

BILL022(24)
Testimony

MISC. COMM. 254

COUNCIL

COUNCIL Meeting

Meeting Date: Jun 5, 2024 @ 10:00 AM

Support: 9

Oppose: 0

I wish to comment: 0

Name: Cori Weston	Email: cori.weston@gmail.com	Zip: 96825
Representing: Self	Position: Support	Submitted: Jun 1, 2024 @ 02:58 PM
Testimony: Aloha Chair Walters, Vice Chair Kiaaina and Members of the Council, I am writing in support of Bill 22, which amends the Fire Code to permit the sale and use of ground-based consumer fireworks. Honolulu's ban on consumer fireworks has had the unintended consequence of individuals going to the black market to purchase illegal aerial fireworks which pose a much greater safety risk to our community. Bill 22 offers a safer alternative. Many of us have wonderful fun memories of family gatherings to celebrate New Year's Eve and July 4th with consumer fireworks such as the fountains, ground spinner and sparklers. This bill provides a reasonable and safe alternative for families to continue their treasured traditions of celebrating the holidays with safe fireworks and will reduce the demand for illegal fireworks. Bill 22 is also an efficient use of our commendable and much appreciated police and fire resources, already stretched with keeping us safe and their time should not be spent on tracking these consumer non aerial fireworks enjoyed by families. Mahalo for your consideration and support of Bill 22. Cori Weston, Founder & CEO, CCW Associates LLC.		
Name: Jeffrey Weston	Email: jeffrey.weston1@gmail.com	Zip: 96825
Representing: Self	Position: Support	Submitted: Jun 1, 2024 @ 03:04 PM
Testimony: Aloha Chair Walters, Vice Chair Kiaaina and Members of the Council, This is submitted in strong support of Bill 22, which amends the Fire Code to permit the sale and use of ground-based consumer fireworks. One of the very special traditions of Hawaii is enjoying consumer fireworks with our friends and families and I have wonderful memories of my children enjoying the fireworks with their cousins at Popo and Gung Gung homes and our aunties homes. It has not been the same since the ban on consumer fireworks. The ban has had unintended consequences for our community and drives locals to the black market to purchase illegal aerials which pose a much greater safety risk to the community. Bill 22 offers a safer alternative and provides a reasonable alternative to our families to continue the life long traditions of celebrating the holidays. Bill 22 will also reduce the demand for illegal fireworks. It is important that we keep our traditions as it is what makes Hawaii special. Thank you for your support. I ask for your favorable consideration in passing this bill. Jeffrey Weston		
Name: Tad Trout	Email: anakama@wik.com	Zip: 96813

Representing: TNT Fireworks	Position: Support	Submitted: Jun 3, 2024 @ 04:18 PM
Name: Jodi Nakama	Email: jodi1269@yahoo.com	Zip: 96701
Representing: Self	Position: Support	Submitted: Jun 3, 2024 @ 07:22 PM
Name: Tina Yamaki	Email: tyamaki@rmhawaii.org	Zip: 96816
Representing: Retail Merchants of Hawaii	Position: Support	Submitted: Jun 4, 2024 @ 09:25 AM
Name: Sean Johnston	Email: seanjohn1997@yahoo.com	Zip: 96797
Representing: Self	Position: Support	Submitted: Jun 4, 2024 @ 10:53 AM
Testimony: My name is Sean Johnston, and I'm writing to express my support for Bill 22, which proposes amending the Fire Code to allow the sale and use of ground-based consumer fireworks. I have fond memories of celebrating New Year's Eve and the Fourth of July with family and friends, eagerly anticipating the fun of playing with sparklers and other fireworks. It was a cherished tradition. I want my son and daughter to experience the same joy, and I would provide proper parental supervision just as my parents did for me. Since the ban on consumer fireworks, many neighborhoods on Oahu have seen an increase in illegal aerial fireworks. Bill 22 offers a safer alternative. Families on Oahu, like those on the neighbor islands, should be able to continue the tradition of celebrating holidays with fireworks. My family and I urge you to pass Bill 22. Thank you.		
Name: Danial Peart	Email: dpeart@fireworks.com	Zip: 44505
Representing: Phantom Fireworks Companies	Position: Support	Submitted: Jun 4, 2024 @ 02:19 PM
Name: Asa Iwasa	Email: iwasajunk@mail.com	Zip: 96825
Representing:	Position:	Submitted:

Self	Support	Jun 4, 2024 @ 03:22 PM
Testimony: I support allowing fireworks again. They are fun and a part of our family tradition.		
Name: Marc Britos	Email: mbritos46@gmail.com	Zip: 96789
Representing: Self	Position: Support	Submitted: Jun 5, 2024 @ 07:41 AM



June 5, 2024

Councilmember Tommy Waters, Chair
Councilmember Esther Kia'āina, Vice Chair
Honolulu City Council

RE: BILL 22 (2024) Relating to the Fire Code
Wednesday, June 5, 2024 at 10:00 AM

Aloha Chair Waters, Vice Chair Kia'āina, and Members of the Honolulu City Council:

Thank you for allowing TNT Fireworks (TNT) to submit testimony in **STRONG SUPPORT** of Bill 22 – Relating to the Fire Code. TNT is the largest distributor of fireworks in the U.S. and an importer and seller of legal and safe consumer fireworks in Hawaii. TNT has had a presence in Hawaii for over 50 years and we partner with retail partners such as Longs Drugs, Marukai, Don Quijote, Costco, Foodland, Malama Market, Food Pantry, Times Supermarkets and many others.

Bill 22 seeks to amend the state Fire Code to permit consumer fireworks such as fountains and sparklers while keeping aerial fireworks unlawful. The proliferation of illegal aerial devices is at an all-time high and legislative efforts aimed at strengthening enforcement and penalties for the use of illegal aerial devices have not proved successful. In the absence of an alternative, the proliferation of black-market access will only continue.

In 2010, the Honolulu City Council banned consumer fireworks except for 5,000 firecrackers with a \$25 permit. The unintended consequence of this action was an inadvertent surge in black market activities as consumers sought alternative sources for consumer fireworks.

The City and County of Honolulu is the only county in the state that prohibits consumer fireworks and, not a surprise, has the undesirable outcome with illegal aeriels lighting up Honolulu skies on New Years Eve. County of Maui, County of Hawaii, and County of Kauai allow the sale and use of consumer fireworks which Bill 22 proposes to align. Additionally, this measure allows firecracker permits to be sold at licensed retail locations the same time firecrackers are bought and sold relieving staffing and enforcement resources at the Honolulu Fire Department and Satellite City Halls.

Instead of driving consumers to the black market, a safer alternative should be available. New York, New Jersey, Arizona, Delaware and others have modified their ban on consumer fireworks and allow the sale of consumer fireworks such as fountains and ground

AMERICAN PROMOTIONAL EVENTS, INC.
2120 MILWAUKEE WAY • TACOMA, WA 98421
TACOMA (253) 922-0800 • FAX (253) 830-2930
www.tntfireworks.com



spinners, which produce significantly less smoke and noise. Currently, fireworks are allowed in 49 states plus the District of Columbia and Puerto Rico.

Hawaii consumers are enamored with fireworks and have a long cultural history of fireworks being an integral part of New Years and July 4th family celebrations.

Thank you for the opportunity to testify on this measure and we look forward to working with all interested stakeholders to address this issue of reducing illegal aerals in our communities while providing a safer alternative to celebrate.

Brian Trim, Vice President

Enclosure



The City & County of HONOLULU

Legal Consumer Fireworks

Cylindrical Fountain

Upon ignition, a shower of colored sparks, and sometimes a whistling effect, is produced.



Cone Fountain

Upon ignition, a shower of colored sparks, and sometimes a whistling effect, is produced.



Smoke Devices

Tube or sphere containing pyrotechnic composition that, upon ignition, produces a white or colored smoke as a primary effect.



Wheels

Pyrotechnic device attached to a post or tree by means of a nail or string. A wheel may contain up to six "driver" units; upon ignition, the wheel revolves, producing a shower of color and sparks and, sometimes, a whistling effect.



Mine / Cakes

Mine – A device that shoots stars in an upward spray pattern.

Cake – Dense-packed collection of mine tubes that are fused together.



Ground Spinners

A small device similar to a wheel in design and effect. When placed on the ground and ignited, a shower of sparks and color is produced by the rapidly spinning device.



Dipped Stick, Sparkler

Stick or wire coated with pyrotechnic composition that produces a shower of sparks upon ignition. Total pyrotechnic composition not to exceed 100 grams per item.



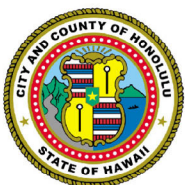
Firecrackers

Generally 1/4" x 1 1/2" or less that come in packs to large bricks. A firecracker makes a single "pop" sound. Many firecrackers strung together will make repetitive "popping" sounds.



Novelties

"Trick and Novelty Devices" means any small firework device not classified as a Consumer of Display Firework. Items contain a small amount of pyrotechnic composition that is friction sensitive.



Celebrate Safely with Legal Consumer Fireworks





The City & County of HONOLULU

ILLEGAL FIREWORKS

Sky Rockets and Missiles

Similar to the Bottle Rocket, a Sky Rocket is attached to a stick or has fins and may have a plastic cap. A missile will have fins rather than a stick. Once lit, it ascends rapidly, high into the air where it explodes.



Bottle Rockets

A firecracker type (tube) attached to a 12" long wooden stick. The stick is placed in a bottle and once lit, it rises into the air, travelling laterally before exploding.



Reloadable Mortars

A shell consisting of a container, a lift charge, a time fuse, a burst charge, and stars/effects. The lift charge propels the shell out of the tube igniting the burst charge at the right altitude, igniting the effects.



Helicopters, Aerial Spinners

A propeller or blade is attached, which, upon ignition, lifts the rapidly spinning device into the air. A visible or audible effect is produced at the height of flight.



Roman Candles

Heavy paper or cardboard tube containing pyrotechnic composition. Upon ignition, up to ten "stars" are individually expelled at several-second intervals.



Parachutes

Upon ignition, one or more parachutes are propelled into the air with stars, smoke, and other effects being discharged as the parachute floats downward.

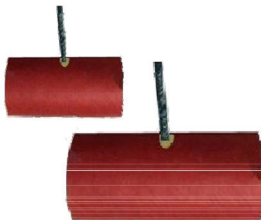


ILLEGAL EXPLOSIVE DEVICES

THE POSSESSION, MANUFACTURING, OR USE OF ILLEGAL EXPLOSIVE DEVICES is a criminal offence.

M-80's, M-100's, etc.

Illegal since the 70's, an M-80 can contain flash powder, black powder, or a composition of materials that are sensitive to shock and can injure or kill people. Can do serious permanent damage to fingers, hands, and eyes.



Improvised Explosive Device (IED)

A pipe bomb is an improvised explosive device, consisting of a tightly sealed section of pipe that is filled with an explosive material. The pipe provides containment, meaning that a low explosive can be used to produce a relatively large explosion.

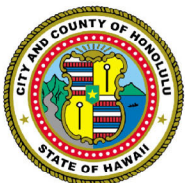
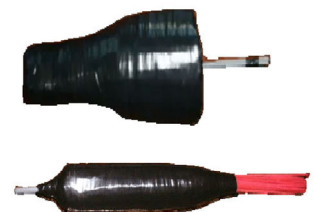


A tennis ball bomb is an improvised explosive device consisting of a tennis ball filled with combustibles or pyrotechnic material with a fuse producing a loud explosion.



Altered Firework

Sparklers are bound together in electrical or duct tape to contain the ignition of the sparklers, providing for a loud "whoomp" sound with a flash of light.



Celebrate Safely with Legal Consumer Fireworks



Councilmember Tommy Waters, Chair
Councilmember Esther Kiaʻāina, Vice Chair
Honolulu City Council

RE: Bill 22 Relating to the Fire Code – In Support
Wednesday, June 5, 2024; 10:00 a.m.

Aloha Chair Waters, Vice Chair Kiaʻāina and members of the Council:

Thank you for the opportunity to submit testimony in strong support of this measure. My name is Jodi Nakama and I respectfully ask that you pass Bill 22, which amends the Fire Code to allow the sale and use of ground-based consumer fireworks.

Growing up in Hawaii, I have cherished memories of celebrating numerous holidays with family and friends, and always looked forward to playing with fireworks such as fountains, ground spinners and sparklers. I have three children and would like them to have the same experience.

The current ban on consumer fireworks has led to a significant increase in illegal aerial fireworks, which have greater health and safety risks. Bill 22 offers a safer alternative.

My friends and family urge you to pass Bill 22 and allow families in the City & County of Honolulu to continue tradition while preserving public health and safety.

Mahalo,

Jodi Nakama



**TESTIMONY OF TINA YAMAKI, PRESIDENT
RETAIL MERCHANTS OF HAWAII**

June 5, 2024

Re: BILL 22 (2024) – RELATING TO THE FIRE CODE

Aloha, Chair Waters, and members of the Honolulu City Council. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii is a statewide nonprofit trade organization established in 1901. Our organization represents a diverse membership that spans small mom-and-pop stores, large box stores, resellers, luxury retailers, department stores, shopping malls, online sellers, local, national, and international retailers, chains, and more.

We strongly support Bill 22 (2024), which seeks to amend the state Fire Code to permit consumer fireworks such as fountains and sparklers while maintaining the ban on illegal aerial fireworks.

Fireworks hold significant cultural importance in Hawaii's Asian community, symbolizing the warding off evil spirits and the ushering in of good luck and happiness. This tradition is especially prominent during the New Year and at events like weddings and business openings. Allowing retailers to sell legal consumer fireworks and enabling the community to celebrate with these fireworks would be greatly appreciated.

Many legitimate retailers depended on the sale of legal fireworks, knowing that buyers must obtain a permit before purchase. A complete ban on fireworks imposed an additional financial burden on these law-abiding retailers, many of whom are still struggling to stay afloat. Nonprofits and churches also rely on seasonal pop-up sales of legal fireworks. Allowing the sale of consumer fireworks would support the economic health of these retailers and community organizations.

The City and County of Honolulu is the only county that has banned all fireworks including sparklers. However, this has not proven to be a viable solution as people still find ways to obtain them illegally. Aerial fireworks have been banned for several years in the state, yet we continue to see them year after year lighting up the skies from people's residences, from the street fronting people's homes, and at beaches. We have already seen that time limits on the use of fireworks are overlooked as we continue to see illegal aerals and "bombs" weeks before the actual holiday. Illegal fireworks from the black market are unregulated and unsafe, contributing to the highest rates of significant injury.

Banning fireworks does not eliminate their use in Hawaii. People have consistently found ways to obtain illegal fireworks, making those in the black market richer. It is important to remember that illegal fireworks are unregulated and pose significant safety risks. Despite the long-standing ban, they continue to appear year after year.

We support the option for retailers to become licensed fireworks permit facilities if they so choose. This would ensure that the sale and use of fireworks are regulated, safe, and confined to permissible types, thereby reducing the prevalence of dangerous, illegal fireworks.

In conclusion, the Retail Merchants of Hawaii strongly supports Bill 22 (2024). Allowing the sale of legal consumer fireworks while maintaining the ban on illegal aerial fireworks respects cultural traditions, supports local businesses and nonprofits, and addresses public safety concerns more effectively than an outright ban.

Mahalo for this opportunity to testify.



3610 Waialae Ave • Honolulu, HI 96816



(808) 592-4200



tyamaki@rmhawaii.org

PHANTOM FIREWORKS

Distributors of Phantom® and Wolf Pack® Brand Fireworks

2445 Belmont Ave
Youngstown, Ohio 44505
Danial Peart, Director of Government Affairs

o. 330.746.1064
dpeart@fireworks.com
www.fireworks.com

June 4th, 2024

Councilmember Tommy Waters, Chair
Councilmember Esther Kiaʻaina, Vice-Chair
Members of the Honolulu City Council

Bill 22 – Relating to the fire code
Wednesday, June 5, 2024

Dear Chair Say and Vice Chair Kiaʻaina, and members of the Council.

My name is Dan Peart, Director of Government Affairs for Phantom Fireworks. Thank you for the opportunity to testify in support of Bill 22.

The prospect of legalizing the sale and use of ground-based consumer fireworks is exciting for several reasons, but chief among them are the two reasons I'll discuss today.

Principally, with no legal consumer fireworks able to be purchased and used in Honolulu, the illegal market is left to flourish. I won't suggest that Bill 22 will completely eliminate illegal fireworks in Honolulu, but we've seen in other states that the inclusion of a legal option for consumer fireworks shows a downturn in illegal usage as early as year one. Many consumers will opt for the legal variant for the peace of mind it offers while still being able to celebrate their favorite holiday or religious event.

Currently, Phantom Fireworks works only with non-profit groups in Hawaii. Not only has this been good for Phantom, but selling fireworks is the biggest fundraiser of the year for many of the groups that we work with. These relationships tend to be long-term and mutually beneficial. With the ability to expand to Honolulu, we would be able to add more non-profit groups to our operations and ultimately grow both our footprint and theirs.

Legal, responsible, and safe consumer fireworks usage is the trend across the U.S., with injury rates plummeting while usage has soared in recent years. The inclusion of ground-based consumer fireworks should help to ease some of the illegal market while helping various non-profit groups at the same. For this reason, I respectfully urge the council to vote "yes" on Bill 22.

Sincerely,
Danial Peart

Allowing Residents of Oahu to Light Up Sparklers and Fountains for New Year's Celebration

The New Year's celebration is a time-honored tradition that brings together communities in joyous festivities. On the island of Oahu, New Year's Eve's cultural and communal significance is profound, marking a time of reflection, renewal, and hope. Allowing residents to light up sparklers and fountains during these celebrations can enhance community, cultural expression, and personal enjoyment while ensuring safety and environmental responsibility.

Cultural Significance and Community Bonding

Fireworks have long been associated with New Year's celebrations, symbolizing the ushering in of a new beginning with light and color. On Oahu, where a rich tapestry of cultural traditions converges, sparklers and fountains can add a touch of magic to the festivities. These fireworks are relatively safe and can be enjoyed by families, creating an inclusive environment where people of all ages can participate. The visual spectacle of sparklers and fountains can foster a shared sense of wonder and joy, strengthening community bonds as neighbors come together to celebrate.

Economic and Recreational Benefits

Permitting sparklers and fountains can also have positive economic implications. Local businesses, particularly those specializing in fireworks, party supplies, and event planning, would likely boost sales. This can be especially beneficial in the holiday season, providing an economic uplift to small businesses and vendors. Furthermore, the recreational aspect of fireworks can enhance the overall celebration, contributing to residents' mental well-being and happiness. As people gather to create memories, lighting a sparkler or watching a fountain display can become a cherished part of the New Year's tradition.

Safety and Environmental Considerations

While the benefits are clear, addressing the safety and environmental concerns associated with fireworks is crucial. Sparklers and fountains, when used responsibly, pose minimal risk. However, implementing strict regulations and educational campaigns is essential to ensure safety. Guidelines on adequately handling and disposing of fireworks, designated areas for use, and explicit restrictions on more hazardous fireworks can mitigate potential dangers. Additionally, encouraging environmentally friendly options, such as biodegradable fireworks, can help reduce the environmental impact. Organizing community cleanup events post-celebration can also ensure that debris is promptly and properly managed.

Balancing Tradition and Regulation

A well-regulated approach can balance the traditional desire to celebrate with fireworks and the need for safety and environmental responsibility. For instance, issuing permits for sparklers and fountains, setting specific timeframes for their use, and designating safe zones can help manage and control the activity. Engaging community leaders, local authorities, and environmental groups in the planning and regulation process can lead to a comprehensive strategy that addresses all concerns while preserving the festive spirit.

Conclusion

Allowing residents of Oahu to light up sparklers and fountains for New Year's celebrations can significantly enhance the communal and cultural experience, providing joy and economic benefits while fostering community cohesion. The potential risks can be effectively managed with thoughtful regulations and community education. Embracing this tradition with a responsible approach will honor the spirit of the New Year and reinforce the values of safety, environmental stewardship, and community togetherness. Oahu can welcome the New Year with brilliance, joy, and shared optimism by lighting up the skies with sparklers and fountains.