

CITY OF HOLLADAY

ORDINANCE NO. 2022-08

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLADAY
RESTRICTING THE USE OF PERSONAL FIREWORKS WITHIN ALL PORTIONS OF
THE CITY OF HOLLADAY LYING EAST OF 1300 EAST STREET**

WHEREAS, the City Council of the City of Holladay finds that the current drought conditions existing within the State of Utah, Salt Lake County and the City of Holladay present dangerous conditions relating to fire danger; and

WHEREAS, the City Council of the City of Holladay further finds that the City, throughout all areas, contains innumerable brush covered, and dry grass covered areas and a very significant number of trees which, due to the above referenced drought conditions, are in an extremely flammable condition; and

WHEREAS, the City's fire code officials have provided an opinion to the City that the above-referenced findings of the City are accurate and the fire danger within the City is extreme and that such danger would be reduced by prohibiting the discharge of personal fireworks within the City; and

WHEREAS, the City Council of the City of Holladay has determined that the minimal restriction on public convenience which would occur through a restriction on the use of personal fireworks is significantly outweighed by the need to protect public health and safety and to take precautions to guard against the existing extraordinary fire danger;

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

Section 1. Restriction on Personal Fireworks. Pursuant to the provisions of the *Utah Code Ann.* 15A-5-202.5, and based on the findings as noted above, the use of personal fireworks is hereby restricted in all areas of the City of Holladay lying east of 1300 East Street. This restriction shall remain in effect until October 15, 2022, unless earlier terminated by action of the City Council. This restriction shall not apply to permitted public fireworks displays authorized by the City and approved by the City's fire code official.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. For the protection and preservation of public health and safety, this Ordinance shall take effect immediately upon its passage. The City Recorder is hereby directed to publish and/or post this Ordinance forthwith.

PASSED AND APPROVED this 21st day of April, 2022.

By: _____
Robert Dahle, Mayor

[SEAL]

VOTING:

Matt Durham	Yea	<u> X </u>	Nay	___
Ty Brewer	Yea	<u> X </u>	Nay	___
Drew Quinn	Yea	<u> X </u>	Nay	___
Paul Fotheringham	Yea	<u> X </u>	Nay	___
Dan Gibbons	Yea	<u> X </u>	Nay	___
Robert Dahle	Yea	<u> X </u>	Nay	___

ATTEST:

Stephanie N. Carlson, MMC
City Recorder

DEPOSITED in the office of the City Recorder this 21st day of April, 2022.

RECORDED this 21st day of April, 2022.