

ORDINANCE NO. 62912

ROLL CALL

VOTING	YES	NO
RANDY A. BRAILSFORD Mayor (votes only in case of tie)		
JANIE CHRISTENSEN City Council member		
AARON D. CLOWARD City Council member		
SIDNEY M. JORGENSEN City Council member		
STERLING M. REES City Council member		
CRAIG B. WARREN City Council member		

I MOVE this ordinance be adopted: _____
City Council member

I SECOND the foregoing motion: _____
City Council member

ORDINANCE 62912

**AN ORDINANCE ADOPTING RESTRICTIONS ON THE USE OF
FIREWORKS WITHIN CERTAIN AREAS OF SALEM CITY.**

WHEREAS, in 2011 the Utah legislature modified the state law by amending the types of fireworks which may be discharged in Utah which appears to have increased the use of fireworks within the City; and

WHEREAS, the spring and early summer of 2012 have been especially dry and hot, leaving conditions prime for fires; and

WHEREAS, there currently is and may be in the future a high risk of fire during the time when fireworks are allowed to be discharged; and

WHEREAS, the Governor of the State of Utah has recommended that cities and towns consider a ban on fireworks due to high fire danger; and

WHEREAS the City Council finds it is in the best interest of the City and for the health, safety and welfare of the public that fireworks restrictions should be adopted;

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

I.

Salem City Municipal Code Title 7, Chapter 11 is hereby created as follows:

CHAPTER 11 FIREWORKS RESTRICTIONS

- 7-11-010 State Law Requirements**
- 7-11-020 Fireworks Prohibited - Areas**
- 7-11-030 City Sponsored Events**
- 7-11-040 Penalty - Parental Responsibility**

7-11-010 State Law Requirements

Except as modified herein, fireworks are allowed in Salem City only in strict compliance with state law.

7-11-020 Fireworks Prohibited - Areas

Fireworks are prohibited in the following areas:

1. South of the Highline Canal;
2. East of Woodland Hills Drive;
3. North of 400 North and west of Main Street, except in developed subdivisions;
4. Within twenty (20) feet of any building;
5. Within two hundred (200) feet of any open field, unimproved lot with dry vegetation, or any vacant building with dry vegetation on the lot;
6. Within two hundred (200) feet of any haystack, straw, or other flammable agricultural product.

7-11-030 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.

7-11-040 Penalty - Parental Responsibility

- A. It is a class C misdemeanor to violate any provision of this chapter.
- B. It is a class C misdemeanor for a parent, guardian, or other adult to allow a child in their control or custody to use fireworks in violation of this chapter.
- C. In addition to any criminal penalties, a person who causes a fire, or a parent, guardian, or other adult having control or custody of a minor who causes a fire, by using fireworks in violation of this chapter is civilly responsible for all costs incurred to put out the fire.

II.

This ordinance shall take effect immediately upon passage.

DATED this 29th day of June 2012.

RANDY A. BRAILSFORD Mayor

Attest:

Jeffrey D. Nielson, Recorder

AFFIDAVIT OF POSTING

JEFFREY D. NIELSON, being first duly sworn, deposes and says that he is the duly appointed and qualified recorder of the City of Salem, a Municipal Corporation of the State of Utah, and that on the ____ day of _____, 2012 he posted a true and correct copy of Ordinance No. 62912 as enacted by Salem City Council on the 29th day of June, 2012 said posting being made at the City Offices, at the United States Post Office, and at the Salem City Library, all being public places and located within the City Limits of Salem, Utah County, Utah.

DATED this ____ day of _____, 2012.

JEFFREY D. NIELSON, City Recorder

STATE OF UTAH)
 : ss
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this ____ day of _____, 2012, by Jeffrey D. Nielson.

NOTARY PUBLIC