

ORDINANCE #15-16

AN ORDINANCE OF SANDY CITY, UTAH PROHIBITING THE DISCHARGE OF FIREWORKS
WITHIN, INTO, OR OVER SPECIFIED AREAS OF SANDY CITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the 2013 Utah Legislature adopted House Bill 289 which provides in part as follows:

When the fire code official determines that hazardous environmental conditions necessitate controlled use of any ignition source, including fireworks, lighters, matches, and smoking materials, the legislative body of a municipality within which the hazardous environmental conditions exist may prohibit only the ignition or use of the ignition source in mountainous, brush-covered, or forest-covered areas or the wildland urban interface area, which means the line, area, or zone where structures or other human development meet or intermingle with undeveloped wildland or land being used for an agricultural purpose.

WHEREAS, Sandy City's fire code official has determined that such conditions exist within certain areas of the City meeting the statutory description; and

WHEREAS, on May 21, 2013, the City Council heard evidence from such official concerning ignition hazards within such areas; and

WHEREAS, the City Council has determined, the fireworks present a significant risk of igniting fires, necessitating controls on their use within such areas; and

WHEREAS, the City Council has previously defined areas presenting particular ignition hazards; and

WHEREAS, the City Council wishes to more clearly define areas where the discharge of fireworks presents a significant hazard and to prohibit the same within, into and over such areas; and

WHEREAS, pursuant to *Utah Code Ann.* §10-8-47 and §53-7-225, the City has the authority to prevent such discharge of fireworks;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy City, State of Utah, as follows:

Section 1. Sandy City Fire Ordinance sections 8-5-2, "Sale and Discharge of Fireworks", 8-6-1, "Authority", and 8-6-2, "Permit Required" are hereby amended as set forth in Exhibit "A" of this Ordinance.

Section 2. Effective Date. For the preservation of public health and safety, this Ordinance shall become effective immediately upon first publication of a short summary thereof as provided in Utah Code Section 10-3-711.

PASSED AND APPROVED this 2nd day of June, 2015.

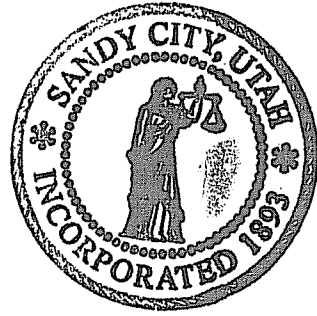
Chris McCandless

Chris McCandless, Chair

Sandy City Council

ATTEST:

Molly Spira
City Recorder



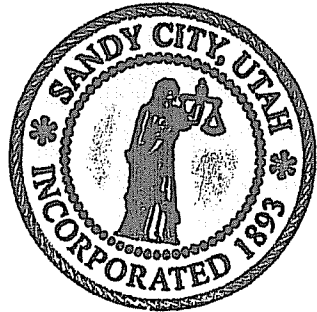
PRESENTED to the Mayor of Sandy City for his approval this 3rd day of June, 2015.

APPROVED this 3rd day of June, 2015.

Tom Dolan
Tom Dolan, Mayor

ATTEST:

Molly Spira
City Recorder



PUBLISHED this 8th day of June, 2015.

EXHIBIT "A"

8-5-2. Discharge of Fireworks.

The discharge of fireworks as defined in Utah State Code Section 53-7-202 (10) (14) is hereby prohibited within, into or over those areas of the City specifically described as prohibited in **Exhibit "B"** of Sandy City Ordinance #14-13-15-16 , copies of which ordinance and exhibit have been filed for use and examination by public in the office of the Sandy City Recorder.

8-6-1. Authority.

This chapter is adopted pursuant to the authority granted municipalities in Section 11-3-10 of the Utah Code to regulate ~~the discharge of Class B fireworks and pyrotechnic displays-~~ exhibitions of display fireworks.

8-6-2. Permit Required.

The display of ~~Class B fireworks or~~ fireworks otherwise prohibited by Chapter 5 of this title is permitted if done pursuant to a permit issued and approved by the Sandy City Fire Chief or his designee. The display of fireworks done in those prohibited areas, as defined in Chapter 5-2 of this title, is permitted by display operators and special effects operators to the extent allowed under the laws of the State of Utah and if done pursuant to a permit issued and approved by the Sandy City Fire Chief or his designee.

