

ORDINANCE NO. 6-1-18 O

**AN ORDINANCE DESIGNATING RESTRICTED AREAS WITHIN
KANAB CITY FOR THE DISCHARGE OF FIREWORKS**

WHEREAS, Utah Code Annotated 15A-5-202.5 authorizes the legislative body of a municipality to prohibit the discharge of fireworks in specified areas if the local fire code official determines that hazardous environmental conditions exists; and

WHEREAS, the Fire Chief of Kanab City has determined that hazardous environmental conditions exist which necessitate controlled use of fireworks within specified areas of Kanab City; and

WHEREAS, the City Council desires to prohibit the discharge of fireworks within the specified areas of the City as more particularly provided herein, based on the determination by the Fire Chief that hazardous environmental conditions exist which necessitate the controlled use of such sources and because the areas lay within a wildland urban interface; and

WHEREAS, the City Council has determined that the restrictions provided herein are in the best interests of the health, safety and welfare of its residents and are necessary to take all steps possible to prevent a fire from starting within the City by means of a reasonable regulation of the time, place and manner of the discharge of fireworks within the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
KANAB CITY, STATE OF UTAH:**

Section 1. Restricted Area for Prohibited Discharge of Fireworks.

Pursuant to U.C.A. 15A-5-202.5 and Kanab Fireworks Restrictions issued June 26, 2018 by the Fire Chief of Kanab City determining that hazardous environmental conditions exist which necessitate controlled use of fireworks within specified areas of Kanab City, the Kanab City Council hereby prohibits the discharge of fireworks in Kanab City in the following areas (see attached map):

- A. All areas south of 750 South
- B. All areas west of 300 West
- C. All areas east of 600 East (east of Cemetery)
- D. These areas include all of Kanab Creek Ranchos, Cedar Heights, La Estancia, Sedona Valley, The Cove, Coral Cliffs Golf Course and Mesa Hills subdivisions

Section 2. Severability Clause.

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 provisions, clauses and words of this Ordinance shall be severable. This Section shall become effective without codification.

Section 3. Punishment.

Violation of this ordinance shall be a class B misdemeanor punishable by both fine and imprisonment as set forth in Utah law.

Section 4. Effective Date.

This Ordinance shall become effective immediately upon posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF KANAB CITY,
STATE OF UTAH, THIS 26th DAY OF JUNE, 2018.**

Robert D. Houston , Mayor

Attest: Joseph Decker, Recorder

