

ORDINANCE NO. 24-0612-01

**AN ORDINANCE PROHIBITING OPEN FIRES AND THE USE OF FIREWORKS
WITHIN THE TOWN OF ROCKVILLE DURING THE REMAINDER OF 2024
DUE TO HIGH FIRE RISK.**

WHEREAS, the Rockville Town Council, in conjunction with the Hurricane Valley Fire Special Service District (HVFSSD), has a desire to reduce the threat of wildfires within the Town limits which may cause extensive damage within the Town; and

WHEREAS weather and natural resource conditions have combined to provide an extremely high level of light fuels (grasses and other light vegetation) in the Rockville area; and

WHEREAS the National Interagency Fire Center (NIFC) Predictive Unit is forecasting above normal potential for significant fire activity in the western states; and

WHEREAS it has been determined that existing or historical hazardous environmental conditions necessitate controlled use of any ignition source, including fireworks, lighters, matches, sky lanterns, and smoking materials as defined in the International Fire Code (IFC) Chapter 3, Section 310.8; and

WHEREAS the Town of Rockville contains a significant amount of Wildland Urban Interface; and

WHEREAS the Utah Division of Forestry, Fire and State Lands identifies the Town of Rockville as a community at high risk for wildfire; and

WHEREAS the use of explosive and other fireworks within the Town of Rockville substantially increases the risk of fires and under current conditions is a direct threat to the community at large; and

WHEREAS pursuant to the authority of the Fire Marshal and U.C.A. sections 53-7-103 and 104, it is the intent of the Town Council to prohibit the discharge of Class C explosives in Rockville due to hazardous environmental conditions in accordance with U.C.A. 15A-5-202.5(1)(b); and

WHEREAS this ordinance is based on specific and hazardous environmental factors identified by the Hurricane Valley Fire Protection district as being high risk for catastrophic wildland fire and is effective for only one “fire season” and is not a general permanent regulation in conflict with U.C.A. Sections 53-7-220 through 53-7-225; and

WHEREAS pursuant to U.C.A. Section 53-7-225, the Town Council has the authority to prohibit the ignition or use of any ignition source within the Wildland Urban Interface due to hazardous environmental factors, which is found throughout the Town of Rockville.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Rockville as follows:

SECTION 1. FIRE SEASON. The Town Council hereby finds and determines that the high-risk fire season for the year 2024 shall be from June 12, 2024, through December 31, 2024.

SECTION 2. LOCATION WITHIN ROCKVILLE. All the lands within the town limits of Rockville are included in this ordinance.

SECTION 3. FIREWORKS. The use of any and all Class C fireworks shall be prohibited within the Town of Rockville during the entirety of 2024 due to high fire risk due to drought. Class C fireworks as defined by Utah Code Ann. (U.C.A.) Section 53-7-202(4)-(6).

SECTION 4. OPEN FIRES. All open fires (to include all fires in open fire pits) are prohibited during the 2024 high risk fire season. "Open fire" does not include the following:

- a) The use of LPG gas/natural gas and charcoal briquettes in contained BBQ grills, covered stoves, and devices (i.e., Coleman stoves, Weber, or other BBQ grills; or
- b) A fire in an approved fire pit at a private residence with the following stipulation(s):
 - 1. No fires shall be left unattended.
- c) An approved burn permit obtained from HVFSSD allowing for open burning during the spring and fall burning seasons which typically are March 1 thru May 30 and September 15 thru November 15 respectfully. Information can be found at hvfssd.org/burn-permits.

SECTION 5. VIOLATIONS. Violations of this Ordinance shall be deemed a Class B misdemeanor and shall be punishable as provided for in the Town Code.

SECTION 6. EFFECTIVE DATE. Severance Clause: Due to immediate fire danger and the Town Council's finding of necessity due to the immediate preservation of the peace, health and safety of the Town, this Ordinance shall become effective immediately upon its approval and passage. If any provision of this Ordinance or the application of any provision of this Ordinance is found invalid, the remainder of this Ordinance shall be given effect without the invalid provision or application.

PASSED AND ADOPTED THIS 12th day of June 2024.

TOWN OF ROCKVILLE

Pam Leach, Mayor

Robin Smith, Councilmember

Michael Evenson, Councilmember

M. Honer-Orton, Councilmember

Jeff Ballard, Councilmember

ATTEST:

Vicki S. Bell, Town Clerk