



Represented

## FORT BRAGG POLICE DEPARTMENT

250 Cypress Street  
Fort Bragg, CA 95437-5437

**FABIAN E. LIZARRAGA**  
Chief of Police

(707) 961-2800  
Fax: (707) 961-2806

### **\*PRESS RELEASE\***

Releasing Officer: Sergeant Jonathan A. McLaughlin  
Date / Time Incident: December 10, 2015 / 6:40p.m.  
Location of Incident: Various Locations, Fort Bragg, CA  
Crime or Incident: Public Safety Announcement – Sky Lanterns

### CIRCUMSTANCES:

On December 10, 2015 at approximately 6:40p.m., Officers responded to the 300 block of N. Harrison Street for a report of a flaming sky lantern falling to the ground. The lantern was reportedly still lit when it struck a nearby tree and then landed on the ground, continuing to burn until extinguished. The Fort Bragg Police Department has noticed an increase in the use of these lanterns in the Fort Bragg area and would like to make the public aware of not only the dangers, but the associated legal issues.

A sky lantern (See (A) to right) is an airborne paper lantern which is typically constructed out of oiled rice paper and has a bamboo frame. It also contains a waxy flammable material or candle as a heat/light source. The material or small candle is lit, heating the air inside and causing the lantern to rise, much like a hot air balloon. Once aloft, the sky lantern can travel great distances, but inevitably it will return to earth (See (B) to right). This poses a serious fire and safety hazard.



(A)



(B)

Many of the users of these lanterns may not be aware of the following laws pertaining to the release of these lanterns.

Health and Safety code, Section 13001, states: Every person is guilty of a misdemeanor who, through careless or negligent action, throws or places any lighted cigarette, cigar, ashes, or other flaming or glowing substance, or any substance or thing which may cause a fire, in any place where it may directly or indirectly start a fire, or who uses or operates a welding torch, tar pot or any other device which may cause a fire who does not clear the inflammable material surrounding the operation or take such

other reasonable precautions necessary to insure against the starting and spreading of fire.

Health and Safety code, Section 13009, states: (a) Any person (1) who negligently, or in violation of the law, sets a fire, allows a fire to be set, or allows a fire kindled or attended by him or her to escape onto any public or private property, (2) other than a mortgagee, who, being in actual possession of a structure, fails or refuses to correct, within the time allotted for correction, despite having the right to do so, a fire hazard prohibited by law, for which a public agency properly has issued a notice of violation respecting the hazard, or (3) including a mortgagee, who, having an obligation under other provisions of law to correct a fire hazard prohibited by law, for which a public agency has properly issued a notice of violation respecting the hazard, fails or refuses to correct the hazard within the time allotted for correction, despite having the right to do so, is liable for the fire suppression costs incurred in fighting the fire and for the cost of providing rescue or emergency medical services, and those costs shall be a charge against that person. The charge shall constitute a debt of that person, and is collectible by the person, or by the federal, state, county, public, or private agency, incurring those costs in the same manner as in the case of an obligation under a contract, expressed or implied.

Basic explanations of these sections are: If you light a sky lantern's fire source and send it into the air, knowing it will burn, eventually land at an unknown location, and potentially still on fire, you are committing a negligent act, punishable under section 13001 of the Health and Safety code; if that sky lantern causes a fire which requires a response or damages property, you could be held liable and charged for response and damages by the city, state, property owner, or agency incurring those costs under section 13009 of the Health and Safety code.

The Fort Bragg Police Department urges anyone considering utilizing these devices to reconsider; not only is it illegal, but dangerous. More information on the laws pertaining to the use of sky lanterns, and their contributing to fires, can be found on the State of California Fire Marshall's website at: <http://osfm.fire.ca.gov>

Anyone who observes sky lanterns being utilized is asked to contact the Fort Bragg Police Department at (707) 964-0200.

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