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CITY OF AVALON PUBLIC NOTICE ORDINANCE AMENDMENT ORDINANCE NO. 1230-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AVALON PROHIBITING THE USE, POSSESSION, SALE, AND DISCHARGE OF FIREWORKS WITHIN THE CITY OF AVALON

WHEREAS, the California Legislature has declared in Government Code Section 51175, subdivision (a): (1) that fires are extremely costly, not only to property owners and residents, but also to local agencies; (2) that fires pose a serious threat to the preservation of public peace, health, and safety; (3) that it is necessary that cities, counties, special districts, state agencies, and federal agencies work together to bring raging fires under control; and (4) that preventative measures are needed to ensure the preservation of the public peace, health, and safety; and

WHEREAS, California Government Code Section 51178 requires the California Department of Forestry and Fire Protection ("CalFire") to periodically identify, recommend, and map fire hazard areas statewide, referred to as "Fire Hazard Severity Zones" ("FHSZ"); and

WHEREAS, the FHSZ Map depicts the entire City to be in a Very High Fire Hazard Severity Zone; and

WHEREAS, the use, possession, sale, and discharge of fireworks within the City poses a significant threat to public health, safety, and welfare due to the City's unique island environment, wildfire risk, limited emergency access, and dense residential and visitor populations; and

WHEREAS, prohibiting fireworks is necessary to reduce the risk of fires, injuries, and disturbances to residents, visitors, wildlife, and emergency services personnel.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AVALON DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Ordinance.

Section 2. Title 4, Section 4-16 Fireworks is hereby added to the City's Municipal Code and will read as follows:

4-16.01 – Purpose and Findings

The use, possession, sale, and discharge of fireworks within the City of Avalon pose a significant threat to public health, safety, and welfare due to the City's unique island environment, wildfire risk, limited emergency access, and dense residential and visitor populations.

Prohibiting fireworks is necessary to reduce the risk of fires, injuries, and disturbances to residents, visitors, wildlife, and emergency services personnel.

4-16.02 – Definition

As used in this Chapter "fireworks" means and includes:

- (1) Any combustible or explosive composition or any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, whether manufactured, homemade or improvised;
- (2) Fireworks classified by the State Fire Marshal as "dangerous fireworks" and as "safe and sane fireworks" pursuant to Health and Safety Code Sections 12561 and 12562;
- (3) Any pyrotechnic devices for which the State Fire Marshal requires a license to manufacture, sell, transport or operate; and
- (4) Firecrackers, torpedoes, skyrockets, roman candles, cherry bombs, sparklers, chasers, snakes or other fireworks of like or similar construction and any fireworks containing any explosive or flammable compound or substance.

4-16.03 – Fireworks Prohibited

It shall be unlawful for any person to use, give, possess, sell, offer for sale, store, ignite, discharge, or otherwise cause to explode any fireworks within the City of Avalon unless a permit authorizing such possession, sale, use or discharge has been issued by the Fire Chief to the person or responsible party using, selling, or discharging or found in possession of said fireworks, and unless such person is in possession of a valid pyrotechnic operator's license issued by the Office of the State Fire Marshal.

4-16.04 – Penalties

Whenever a peace officer charged with the enforcement of any provision of the Municipal Code determines that a violation of this chapter has occurred, the peace officer shall have the authority to issue an administrative citation to any person responsible for the violation.

Whenever a peace officer charged with the enforcement of this chapter determines that a violation of the chapter has occurred, the peace officer may issue an administrative citation for each violation found to have occurred.

Citations issued pursuant to this chapter shall carry administrative fines as follows:

- \$250 for the first and subsequent violations of having "safe and sane" fireworks
- \$500 for the first and subsequent violations involving the possession of illegal fireworks
- \$500 for the violations involving the discharge of fireworks within the city limits of Avalon
- \$1,000 for violations involving the discharge of fireworks in the Very High Fire Severity Zone

4-16.05 – Cost Recovery

Any person responsible for a fire, emergency response, or public safety incident resulting from the use or discharge of fireworks may be held financially responsible for the costs of fire suppression, emergency medical services, law enforcement response, evacuation, and related damages to the extent permitted by law.

Section 3. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("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, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly, as it only involves the designation of Fire Hazard Severity Zones in the Local Responsibility Areas as recommended by the Office of the State Fire Marshal.

Section 4. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 5. The City Clerk of the City of Avalon shall certify as to the adoption of this Ordinance and shall cause the same, or a summary thereof, to be published and or posted in a manner required by law.

Ordinance No. 1230-26 was introduced and waived at the May 19, 2026 regular City Council meeting and adopted at the June 16, 2026 regular City Council meeting by the following vote: AYES: Mayor Marshall, Councilmembers De La Rosa, Lavelle, Ponce and Schickling; NAYS: None; ABSENT: None; ABSTAIN: None.

A certified copy of the Ordinance is available for review in the City Clerk's Office, 410 Avalon Canyon Rd., Avalon CA 90704 and/or copies may be obtained from the City Clerk's Office at a nominal charge.

Gabrielle Morones
City Clerk
July 3, 2026
Catalina Islander 7/3/2026-165010

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Hearing Officer will be conducting Vehicle Hearings, in person, on Friday, June 26, 2026 in the City of Avalon Council Chambers located at 410 Avalon Canyon Road. The agenda will include the following:

HEARINGS

TIME APPLICANT

8:30 a.m.

Jacob Vanderwiel – Transfer of Residential Vehicle Permit

9:00 a.m.

Robert Raine – Validation of Residential Vehicle Permit

9:15 a.m.

Zeller Construction – New Commercial Vehicle Permit

9:30 a.m.

Esmeralda Soto -New Commercial Autoette Permit

9:45 a.m.

The Pancake Cottage – Renewal Commercial Autoette Permit

10:00a.m.

Catalina Cannabis, LLC- Renewal Commercial Autoette Permit

10:15 a.m.

Sunset Bar and Grill – Renewal Commercial Autoette Permit

10:30 a.m.

Avalon Plaza Café – Renewal Commercial Autoette Permit

10:45 a.m.

Catalina Island Janitorial – Renewal Commercial Autoette Permit

11:00 a.m.

Coyote Joes – Renewal Commercial Autoette Permit

11:15a.m.

Leyvas Electric Bike Rental – Renewal Commercial Autoette Permit and Interior Commercial Vehicle Permit

11:30a.m.

Avalon History Tours – Renewal Commercial Vehicle Permit

11:45am

Salvador Hernandez – Transfer of Residential Vehicle Permit

ADJOURN

The public is welcome to participate. Additional information and a complete agenda can be obtained at City Hall, 410 Avalon Canyon Road, between the hours of 8:00 a.m. to 12:00 p.m. and 1:00pm to 5:00pm, Monday through Thursday and 8:00am to noon on Friday.

NOTICE OF POSTING

I, Rocio Hernandez declare that the City of Avalon Vehicle Hearing Public Notice was posted Friday, June 12 of 2026, on the City of Avalon website, www.cityofavalon.gov/agendacenter and on the City of Avalon Bulletin Board located at 410 Avalon Canyon Road. Public Notice is also available on the Catalina Islander editions June 12, 19, and 26 of 2026.

By: Rocio Hernandez
Vehicle Clerk/Senior Administrative Assistant
Catalina Islander 6/12,19, 7/3/2026-164353

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