

MOTION

Council File 25-0065 previously directed the City Attorney to identify ways to strengthen City and State laws, enforcement, and deterrents related to the possession, sale, and use of illegal fireworks. As the City continues to experience significant public safety, fire, and property impacts from illegal fireworks, additional legal tools may be necessary to address entities that contribute to the availability and distribution of fireworks or inherently dangerous products that ultimately enter the City and are used by consumers illegally.

I THEREFORE MOVE that the City Council request the City Attorney to report on the feasibility of the City of Los Angeles pursuing proactive civil or criminal litigation, individually or in coordination with other governmental entities, against manufacturers, importers, shippers, distributors, wholesalers, traders, retailers, commercial purchasers, and other entities whose conduct may knowingly or negligently contribute to the illegal possession, sale, distribution, or use of fireworks within the City of Los Angeles. The report should specifically examine:

1. Potential liability within the supply chain, including whether and under what circumstances manufacturers, importers, distributors, wholesalers, retailers, commercial purchasers, or other entities could be held responsible when fireworks are lawfully manufactured or sold but are subsequently diverted, trafficked, resold, illegally possessed, or illegally used within City limits.
2. Methods for tracing the supply chain, including available transaction data, shipping and distribution records, purchase histories, licensing information, retailer and wholesaler records, seizure data, fire investigations, law enforcement evidence, and other information that could help the City identify sources and patterns of illegal fireworks entering Los Angeles.
3. Potential remedies and damages, including recovery of documented City costs associated with fire suppression, emergency response, law enforcement, cleanup, property damage, public safety operations, and other impacts attributable to illegal fireworks, as well as injunctive or other equitable relief to prevent or reduce future harm.
4. Opportunities for coordinated litigation, including whether the City could pursue litigation independently or in coordination with other cities, counties, public agencies, or governmental entities experiencing similar impacts from illegal fireworks.

I FURTHER MOVE that the City Council request the City Attorney and the Chief Legislative Analyst to report on recommended next steps, including any additional data, investigative authority, interdepartmental coordination, legislative action, or pilot enforcement efforts that could strengthen the City's ability to identify responsible entities and pursue potential litigation. The report should also identify any legal or factual barriers to such litigation and, where appropriate, recommend legislative or administrative changes that could strengthen the

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City's ability to hold responsible entities accountable for the downstream impacts of the illegal use of fireworks.

PRESENTED BY: _____

TIM McOSKER

Councilmember, 15th District

SECONDED BY: _____

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