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Regular City Council Meeting
March 11, 2024
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MINUTES

CITY COUNCIL MEETING
COUNCIL CHAMBER, CITY HALL
MARCH 11, 2024
5:30 p.m.

LIVE STREAMED & IN PERSON

PRESIDING: Mayor Richard Mays

COUNCIL PRESENT: Darcy Long, Rod Runyon, Scott Randall, Dan Richardson

COUNCIL ABSENT: Tim McGlothlin

STAFF PRESENT: City Manager Matthew Klebes, City Attorney Jonathan Kara, City Clerk Amie Ell, Public Works Director Dave Anderson, Police Chief Tom Worthy, Community Development Director Joshua Chandler, Human Resources Director Daniel Hunter, Executive Assistant Abby Jara

CALL TO ORDER

The meeting was called to order by Mayor Mays at 5:30 p.m.

ROLL CALL OF COUNCIL

Roll Call was conducted by Executive Assistant Jara. Long, Runyon, Randall, Richardson present. McGlothlin absent.

PLEDGE OF ALLEGIANCE

Mayor Mays asked Councilor Richardson to lead the Pledge of Allegiance.

Councilor Richardson invited the audience to join in the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Mays noted amendments to the agenda adding a Presentation from Boy Scout Troop 398

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and Consent Agenda Item # 9C; Approval of the Surplus of Public Works Vehicles and Equipment. (See attached)

It was moved by Randall and seconded by Richardson to approve the agenda as amended The motion carried 4 to 0, Randall, Richardson, Long, Runyon voting in favor; none opposed; McGlothlin absent.

PRESENTATIONS PROCLAMATIONS

The Dalles Booster Club Project Proposal

Anthony Pereira of The Dalles Booster Club presented the proposal.

Randall stated he supported the project.

Richardson said he supported as long as the sign would be a TD not just a D.

Klebes asked where the proposed location was and what the timeline would be.

Pereira said it would be on the hillside above Thompson track. He planned to propose to high school teachers and the ASB this project be organized as a senior project. He said it would ideally be completed before the 2024 graduation ceremony.

Pereira described other recent Booster Club projects and highlighted the strong involvement of community members on these projects.

Mayor Mays asked that staff work with Mr. Pereira on the project.

The Dalles Police Department Drone Policy Update

Police Chief Tom Worthy presented the Drone Policy Update along with Officer John Caminiti and Deputy Kanyon Reams.

Runyon asked if any of the policy restrictions we currently have might be removable because they are more strict than State regulations.

Reams said Oregon State has very strict regulations limiting when police are allowed to use the drone; 1. With a search warrant. 2. Probable cause with exigency 3. With written consent from a property owner. 4. For training purposes, anything recorded during these flights is not

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admissible in court. LEDA the Law Enforcement Drone Association, is working on making Oregon police drone use laws less restrictive and more aligned with those of other states.

Runyon suggested working with Representative Helfrich.

Worthy said what had been most impactful for him was the ability to have at-distance surveillance on dangerous suspects thus keeping officers and civilians safe.

Randall asked for clarity on the nature of restrictions near river access areas.

Worthy said because the camps along the river are not an exigency nor an environmental emergency, they cannot fly there now under the current regulations.

Parkinson's Awareness Month Proclamation

Kevin Mansfield a Facilitator for Parkinson's Resources Oregon and Public Policy Ambassador with the Michael J. Fox Foundation. He shared his personal story living with Parkinson's and shared statistical information about the disease (see attached)

Mayor Mays read the proclamation.

Richardson asked about the benefit of an Oregon Parkinson's Registry.

Mansfield said they would know the number of people in Oregon who have Parkinson's, where the hotspots are, if it is affecting certain nationalities more than others, as well as background and possible types of environmental exposure that may be related to the disease. This data would help scientists and researchers working to find a cure.

Trevor Anderson, Assistant Cub Master for The Dalles Scout Pack 398 introduced the leader, co-leader, and pack. He said the pack was working on their Arrow of Light which is the highest award in cub scouting. He thanked Councilor Richardson for coming to teach the pack civics and how city government works. They were taking advantage of the invitation to attend a City Council meeting.

AUDIENCE PARTICIPATION

Michael Wilson read his letter to Council. (see attached)

CITY MANAGER REPORT

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City Manager Matthew Klebes reported;

- Outreach and analysis being done to learn about the impact of the bankruptcy of American Queen Voyages regionally. Have entered into conversations to learn what state resources might be brought in to assist.
- Attended the Chamber Distinguished Citizen's Banquet.
- Showed example of a newly refurbished holiday decoration.
- Reported a Community Outreach team visit to D.C. last week. Economic Development Officer Dan Spatz advocated for local projects and policies. He will present at a future Council meeting.

CITY COUNCIL REPORTS

Councilor Randall reported;

- Historic Landmark Commission meeting, update on Ghost Sign Lighting for the Gitchell Building.

Councilor Richardson reported;

- Chamber Distinguished Citizen's Banquet attendance.
- Requested staff review Mr. Wilson's request presented during audience participation.
- Requested staff bring back Council goals for review and updates.
- Recognized wins over the past year.
 - A year ago, concerns about the Annex. It has proven to be a win for the community helping dozens reducing the number of homeless camps.
 - Blighted buildings knocked down and lots cleaned to provide spaces for new opportunities
 - Police force has recruited in a very competitive environment moving from 7 openings to just 2.
 - The Dog River Pipeline has been built.
 - Starting to think about how Google funds will be used.

Councilor Runyon reported;

- Mid-Columbia Veteran's Memorial committee meeting.
 - House Bill 2147 regarding unclaimed remains of veterans. State and County agencies are now required to appoint a staff person to research funeral homes and locate any unclaimed veteran remains to be taken to Willamette National Cemetery.

Mayor Mays reported;

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- There will be no Regular City Council meeting on March 25th, instead there will be an executive session
- Chamber Distinguished Citizen's Banquet attendance.
- Booster Club get together.

Councilor Long reported;

- Chamber Distinguished Citizen's Banquet attendance.
-

CONSENT AGENDA

It was moved by Richardson and seconded by Randall to approve the Consent Agenda as presented. The motion carried 4 to 0, Richardson, Randall, Long, Runyon voting in favor; none opposed; McGlothlin absent.

Items approved on the consent agenda were: 1) The minutes of the February 26, 2024 Regular City Council Meeting. 2) Resolution No. 24-008 A Resolution Concurring with The Mayor's Appointment to The Historic Landmarks Commission. 3) Approval of the Surplus of Public Works Vehicles and Equipment.

DISCUSSION ITEMS

Consideration of Fireworks Regulations

City Manager, Matthew Klebes reviewed the Staff Report. (See attached article handout)

Fire Chief Palmer and Division Chief Fire Marshall Wood provided additional information.

Palmer said the Fire district's mission is to protect the welfare and safety of the community as well as the firefighters. A ban of fireworks each year would meet the mission of the fire district. The commercial fireworks display in the river is on a barge in a controlled environment and meets all code. Personal fireworks are more uncontrolled. When there is a ban there are less fires in a community.

Wood said retail sales permits for fireworks are issued in March the fees for these permits total \$125.00 for the applicant. He said Statewide in Oregon 65 fires were started by fireworks in 2022.

Runyon asked about data for The Dalles and Wasco County specifically.

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Wood said antidotally there have been fires started by fireworks every year except for the last two when there were bans.

Palmer said since the bans have been placed, there have been reductions in the number of fires. He said enforcement of the ban has been difficult for the Police Department. He said over time, the community would get used to a standing ban. Unless supervised and controlled fireworks cause fires. There is greater danger May through October.

TNT Fireworks Area Manager Jason Simpson of Eugene, Oregon spoke in opposition of a standing ban of retail sales and personal use of fireworks. He said it should be considered whether fires caused by fireworks were due to illegal fireworks or those sold legally referred to as 'safe and sane'. The safe and sane fireworks do not shoot up and meet requirements to be below a certain height. He said there are consequences of a standing ban on retail sales and personal use of fireworks. He shared printed information and articles regarding cities that had established bans. (see attached)

Mayor Mays said the City had banned fireworks three years in a row and in the past the decision had followed the announcement of a county-wide fireworks ban.

Klebes said the fireworks bans usually happened late in June and there have been complaints from retailers about this impacting their sales. He said the City had only banned the use of personal fireworks, not sales. Bans are happening after permits for the retail sale of fireworks.

Kara said the ban in recent years has happened in Special Session to follow the passing of County bans.

Palmer said there is advantage to coordinate between County and City. He said more advanced notice allows for more time to educate the community of the ban.

Richardson asked if there was leeway in issuing permits later.

Wood said permits have to go to the State Fire Marshall office by April 1st and this drives the timeline.

Audience members Richard Wolfe and Mike Courtney both spoke on to council. Asking for more educational outreach, the use of data to inform decisions, and Support for Police Department to ensure enforcement.

Council directed staff to bring back more information as it becomes available later in the season and to consider waiting for County wide firework bans.

EXECUTIVE SESSION

In accordance with ORS 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Mayor Mays recessed Open Session at 7:05pm

Mayor Mays reconvene Open Session at 7:50pm

ADJOURNMENT

Being no further business, the meeting adjourned at 7:52pm

Submitted by/
Amie Ell, City Clerk

SIGNED:



Richard A. Mays, Mayor

ATTEST:



Amie Ell, City Clerk

SUPPLEMENTAL AGENDA

REGULAR CITY COUNCIL MEETING

March 11, 2024

5:30 p.m.

Item to be added to the agenda:

9. CONSENT AGENDA

C. Approval of the Surplus of Public Works Vehicles and Equipment

All subsequent numbering of agenda items adjusted

Amie Ell, City Clerk



CITY OF THE DALLES

Department of Public Works
1215 West First Street
The Dalles, Oregon 97058

AGENDA STAFF REPORT

AGENDA LOCATION: Item #9C

MEETING DATE: March 11, 2024

TO: Honorable Mayor and City Council

FROM: Eric Hansen, Deputy Public Works Director

ISSUE: Approving item on the Consent Agenda.

A. **ITEM:** Surplus of Public Works vehicles and equipment.

BUDGET IMPLICATIONS: Revenue received from the sale of property will be deposited into the appropriate Public Works funds.

SYNOPSIS: The following is a list of Public Works vehicles and equipment recommended to be declared surplus as these items listed are no longer useful to the department, but still retain value. The items listed are planned to be disposed of through a local public auction.

1. 2011 Ford F350 4x4 Cab and Chassis pickup VIN#1FT7X3BT6BEB90511 103,000 miles, diesel
2. 1991 Dodge 2500 4x4 pickup, VIN# 1B7KM26Z3MS289092, unknown miles, gas
3. Fleetside bed from a 2001 Ford F350 pickup, blue in color
4. Tommy lift gate 1300# capacity
5. 2004 Ford F350 4x2 flatbed, VIN# 1FDWF36P85EB7764, 6 extra tires, PTO, Diesel
6. Onan/Cummins Diesel Generator, Serial# 090006600 Model 5HDKBC-2660d, 4,050 Hours
7. 2005 Ford F350 4x2 single cab Pickup with Utility Box, VIN#1FDSF34F6YED89602, Diesel, 145,894 miles
8. MetroTech Vloc Series 2 Locator with bags and accessories, Serial #20502101531/20401103025, Model # VX205-2/VX204/1
9. 8' Flatbed off of Ford pickup, with toolbox and lights, unknown manufacturer and year
10. Five (5) Chamberlin Elite SL3000UL Vehicle Slide Gate operators, 2008 year, plus 30 remotes

RECOMMENDATION: Approve surplus of Public Works equipment as described.

Consent Agenda Item – PW Surplus Approval

The Economic Burden of Parkinson's Disease: Study Finds Annual Cost to Federal Government is \$25 Billion, Double Previous Estimates

National Economic Burden of Parkinson's

\$52 Billion

Approximately 1 million people in the U.S. have Parkinson's, which costs the nation **\$52 billion each year**. This includes a **direct medical cost of \$25.4 billion**, with additional indirect and non-medical costs of **\$26.5 billion**. It is estimated that more than **1.6 million** people in the United States will be impacted by Parkinson's disease by 2037, at an estimated economic burden of **\$79 billion**.

The Direct Cost of PD to the Federal Government

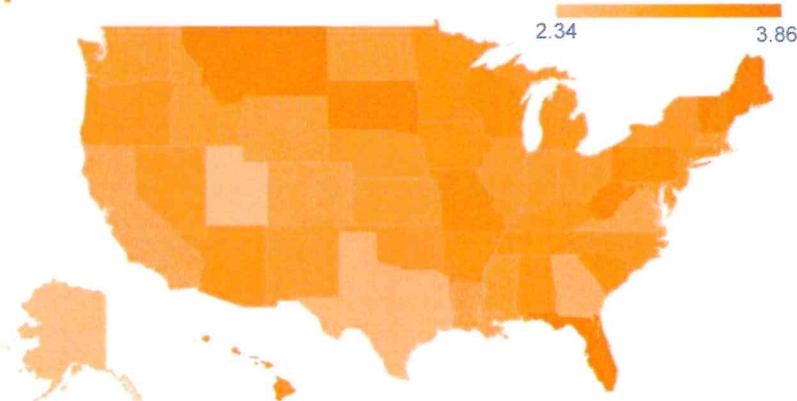
\$25 Billion

\$23 billion of the direct cost to the federal government is shouldered by Medicare, with an additional **\$2 billion** attributable to SSI/SSDI.

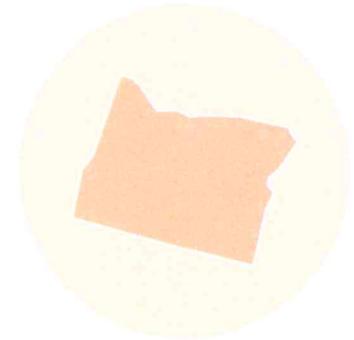
90%

Medicare insures **90%** of people with Parkinson's. In 2017, only 7% of direct medical care costs were attributable to private insurance. The excess medical cost of PD for patients on Medicare is **\$24,811 every year**.

Parkinson's Prevalence by State, per 1,000 People



Cost and Prevalence in Oregon



Oregon's population is **4,189,659 people**
13,926 have Parkinson's

The direct and indirect costs to care for people with Parkinson's in Oregon is **\$696 million**

PD prevalence in Oregon:

3.32
Per 1,000 people

The federal government spends **\$25 billion** every year to care for people with Parkinson's disease, and only **\$234 million** researching the disease. It's time for the government to invest more to find a cure for Parkinson's.



THE MICHAEL J. FOX FOUNDATION
FOR PARKINSON'S RESEARCH

I HAVE 21 DEER GRAZING IN THE FIELD NEXT
DOOR TO ME, BETWEEN 10th AND 13th STREET. 5 DEER
CAME DOWN MY DRIVE WAY EVERY NIGHT, CROSSING
~~WEST~~ WEST 10th STREET. SOME BODY PUT UP A SALT
LICK BLOCK, AND APPLES ALONG 10th STREET. I HAVE
AND 5 DEER KILLED IN FRONT OF MY HOUSE. YOU
ARE NOT GOING PUT UP A STOP LIGHT, OR STOP
SIGN, BECAUSE 10th STREET HAS TO BE OPEN FOR
POLICE CARS, AMBULANCES, FIRETRUCKS. ASK PEOPLE
IF THEY WANT TO PURCHASE A STREET LIGHT IN
FRONT OF THEIR HOUSE, MAY BE YOU COULD PUT UP
SLOW DOWN-DEER CROSSING SIGNS ALONG 10th STREET

Audience Participation

March 11, 2024

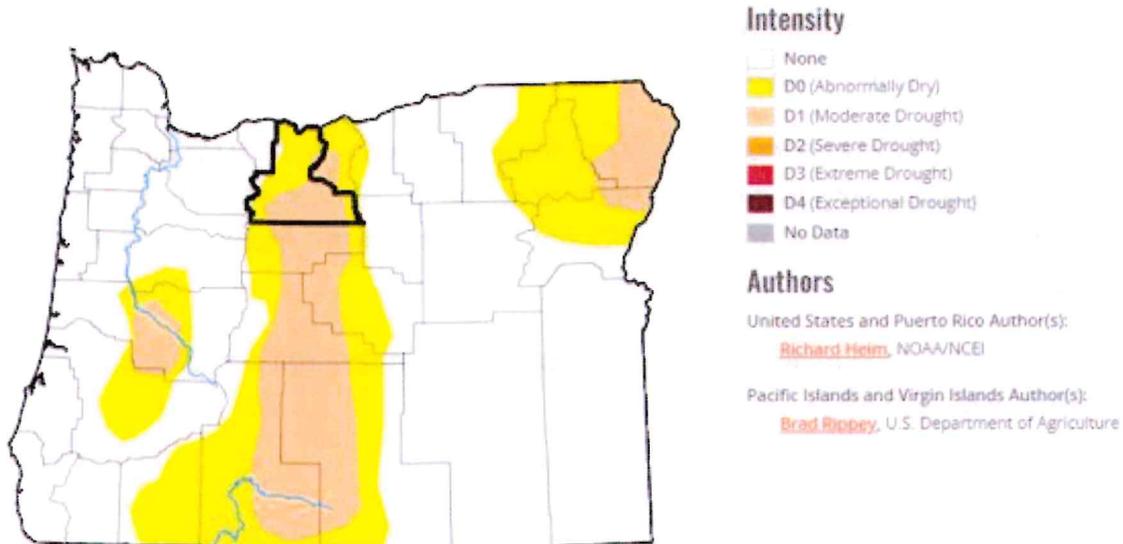
Michael Wilson

Wasco County in moderate drought

[columbiagorgenews.com/news/wasco-county-in-moderate-drought/article_11722c42-da84-11ee-8ce3-af7e1773eeb1.html](https://www.columbiagorgenews.com/news/wasco-county-in-moderate-drought/article_11722c42-da84-11ee-8ce3-af7e1773eeb1.html)

By Flora Gibson Columbia Gorge News

March 5, 2024



THE DALLES — More than 14% of Oregon is in moderate (D1) drought, including about 41.91% of Wasco County, according to the U.S. Drought Monitor.

Abnormally dry conditions (D0) cover another 93.69% of Wasco County this February.

That's down from more than 17% of Oregon experiencing moderate to severe (D2) conditions in late January.

About 10,566 Wasco County residents are experiencing drought now.

This isn't unusual for the past two decades, which have — on average — been drier than any other two decades for the past 1,000 years, despite a couple of wet seasons, according to Oregon.gov. The culprits are temperature and precipitation levels. Even a wet spring cannot always stave off a drought, if several previous years were dry enough to build up a severe moisture deficit.

For now, though, snowpack within the Hood-Sandy-Lower Deschutes basin is at 100% for the year, compared to the median value from 1991-2020. The John Day basin is at 117%, according to the Oregon Snow Survey, a service of U.S. Department of Agriculture's Natural Resources Conservation Service.

Snow-water equivalent (the amount of water on the landscape, stored as snow) measured anywhere from below to well above historical averages in February, depending on location.

Oregon streams east of the Cascades also vary from below-average flow, to well above average in February; west of the Cascades, most streams had above-average flows.

However, reservoir levels in the Deschutes basin measured below average in February.

Drought and snowpack conditions were still changing in January and February. An atmospheric river of storms slammed parts of the west coast in the week of Feb. 14-20, but dried out upon crossing the Cascades.

The United States has experienced increasing droughts since about 2014, as compared to the decade before, according to the same source. Since 2014, both severity of droughts, and the percent area of the U.S. experiencing drought, appear to have increased from the decade before.

For more information, or to make a citizen science report on drought conditions in your area, go to droughtmonitor.unl.edu.

How can TNT Fireworks Help You with YOUR Illegal Fireworks Issue?

For the past 100 years, TNT Fireworks has distinguished itself throughout the nation as a company that is committed to safety, quality and service, as well as supporting public safety agencies' efforts in those communities to combat the sale and use of illegal fireworks.



Recognizing that local jurisdictions have not only become the **"first line of defense"** but regrettably the **"only line of defense"** against illegal fireworks, TNT Fireworks has been partnering with cities, counties, and states in a joint effort to curb illegal fireworks. [\(Click here to see why illegal fireworks problems keep getting worse.\)](#)



TNT Fireworks has developed several tools, that when used in conjunction with each other will have an impact on your community's illegal fireworks problem.

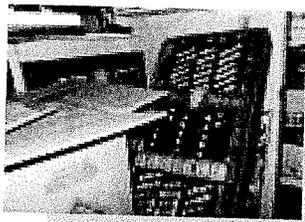
LOCAL PSA's AND EDUCATION VIDEOS

TNT Fireworks has worked to create a variety of education materials to help educate the public about the safe and proper use of legal fireworks. Resources are also available to inform the public about the difference between Colorado legal-fireworks and illegal fireworks. These resources are available in print form, digital content and videos. TNT Fireworks can also hand out fliers to customers informing them of local PSA's.

[\(Click here for an example safety video.\)](#)

FIREWORKS SOCIAL HOST ORDINANCE

An increasing number of cities, counties and fire districts are adopting "Fireworks Social Host Ordinances" in order to make owners, renters, leasees, and/or those that have possession of a residence or other property ("Responsible Person"), responsible for dangerous illegal fireworks possession



and use on that property. Law enforcement and fire authorities in a jurisdiction only need to verify on what property the fireworks were launched or used. Once that is verified, the jurisdiction may pursue the "Responsible Person" for that jurisdiction's fine. In most instances, in general law cities, it is the maximum fine of \$1,000.

[\(Click here for rationale for and samples of Social Host Ordinances.\)](#)

RESPONSE COST RECOVERY ORDINANCE

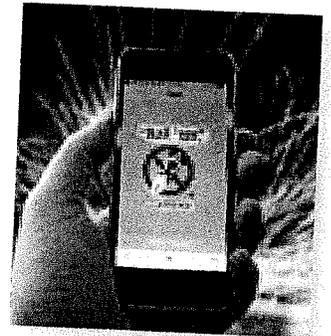
Response Cost Recovery Provision is a safety net to allow you to seize illegal fireworks and minimize your exposure



of being stuck with the costly disposal costs associated with them if the State fails to pick them up. [\(Click here for rationale for and a sample Response Cost Recovery Ordinance.\)](#)

ILLEGAL FIREWORKS REPORTING SMARTPHONE APP – "NAIL'EM"

This new, unique smartphone app, appropriately named "Nail'em", places the power of illegal fireworks enforcement in the palm of your residents' hands. It allows them to easily report the possession, sale and use of illegal fireworks in your community along with photos and GPS locations.



When your jurisdiction fully participates with "Nail'em", the citizen's complaint is automatically routed to the correct law enforcement and/or fire personnel. Your jurisdiction can then follow up using their Social Host / Administrative Fine / Response Cost Recovery Ordinances.

Using this tool in conjunction with the others listed above will allow your jurisdiction to issue more citations/fines resulting in fewer people choosing to use and/or sell in illegal fireworks next year.

[\(Click here for more information on this amazing new free app and how you can get it for your jurisdiction.\)](#)

Officials report less surrendered fireworks, more fireworks complaints



- By: Ryan Bonham

KEZI CH 9

EUGENE, Ore. – Statistics provided by Eugene and Springfield fire and police officials showed a slight drop in illegal fireworks voluntarily turned in this year and a slight rise in complaint calls related to illegal fireworks use, police officials said.

Locals had the opportunity to turn in illegal fireworks without being cited on July 1 and July 2 at Eugene and Springfield fire stations, officials said. The Metro Explosives Disposal Unit collected about 240 pounds of fireworks this year, according to Eugene police officials. Police said this year's collection was slightly down from 245 pounds collected in 2022.

Calls from the public complaining about illegal fireworks use rose slightly, however, with 185 calls recorded between 8 p.m. on July 4 and 2 a.m. on July 5, police officials said. Eugene police officials said that in 2022 a total of 131 calls were recorded at the dispatch center. This year marked the most calls received in the past seven years, with a low of 40 calls in 2019, authorities said.

Eugene's city council voted in 2022 to ban fireworks within the city limits due to fire danger risk and their impact on people and pets, police said.

TO: City Council for October 19, 2023 Work Session
FROM: Ben Janes, Fire Chief 
DATE: October 6, 2023
THROUGH: Mark W. Shepard, P.E., City Manager 
Jason Harvey, Police Chief
SUBJECT: Fireworks Ban Discussion



Action Requested:

Staff recommends City Council provide staff direction regarding the possibility of a fireworks ban in the City.

Strategic Operational Plan Priority:

N/A

Discussion:

The City Council has expressed a desire to explore the possibly of implementing a fireworks ban in the City. A fireworks ban could take many different forms. In its informal discussions about fireworks, the Council has not been clear about what form of fireworks ban it might want to explore. In order to provide Council adequate information, staff needs Council to provide some clarity and direction. Staff presents the following questions to help the Council work through this issue:

1. What does the Council want to consider banning?
 - a. Possession of fireworks?
 - b. Lighting off fireworks?
 - c. Sale of fireworks?
 - d. Other?
2. What expectation is there for enforcement?

City of Eugene's Experience

In preparation for this discussion, staff reached out to the City of Eugene to understand their experience with enacting their fireworks ban. The City of Eugene's ban prohibits lighting off fireworks. Eugene is covered by the Eugene/Springfield Fire District. Eugene enacted a fireworks ban and the City of Springfield does not have a ban on fireworks. So the experience in Eugene/Springfield is instructive.

In its first year of the ban, Eugene saw a measurable increase in fires from previous years. Conversely, the City of Springfield did not see an increase in the fires over the 4th of July. Therefore, the ban of fireworks in Eugene did not demonstrate a decrease in potential fire activity.

While the Corvallis area experienced two fires during the 4th of July in 2023, neither were found to be attributed to fireworks. One fire was associated with farming equipment and the other was undetermined due to several possible ignition sources present in the area.

Enforcement Challenges

Enforcement of any type of ban in Corvallis would fall to the Corvallis Police Department (CPD). Enforcement of possession or lighting of fireworks is problematic. For reference, Eugene Police issued zero fines over the 2023 4th of July. A ban on the sale of fireworks will impact local businesses or non-profits that rely on firework sales as annual fundraisers.

Recommendation:

Staff recommends the Council not pursue a local fireworks ban at this time. The only enforceable ban would be on the sale of fireworks. A ban on the sale of fireworks would impact local businesses and non-profits and is not likely to result in a reduction in the amount or type of fireworks used in the City limits.

Budget Impact:

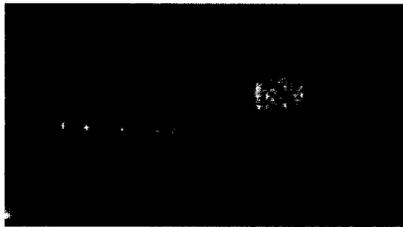
Undetermined at this time.

EUGENE, Ore.-- Eugene was lit up on Independence Day despite the city-wide ban of all commercial fireworks. With another chaotic Fourth of July, there were hopes that 2023 would see a significant reduction in legal and illegal firework activity.

Eugene resident Lexi Dawson said she is upset following the ban and the lack of participation from Eugene residents.

"They don't care what the rules are, I'm sorry it's just nobody cares," Dawson said. "All we can do is call and we see nothing being done which I know the police is involved and there's not enough of them."

The ban says that a person is not allowed to light, buy, or sell any type of "consumer firework" within city limits. Citizens are both for and against the ban, with those in favor citing the protection of animals and reduced fire risk.



Eugene still was lit up from the neighborhoods up to the skyline, despite a strict fireworks ban.

"I think people are very patriotic and want to celebrate, but on the other hand my main concern would be fire danger," Eugene resident John Ramsdell said. "The extreme measures in terms of drought and moisture being evaporated, it's kind of like a tinder box so I'm for it because of the fire issues."

Eugene Police said they took 185 calls for illegal fireworks in Eugene alone, which is 54 more calls than last year. There seems to still be a shared belief that the community can ignore the ban without facing punishment. Residents and firework sellers alike don't yet know if the ban would really work unless it changes penalties.

NEWS

Officials report less surrendered fireworks, more fireworks complaints

- By: Ryan Bonham

"We need stiffer fines and maybe have a firework squad that's out there patrolling and answering phone calls," Dawson said. "I don't know where the phone calls go, I've never made a phone call because I don't know who to call."

A major issue that arises from the bans is the lack of legal fireworks available, resulting in more illegal fireworks being used.

"I think it's going to do that, if they're going to ban it the people that want it will get it. Wherever they want to get it they will get it," Eugene resident Bruce Martin said.



Eugene's firework ban includes the outlawing of all fireworks including "consumer" grade.

The ban is set to be in place for next year's holiday, with a sizable number of people wanting it erased. Firework vendor Kristy Taylor feels that the bans are only going to drive up illegal firework sales, further worsening the firework issue.

"I frequently tell people please don't buy illegal ones because you make it very difficult for us to be able to do something that is safe and sane -- that is legal," Taylor said. "People are going to do it, so you might as well make the legal ones legal so that they can have fun."