



BOUNTIFUL

Bountiful City Ordinance No. 2021-07

MAYOR
Randy Lewis
CITY COUNCIL
Millie Segura Bahr
Kate Bradshaw
Richard Higginson
Kendalyn Harris
Chris Simonsen
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 2021

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 Governor has issued an executive order declaring a state of emergency due to extreme drought conditions; 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 do not apply to residential structures or improved fire pits adjacent to a residential structure.~~

(2) **Due to hazardous environmental conditions**, the discharge of fireworks is prohibited at all times **in the following areas of Bountiful City until January 1, 2022:**

- (a) **East of 400 East from Pages Lane to 500 South;**
- (b) **East of Orchard Drive from 500 South to the North Salt Lake border.**
- (c) **fireworks are prohibited in any other areas designated by South Davis Metro Fire Agency officials.**

(3) 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 do not apply to residential structures or improved fire pits adjacent to a residential structure.

(4) This ~~sub~~Section ~~(2)~~ does not apply to Bountiful City's annual public fireworks display because of adequate fire prevention preparations.

(5) This ~~sub~~Section ~~(2)~~ shall not expire until rescinded or amended by the City Council.

(6) In other parts of the City where not prohibited by **this Section** ~~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.

(7) 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.

(8) 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.

(9) 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.

(10) 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.

(11) A violation of this Section is a class "B" misdemeanor.

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

Adopted by the City Council of Bountiful, Utah, this 22nd day of June, 2021.

Randy C. Lewis, Mayor

Attest:

Shawna Andrus, City Recorder

BOUNTIFUL

 FIREWORK RESTRICTION AREA

