



BOUNTIFUL

City of Beautiful Homes and Gardens

Bountiful City Ordinance No. 2016-06

MAYOR
Randy Lewis
CITY COUNCIL
Richard Higginson
Beth Holbrook
Kendalyn Harris
John Marc Knight
John Pitt
CITY MANAGER
Gary R. Hill

An ordinance adopting restrictions of the use of fireworks within certain areas of the City of Bountiful, Utah, for the year 2016.

WHEREAS, the Utah Legislature grants authority to local governments to regulate the sale and discharge of Class "C" fireworks; and

WHEREAS, the Utah Code provides for annual scrutiny and review of fire hazards and risks by fire code officials and legislative bodies regarding fireworks and fire restrictions; and

WHEREAS, the Fire Chief of the South Davis Metro Fire Agency, who is the Bountiful Fire Code Official, has determined under the International Fire Code, Chapter 3, Section 310.8, that hazardous environmental conditions in and around Bountiful necessitate controlled use of ignition sources, including fireworks, and has recommended temporary fireworks discharge restrictions; and

WHEREAS, the City Council finds it is in the best interest of the municipality and the general health, safety and welfare of the public that this Ordinance should be passed;

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE BOUNTIFUL CITY COUNCIL AS FOLLOWS:

Section 1. Ordinance Amendment. Section 5-10-108 of the Bountiful City Code is hereby amended as follows:

5-10-108. Fireworks Restrictions.

(1) Within the limits of the City of Bountiful east of Bountiful Boulevard, and, north of 400 North, east of 900 East:

(a) The discharge of class C common fireworks is prohibited at all times; and

(b) Campfires and other fires are allowed only in an approved fire pit designed and installed by the Forest Service or the City. No homemade or makeshift fire pits are allowed. The restrictions of this section 1(b) do not apply to residential structures or improved fire pits adjacent to a residential structure.

(2) (a) The discharge of fireworks is prohibited at all times **as follows:**

- (i) **north of 1400 North Street, fireworks are prohibited east of 650 East Street;**
- (ii) **north of 400 North Street, fireworks are prohibited east of 900 East Street;**
- (iii) **south of 400 North Street, fireworks are prohibited east of Davis Boulevard; and**
- (iv) **fireworks are prohibited in any other areas designated by South Davis Metro Fire Agency officials.**

(b) **Within the area described in Subsection (2)(a)**, campfires and other fires are allowed only in an approved fire pit designed and installed by the Forest Service or the City. No homemade or makeshift fire pits are allowed. The restrictions of this section 1(b) do not apply to residential structures or improved fire pits adjacent to a residential structure.

(c) This subsection (2) does not apply to Bountiful City's 23rd of July public fireworks display because of adequate fire prevention preparations.

(d) This subsection (2) shall expire (unless extended by vote of the City Council) at 11:59 p.m. on November 30, **2016**.

(3) In other parts of the City where not prohibited by Sections 1 and 2, the possession, display or discharge of Class C common state approved fireworks is permitted only as provided by State law. Any other possession, display or discharge is prohibited.

(4) It is unlawful to negligently discharge class C common state approved explosives, in such a manner as to cause, or to recklessly risk causing, a fire or injury to people or property.

(5) This ordinance shall not limit the authority of the Fire Chief or Fire Marshal to at any time issue emergency decrees or order fireworks and/or other fire restrictions depending upon conditions or needs.

(6) Fireworks possessed, sold or offered for sale in violation of this Ordinance may be seized and destroyed and the license of the person selling or offering fireworks for sale may be revoked.

(7) All terms relating to fireworks used in this Ordinance shall have the same meaning as defined in Utah Code § 53-7-202 of the Utah Fire Prevention Act.

Section 2. Effective Date. This Ordinance shall become effective immediately upon first publication.

Adopted by the City Council of Bountiful, Utah, this 24th day of May, 2016.


Randy C. Lewis, Mayor

Attest:


Shawna Andrus, City Recorder

