

ORDINANCE #14-13

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. Sale and Discharge of Fireworks.** Section 8-5-2 of Sandy City Ordinances is 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 10 day of June, 2013.

  
Linda Martinez-Saville, Chair  
Sandy City Council

ATTEST:

  
City Recorder

PRESENTED to the Mayor of Sandy City for his approval this 12<sup>th</sup> day of June, 2011.

APPROVED this 12<sup>th</sup> day of June, 2013.

  
Thomas M. Dolan, Mayor

ATTEST:

  
City Recorder

PUBLISHED this 18<sup>th</sup> day of June, 2013.



## EXHIBIT "A"

### 8-5-2. Discharge of Fireworks.

The discharge of fireworks as defined in Utah State Code Section 53-7-202(10), 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, copies of which ordinance and exhibit have been filed for use and examination by the public in the office of the Sandy City Recorder.