

SEATTLE POLICE DEPARTMENT MEMORANDUM

TO: All Personnel

DATE: 06/17/14

FROM: Lt. Dave Clavadetscher
Arson/Bomb Unit

SUBJECT: ***2014 Fireworks Disposal and Disposition***

Fireworks collection barrels are located at each of the Precincts, and the barrels are available for use on a year-round basis. These barrels are clearly marked, and are secured with padlocks. The precinct desk officers maintain keys for the barrels, along with a key checkout log. Fireworks are not to be taken to the Evidence Section for storage. Further, the Seattle Fire Department normally will not accept fireworks from either officers or citizens. All inquiries concerning fireworks disposal, should be directed to the nearest precinct for disposal of found fireworks.

Fireworks Handling Policy

A. Fireworks needed as evidence:

1. Fireworks will be placed in an envelope or paper bag (plastic containers should not be used due to possible static electricity hazard).
2. A copy of the related citation or incident report will be attached, and the evidence will be placed in the barrel and secured.
3. A second copy of the report will be forwarded by intra-Department mail to the Arson/Bomb Unit, or the Arson Bomb Unit will be contacted immediately if the quantities of fireworks are too large to safely fit in a barrel.
4. Arson/Bomb Unit personnel will respond and take items for the bunker, where they will be held until disposition of the criminal investigations and/or charges, at which time Arson/Bomb Unit personnel will be responsible for disposal.

B. Fireworks which have been turned in, or confiscated, and are not needed as evidence:

1. Fireworks will be placed in an envelope or paper bag (plastic containers should not be used due to possible static electricity hazard).
2. A copy of a GO report, or Memorandum documenting the circumstances under which the fireworks were recovered will be attached. * Note: if fireworks are recovered ancillary to a criminal investigation, but are not wanted as evidence, attach a copy of the incident report clearly stating that the fireworks are "not needed as evidence".
3. With the related paperwork attached, the fireworks will be placed into the barrel and secured.
4. A second copy of the paperwork will be forwarded by intra-Department mail to the Arson/Bomb Unit or the Arson/Bomb Unit will be contacted immediately if the quantity of fireworks is too large to safely fit into the barrel.
5. Arson/Bomb Unit personnel will respond and take charge of the items for disposal.

Note: Collection of any number of M-80 size devices, or larger, will require immediate notification of the Arson/Bomb Unit for response. At no time will any fireworks be placed outside the fireworks barrel. Should the barrel be full, the Arson/Bomb Unit must be immediately contacted for response and collection. During normal business hours, the Arson/Bomb Unit can be contacted at (206) 684-8980. During non-business hours, contact the SPD Communications Section.

NOTE: *Items that are self-activating novelties, such as caps, string activated poppers, or "pop it" caps, shall be handled, transported and stored **apart** from other fireworks so as not to inadvertently ignite the confiscated fireworks. Additionally, these novelty items need not be seized since they are not illegal in Seattle.*

July 4th: During the 4th of July celebrations, Precinct officers will place fireworks barrels at the Gas Works Park Command Post, South Lake Union Park Command Post, East Precinct Command Post and at the Alki Beach Command Post.

If there is any question about the appropriateness of placing any item in the barrel, contact the Arson/Bomb Unit immediately.

Enforcement

City Ordinance 121524 prohibits the sale, possession, use, or discharge of all fireworks within the city limits (including parks). Any officer taking enforcement action for fireworks violations shall do so under authority of SMC 22.600.020, which authorizes police officers to enforce violations of the Seattle Fire Code (SFC). The following section of the SFC is applicable to fireworks violations.

SFC 3301.1.2 Fireworks: The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

1. Storage and handling of fireworks as permitted in Section 3304.
2. The use of fireworks for display as permitted in Section 3308.

Violation of the above Seattle Fire Code Section is a gross misdemeanor offense.

Officers must document the Seattle Fire Code violation, as well as the enabling Seattle Municipal Code 22.600.020 on an incident report.

Officers shall draw a case number, complete the *GO Report*, and seize any fireworks or spent fireworks (if possible) as evidence. In either case, the narrative shall include the disposition of the fireworks. Do not issue a criminal citation; complete a *GO Report* for the offense.

Definitions of Fireworks

These definitions are provided for information only. Do not cite using these codes.

FIREWORKS

Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration or detonation that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein.

Fireworks, 1.4G. (Formerly known as Class C, Common Fireworks.) Small fireworks devices containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion. Such 1.4G fireworks which comply with the construction, chemical composition and labeling regulations of the DOT for Fireworks, UN 0336, and the U.S. Consumer Product Safety Commission as set forth in CPSC 16 CFR: Parts 1500 and 1507, are not explosive materials for the purpose of this code.

Fireworks, 1.3G. (Formerly Class B, Special Fireworks.) Large fireworks devices, which are explosive materials, intended for use in fireworks displays and designed to produce audible or visible effects by combustion, deflagration or detonation. Such 1.3G fireworks include, but are not limited to, firecrackers containing more than 130 milligrams (2 grains) of explosive composition, aerial shells containing more than 40 grams of pyrotechnic composition, and other display pieces that exceed the limits for classification as 1.4G fireworks. Such 1.3G fireworks

Officers should keep in mind that when a person misuses fireworks, additional violation(s) of the SMC may also have been committed.

12A.06.010 Assault

12A.28.050 Discharging a Firearm

12A.08.020 Property Destruction

12A.08.030 Reckless Burning

12A.06.050 Reckless Endangerment

12A.08.040 Trespass

Categories of Fireworks and Improvised Explosive Devices

Fireworks LEGAL in Washington (and Banned in Seattle): 1.4 Fireworks	Examples: Sparkler Flitter Sparkler Cone Fountain Mine/Shell Smoke Device Wheel Helicopter Aerial Spinner Ground Spinner Roman Candle Cylindrical Fountain Combination Items Illuminating Torch
Fireworks ILLEGAL in Washington: 1.3G and 1.4G	Examples: Sky Rocket Missile-Type Rocket Chaser Firecracker Salutes
ILLEGAL Explosive Devices:	M-80, M-150, M-200, M-500, M-600, M-1000, M-1300, M-3500 Tennis Ball Bombs Other homemade or altered fireworks

1.4 Fireworks – Legal in Washington State (Banned in Seattle)



Cone Fountain



Base Fountain



Wheel



Aerial Helicopters Spinners Firework



Ground Bloom Flower



Handle Fountain (Hand Held)



Roman Candle



Mortars

State illegal 1.4G Fireworks



Illegal Explosive Devices



M-80



M-100's

Illegally manufactured explosive devices are frequently referred to as fireworks because they look like large firecrackers. Manufacture, sale, possession or use of these or other items which contain two or more grams of pyrotechnic charge without complying with Chapter 10, Title 18 of the United States Code are illegal. Tennis ball bombs (not pictured) and other similar devices are also Illegal Explosive Devices.

Numerical Name	Color	Size in Inches Diameter and Length	Amount of Explosive
M-3500	Red	2 ½ x 4 ½	96.75 grams
M-1300	Red	1 ½ x 4	32.00 grams
M-1000	Brown	1 3/8 x 3	28.25 grams
M-1000	Red	1 x 6	20.00 grams
M-600	Red	1 x 3 ½	17.00 grams
M-500	Red	1 x 3	13.50 grams
M-200	Silver	1 x 2	10.50 grams
M-150 (pictured)	Red	¾ x 2 ½	7.00 grams
M-80 (pictured)	Red	5/8 x 1 ½	4.25 grams

Do not hesitate to call the Arson/Bomb Unit with questions or concerns. We have bomb technicians on call 24/7.

Be safe always.