

ORDINANCE NO. 06-03

ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY <i>(votes only in case of tie)</i>		
SHERMAN E. HUFF <i>Councilmember</i>	X	
PAUL M. CHRISTENSEN <i>Councilmember</i>	X	
GLENN A. JAMES <i>Councilmember</i>	X	
ROY L. JOHNS <i>Councilmember</i>	X	
EVERETT KELEPOLO <i>Councilmember</i>	ABSENT	

I MOVE this ordinance be adopted: Councilmember Huff

I SECOND the foregoing motion: Councilmember James

ORDINANCE 06-03

AN ORDINANCE PROHIBITING THE USE OF FIREWORKS IN CERTAIN AREAS OF SPANISH FORK CITY

WHEREAS, Spanish Fork City has various areas which constitute forest, range, or watershed lands; and

WHEREAS, Spanish Fork City is located in an arid area, which increases wild fire hazards to the forest, range, and watershed lands; and

WHEREAS, many years are extremely hot and dry, creating drought conditions, leaving the forest, range, or watershed lands in a condition of extreme fire danger; and

WHEREAS, even in wet years, the moisture creates grasses to grow faster and taller, creating a fire danger in the summer and fall when they dry out; and

WHEREAS, the Spanish Fork City Council finds that the use of fireworks, given the arid conditions, constitutes a fire hazard to the forest, range, or watershed areas of the city; and

WHEREAS, a fire in these areas would constitute a serious threat to life and property; and

WHEREAS, in order to protect the health, safety, and welfare of the residents of the city, it is necessary to impose restrictions on the use of fireworks in those areas which would constitute a danger to life, property, forests, range, or watershed within the city;

NOW THEREFORE, be it enacted and ordained by the Spanish Fork City Council as follows:

I.

Spanish Fork City Municipal Code, Title 9, Chapter 40 is hereby created as follows:

Chapter 9.40. Fireworks Restrictions

9.40.010. Fireworks Prohibited – Areas

Fireworks are prohibited in the following areas:

1. The use of fireworks is prohibited in all of the Industrial 3 (I-3) zones;
2. The use of fireworks is prohibited in all areas south of the Spanish Fork River from the west end of the Spanish Oaks Golf Course, eastwardly to the city limits;
3. The use of fireworks is prohibited within 200 feet of any open field, unimproved lot with dry vegetation, or a lot with a vacant building and dry vegetative growth on the lot.

9.40.020. State Law Requirements

Fireworks are allowed in other areas only in strict accordance with the requirements of state law.

9.40.030. City Sponsored Events

An exception to the restrictions imposed in this chapter is granted for any city sponsored public display of fireworks where trained personnel set off the fireworks and the fire department is present to immediately extinguish any fire.

9.40.040. Penalty-Parental Responsibility

1. A violation of this ordinance is a Class C misdemeanor.
2. It is a Class C misdemeanor for a parent or guardian to allow a child in their control or custody to use fireworks in violation of this ordinance.

II.

In order to protect the health, safety, and welfare of the residents of the City, this ordinance is effective immediately.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK,
UTAH, this 1st day of July, 2003.


DALE R. BARNEY, Mayor

ATTEST:


KENT R. CLARK, City Recorder

