

6. If the smoke emissions are offensive to occupants of surrounding property or the fire is determined to be hazardous, the fire then becomes a public nuisance and shall be extinguished.

#### **13.04.080. Enforcement.**

Fire Officers, Fire Department personnel, Police Officers, and Code Enforcement personnel are authorized to cause any fire which creates a hazardous condition, or public nuisance to be extinguished.

#### **13.04.090. Violation a Misdemeanor.**

Any person or entity deemed to be in violation of the provisions of this act for a first offense may be charged with a criminal infraction. Any individual or entity who have subsequent and repeat violations of this act may be charged with criminal charges up to a Class B Misdemeanor. In addition to the violation set forth herein, a violation under this code may be deemed a public nuisance and the City may institute any civil action necessary to abate a public nuisance under this chapter.

IFC – 110.4 (2018 IFC)

UCA – 53-7-104

UCA – 15A-5-103

### **13.05. Annual Fire Restriction Order.<sup>3</sup>**

#### **13.05.01. Annual Fire Restriction Order.**

A. Effective annually on July 1st, at 12:01 a.m., a fire restriction order is enforced to protect the health, safety and welfare of the citizens of Brigham City and their property, as well as protect forest, rangelands and watersheds from the destruction caused by fire, and when hazardous environmental conditions necessitate controlled use of any ignition source to prohibit the following acts:

B. Prohibited Acts. The following acts are prohibited on all private and City owned lands in the "Area Description" set forth herein:

1. Setting, building, maintaining, attending, or using open fires of any kind, except campfires built within a designated area provided for them in approved campgrounds, picnic areas, or permanently improved places of habitation.

2. Smoking, except within an enclosed vehicle or building, a developed recreation site or in an area at least three (3) feet in diameter that is barren or cleared to mineral soils.

3. Discharging, or using any kind of fireworks or tracer ammunition or other pyrotechnic devices.

4. Operating equipment without spark arresters.

5. Operating any motorized vehicle off designed roads or trails.

6. Blasting or any other activities which generate flames or flammable materials.

7. Welding, except within a building, or a concrete driveway or in an area with at least a twenty (20) foot diameter fire break that is barren or cleared to mineral soils.

C. The location of the annual fire restriction is as follows: Everything East of the following described line.

1. Beginning at the north Brigham City boundary located at 1500 North & Main Street

2. South on Main Street to 900 North

3. East on 900 North to Highland Blvd

4. South on Highland Blvd., including all properties adjoining Highland Blvd. to Beecher Ave.

5. West on Beecher Ave to Eliason Ave and all adjoining properties

6. South and West on Eliason Ave to Poplar Dr.

7. North on Poplar Dr. to 100 North

8. West on 100 North to 1000 East

9. South on 1000 East to Eliason Ave

10. West on Eliason Ave to 700 East

11. South on 700 East to Forest Street

12. West on Forest Street to 600 East

13. South on 600 East to 100 South

14. East, South/East on 100 South to 200 South

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<sup>3</sup> Ordinance No. 21-06, dated 6/15/2021

15. East on 200 South to 350 South
16. South/West on 350 South to 600 East
17. South on 600 East to 600 South
18. East, South/East on 600 South to 700 South
19. East on 700 South on an East, South/East diagonal bordering Golf Course boundaries to the East tip of the driving range.
20. West on Hwy. 91 including properties adjoining Hwy. 91 to Michelle Dr.
21. All properties adjoining Michelle Dr. to the Perry City line.

(This includes all of Tannevista subdivision)

(This includes all of Kotter Canyon subdivision)

(This includes all Brigham City Municipal Airport)

(This includes areas West of I-15 between Forest Street and the Perry City line)

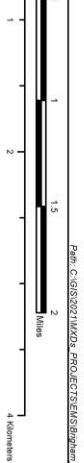
(See exhibit "A").



**Legend**

- Brigham City Boundary
- Firework Restriction Area

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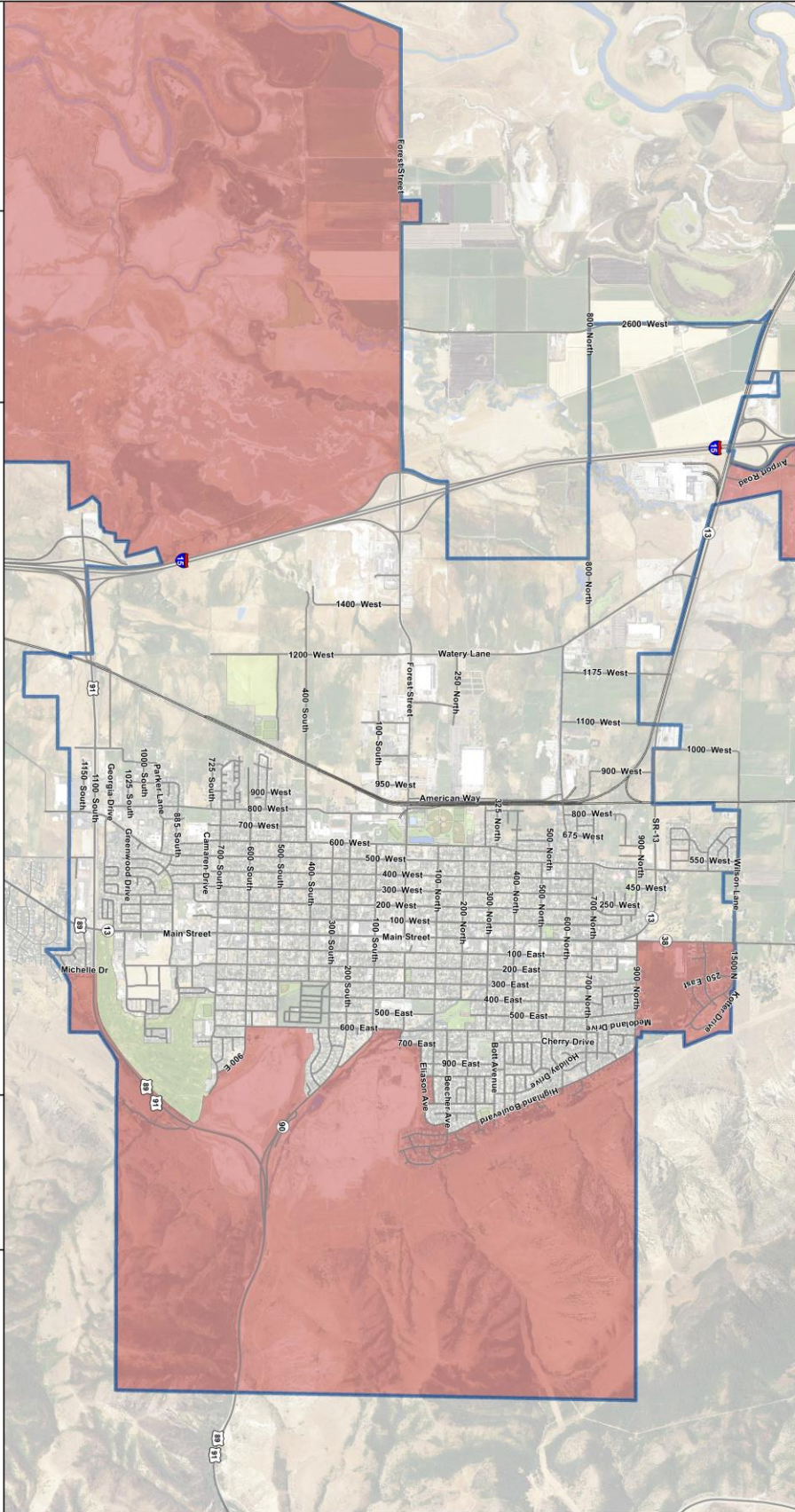


# Brigham City Firework Restriction Areas - 2021



Map 1 of 1

**Disclaimer:** This map was produced by Brigham City Geographic Information System (GIS). The GIS is designed for use in queries, modeling and planning. This map is not a substitute for government records maintained by Brigham City Planning and Public Works or Box Elder County Assessor and is not accurate and suitable for limited uses. Brigham City makes no warranty as to the accuracy of the information contained for any other purposes.



D. Exempted Individuals. The following individuals are exempted from the provisions of this fire restriction order:

1. Any individual with a permit specifically authorizing the prohibited act issued by the Brigham City Fire Chief or Fire Marshal.
2. Any Federal, State, County or City law enforcement officer or firefighting personnel engaged in the lawful performance of their official duties.

E. Effective Date. This fire restriction order shall be effective annually, from 12:01, July 1st, and will remain in effect until rescinded by the City Fire Chief.

F. Violation. Any violation of this fire restriction order shall be punishable as a violation of Title 11 of the Brigham City Code and fire suppression costs may be recovered as outlined in Title 11 (Cost Recovery).

**13.05.02. Enforcement.**

Fire Officers, Fire Department personnel, Police Officers, and Code Enforcement personnel are authorized to cause any fire which creates a hazardous condition, or public nuisance to be extinguished.

**13.05.03. Revision.**

This ordinance will be reviewed every 5 years for possible boundary changes or sooner at the request of the Fire Chief.

**13.05.04. References.**

IFC – 110.4 (2018 IFC)

UCA – 53-7-104

UCA – 15A-5-103