

MANAGERS REPORT



DATE: November 3, 2022
TO: Mayor Benage and City Council
FROM: Ty Lasher, City Manager
RE: Fireworks Ordinance

At the October 11th workshop, Council requested staff look at more enforcement, detonation days and sales days to consider in the revised fireworks ordinance. I contacted three Bel Aire vendors to get their input and here is what I heard:

1. Should Bel Aire go from one day, July 4th, for detonation to two days or more for detonation? Why?

Bel Aire should add more days. It is easier for people to know when they can shoot. People have busy schedules and may want to do a small family shoot one night then celebrate with friends on the actual holiday. Most shooting is kids and parents playing during the summer evenings. 80% of sales are small fountains and kids items, they should be able to play when they have the available time.

That is a great question. My straightforward answer would be to allow for detonation from June 27th - July 5th. Why? Whether permissible or not, people of all ages will be setting off fireworks, nonetheless. I would like to see our local rules parallel with the State of Kansas. What needs to be regulated more than dates is the times that fireworks can be detonated. No one wants to hear fireworks going off early in the morning or late, late at night.

- o Yes, Bel Aire should allow for two days of discharge. A couple reasons why. First sometimes July 4th day isn't the ideal day of the week for consumers to discharge. This year was a great example. The 4th was on a Monday but the majority of consumers had their celebrations on July 3rd Sunday. The actual 4th this year was slower sales wise for us compared to the 3rd. Consumers had to go back to work on July 5th so their celebrations on July 4th were limited while on July 3rd they could celebrate easier. Second reason is we have seen the more days given for consumers to discharge the likelier they are to follow and obey those days rather than go outside of them. Hard to tell a consumer you can buy something but you can't actually use it for a few days and you only have one day to use it. If consumers were given the weekend before the 4th and the 3rd and 4th to discharge your compliance rate will increase dramatically.

2. Should sales be limited from 7 days to 4 or 5 days? Why or why not? Definitely DO NOT shorten the days. Fireworks have 7 days to be sold all year. We need every one of them to stay afloat. The Wichita area is a 3rd shift town as they say. People need to be able to buy when they have the time not forced. Also, the days change every year so that way we always get at least one weekend

For vendors who have a lot of money tied up in fireworks, marketing, insurance, permits, labor, overhead etc. less is not better. I as a business and a vendor would desire the full June 27th - July 5th period to sell fireworks.

Unlike other businesses that could be open 365 days per year, we have nine days to make back our investment. If the City of Bel Aire decides to alter their policies regarding the length and time fireworks can be sold, we will lose out to other cities whose firework policies are more liberal and open to the sale of fireworks like Andover, Maize etc.

- Our thought would be 7 days of sales. Couple reasons why again. First a full 7 days ensures fireworks retailers at least one full weekend will be included in our sales cycle. This goes back to what day of the week the 4th of July lands on. If it lands on a Friday and we are only allowed 4-5 days of sales we never capture a weekend. As you can imagine sales on weekends are better than weekdays. For the majority of fireworks retailers this is a year-round business. We are allowed a certain amount of time to capture a years' worth of business. It helps tremendously if we can always be guaranteed a full weekend.

3. What days do you receive the most revenue for sales?

Revenue is revenue. When you only have 7 days to make a year's sales every dollar counts. Taking away selling opportunities would cause more people to go to other communities. Costing Bel Aire tax revenue.

I am going to be the one business with the least experience. I have only been selling fireworks for two years and this year was the first that we actually did any advertising. My answer, that completely depends upon when the 4th falls. This year, our first two days were really busy but then our sales flattened out of the next few days. Sales then picked up again through the weekend and was strongest on the 4th. Though we advertised and offered deep discounts on the 4th. Next year we plan on an even more robust advertising approach to hopefully attract more business to Bel Aire.

2023 July 4th falls on a Tuesday. It will be hard to tell how robust firework sales will be on holidays that fall in the middle of the week. My mentors

who have been in the business for 30+ years feel like most people will celebrate the 4th on the weekend instead of Tuesday.

Once again, Waz Up Fireworks has only been selling fireworks for two years now. We have very limited data points to refer to. Check back in five years.

- Typically the best day is July 4th. This slightly depends on the day of the week the 4th is on. As mentioned above this year July 3rd was our best sales day of the year. From there typically July 2nd and 1st are the next best days of sales. This does depend way more on the days of the week these dates fall. If June 29th and 30th are Saturday and Sunday then June 29th & 30th will out perform July 1st and probably be even with July 2nd. Weekends increase sales.

4. Other considerations?

The permit cost for one week is already high. Look at what you charge any other business to operate all year. We need every day we can get.

As a business, I would ask that the city council consider any changes carefully. It is all our desire to keep our neighbors safe and to prevent injury. Changing when fireworks can be sold or detonated will not change the fact that people will go out and buy fireworks somewhere and will lawfully or unlawfully detonate those fireworks. I would ask that you allow your local businesses the ability to compete with other firework businesses located in neighboring cities and counties that allow fireworks to be sold during the fully allottable time period per the State of Kansas. Please do not limit our sales dates. Please do not raise our permit fees. Allow citizens the opportunity to shoot off fireworks during the whole June 27th - July 5th period which is in line with the State of Kansas rules. Fine those that break the time curfews and become an annoyance to their neighbors.

- If the amount of sales days is reduced will the \$3,200 permit fee for fireworks retailers also be reduced? Less sales days should correspond with a lower permit fee.

Red – Wholesale Fireworks Black – Belinno Fireworks Orange – Waz Up Fireworks

In conclusion, I feel the sales dates should be left as they are now and consider allowing more days for detonation. In regard to enforcement, if it were legal to detonate more days, less enforcement would be needed. If the detonation days stays at one day, the police can increase staff during these 7 days and issue more warnings or tickets if that is the will of council. Chief will be at the meeting to discuss challenges of enforcement.