flat condo roof. The neighbors don't clean up their fireworks mess – she lives near the airport and is used to noise.

Kyle Moselle – thanks the Assembly for the process about fireworks – has some fireworks stored at his house now – the proposed ordinance is reasonable except the ban on storage. He supports a permit and limited days. There needs to be a safe place to dispose of fireworks responsibly.

Cindy Dau – She likes fireworks – she cited 49.25.210 – neighborhood harmony and safety. No public vote is needed on this issue – enforce the code we have now. She spoke about many bad incidents / with fireworks in her personal experience and said this is a growing problem. Should not be allowed in residential areas and parks. We can't have a rooster but we can have fireworks. Provide a place that is legal to allow people to use fireworks. Keep the fireworks on the ground.

Rosemary Alexander – She said she quit calling JPD a long time ago about fireworks – in the last five years the problem has gotten worse and worse. She has heard fireworks on July 2 at 10 am and on July 6 at 10 am. She has seen neighbors throwing firecrackers at dogs. There are a lot of people who use fireworks who are not responsible. Someone threw a firecracker at her dog while she and her dog were marching in the 4th of July parade – this has harmed the dog. She supported a ban in neighborhoods. They are being used from Memorial Day through Labor Day and December 1 – mid – January.

Random audience comments included questions about fireworks shots at the dump to scare the eagles, shots at the airport to scare the birds and “fire poi.”

Mr. Watt said that the comments would be provided to the Assembly at the COW on October 31, no public testimony until the matter was brought forward in an ordinance form following introduction, which would be November 28 at the earliest date.

Submitted by Laurie Sica, Municipal Clerk