



FRUIT HEIGHTS CITY PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the Fruit Heights City Council will hold a Public Hearing to receive public comment on Tuesday, May 5, 2026 at 7 pm, in the Council Chambers of City Hall located at 910 S. Mountain Road, Fruit Heights, Utah, 84037.

PUBLIC HEARING FOR THE FOLLOWING ITEMS:

- Municipal Code Title 7A-4 General Fire & Firework Regulations amendments to comply with State mandated updates

All interested are invited to attend and make comments. Written comments may also be submitted and should be delivered to City Hall, Attention City Recorder, no later than 4 pm, Tuesday, May 5, 2026, Questions may be directed to the Darren Frandsen, Fruit Heights City Manager, by calling City Hall at 801-546-0861, or by emailing dfrandsen@fruitheights.gov

SEE MORE INFORMATION BELOW

CHAPTER 7A-4: SEASONAL BAN: General Fire and Fireworks Regulations

7A-04-01 OPEN BURNING AND OUTDOOR FIRES

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7A-04-01 OPEN BURNING AND OUTDOOR FIRES

A. Specified: From June 1 until October 15, unauthorized outdoor fires are strictly prohibited within the designated area set forth in subsection B of this section and attached map.

B. Area Defined: The prohibition set forth in subsection A of this section applies to the geographic area situated east of a line of demarcation described as follows:

Starting at the southern boundary line of the of the city at Mountain Road and Highway 89 heading north along Highway 89 to 400 North, then heading west to the city boundary, then north along the city boundary to the north city boundary line, then east along city boundary line.

C. Authorized Outdoor Fires: Authorized outdoor fires exempt from the prohibition set forth in subsection A of this section are:

1. Outdoor barbecue units;
2. Recreational fires in residential firepits where any combustible material is located at least thirty feet (30') from the edge of the firepit; and
3. Burns conducted by farm and horticultural operations; provided, that such burns are contained and monitored at all times and are commenced only after receiving proper authorization from the Farmington City fire department.

a. For purposes of this section, a farm or horticultural operation is defined as:

- (1) Fruit orchards of twenty-five (25) or more fruit trees on a continuous two (2) acre parcel of property; or
- (2) Agricultural activities of two (2) or more cultivated acres on single or contiguous parcels of property.

D. All authorized outdoor fires shall be located and managed to prevent fire spread and exposure to nearby structures, vegetation, and materials.

7A-04-02: PURPOSE:

The purpose of this chapter is to protect life, property, air quality, neighboring properties, emergency access, and public welfare by regulating open burning, recreational fires, portable outdoor fireplaces, cooking fires, and similar outdoor burning activities within Fruit Heights City. This chapter is intended to be interpreted in harmony with the fire code of Fruit Heights City and other applicable city ordinances. In the event of conflict, the more restrictive provision shall govern.

7A-04-03: APPLICABILITY:

This chapter applies to all persons, properties, and outdoor burning activities within Fruit Heights City unless otherwise exempted by law.

7A-04-04: DEFINITIONS:

For purposes of this chapter, the following terms shall have the meanings stated below:

ADOPTED FIRE CODE: The fire code of Fruit Heights City, including the International Fire Code as adopted and amended by the State of Utah and as adopted by Fruit Heights City, together with any applicable local amendments.

AHJ OR AUTHORITY HAVING JURISDICTION: The Farmington Fire Department, Fire Chief, Fire Marshal, or designee responsible for administration and enforcement of fire prevention requirements within Fruit Heights City. This definition is consistent with the Fire Chief's authority for fire prevention in the City.

ATTENDED: Continuously monitored by a competent person of legal age who is physically present at the fire location and has immediate access to extinguishing capability sufficient to control or extinguish the fire.

COOKING FIRE: A fire used solely for the preparation of food for human consumption, including fires in charcoal grills, pellet grills, smokers, barbecues, and similar appliances.

OPEN BURNING: The ignition, combustion, or maintenance of fire outdoors where the products of combustion are emitted directly into the atmosphere without passing through a chimney or stack. Open burning includes, but is not limited to, the burning of weeds, grass, leaves, branches, tree trimmings, rubbish, garbage, paper, construction debris, demolition debris, land-clearing debris, or other combustible material outdoors.

PORTABLE OUTDOOR FIREPLACE: A commercially manufactured portable outdoor solid-fuel-burning device intended for outdoor recreational use, including devices commonly known as chimineas, patio fireplaces, fire bowls, and similar appliances.

RECREATIONAL FIRE: An outdoor fire for pleasure, religious, ceremonial, warmth, or similar customary outdoor leisure use that is not used for waste disposal and is conducted in compliance with this chapter and the adopted fire code.

RESPONSIBLE PERSON: Any person who kindles, authorizes, maintains, permits, or controls a fire on property, and any owner, occupant, tenant, or person in possession of the property where the fire occurs. This is intended to align with Farmington's existing responsible person enforcement framework.

WASTE BURNING: The outdoor burning of garbage, rubbish, trade waste, construction debris, demolition debris, land-clearing debris, household waste, packaging, discarded furniture, pallets, treated wood, asphalt products, roofing materials, plastics, rubber, or similar refuse.

NUISANCE BURNING: Any fire or burning activity that creates excessive smoke, offensive odors, soot, ash, flying embers, visibility hazards, respiratory irritation, fire spread risk, or other conditions that unreasonably interfere with neighboring properties or threaten life safety or property.

7A-04-05: GENERAL PROHIBITION

A person shall not ignite, authorize, allow, or maintain any open burning within Fruit Heights except as expressly allowed by this chapter, the adopted fire code, and other applicable law.

7A-04-06: OPEN BURNING PROHIBITED:

Open burning is prohibited unless specifically authorized in writing by the AHJ and otherwise allowed by state law.

7A-04-07: WASTE BURNING PROHIBITED:

A person shall not burn waste in an open fire. Prohibited materials include garbage, rubbish, yard waste for disposal, construction debris, demolition debris, land-clearing debris, trade waste, treated lumber, painted lumber, plastics, rubber, petroleum-based products, and similar refuse. This section is consistent with Farmington's existing prohibition on burning waste in open fires.

7A-04-08: RECREATIONAL FIRES ALLOWED WITH CONDITIONS:

Recreational fires may be allowed when all of the following conditions are met:

- A. The fire is not used for disposal of waste or vegetation;
- B. The fire is constantly attended;
- C. Adequate extinguishing means are immediately available;
- D. The fire is located and operated so that flames, radiant heat, smoke, and embers do not create a hazard to structures, combustible materials, vehicles, fences, utilities, or adjacent properties;
- E. The fire is not conducted during red flag conditions, burn restrictions, no-burn orders, high winds, inversion conditions, or other unsafe atmospheric or fuel conditions as determined by the AHJ;
- F. The fire does not create nuisance burning conditions; and
- G. The fire otherwise complies with the adopted fire code.

7A-04-09: PORTABLE OUTDOOR FIREPLACES:

Portable outdoor fireplaces may be used only when operated in accordance with the manufacturer's instructions, the adopted fire code, and this chapter. A portable outdoor fireplace shall not be used for waste burning.

7A-04-10: COOKING FIRES:

Cooking fires are permitted when used solely for food preparation and when operated in a safe manner. Cooking fires remain subject to extinguishment authority if they create a hazardous or nuisance condition.

7A-04-11: BURN BANS AND RESTRICTIONS:

The AHJ may prohibit, suspend, or restrict any outdoor burning activity, including recreational fires and portable outdoor fireplaces, whenever weather, drought, fuel conditions, topography, air quality, staffing limitations, or other circumstances create an increased danger to life or property.

7A-04-12: IMMEDIATE EXTINGUISHMENT:

The AHJ may order any fire immediately extinguished whenever the fire:

- A. Violates this chapter or the adopted fire code;
- B. Creates a public safety hazard;
- C. Creates nuisance burning conditions;
- D. Threatens fire spread to structures, vegetation, vehicles, or other property;
- E. Is not attended; or
- F. Is maintained during prohibited weather or burn restriction conditions.

Any responsible person shall immediately comply with an order to extinguish a fire.

7A-04-13: PERMITS AND APPROVALS:

Where a permit or written approval is required by this chapter, the adopted fire code, state law, or any other applicable regulation, no person shall ignite or maintain the fire without first obtaining that permit or approval.

7A-04-14: LIABILITY AND RESPONSIBILITY:

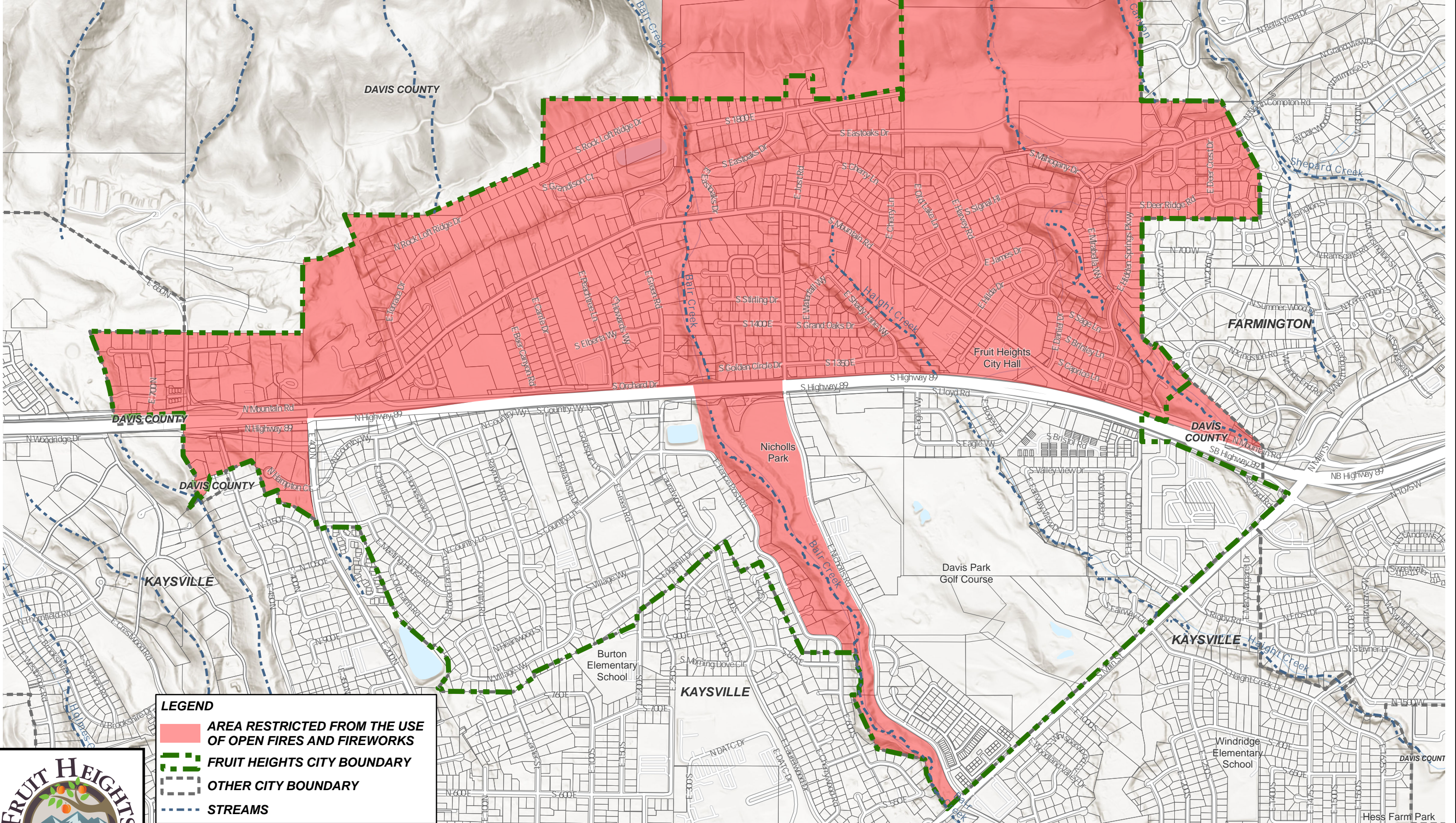
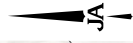
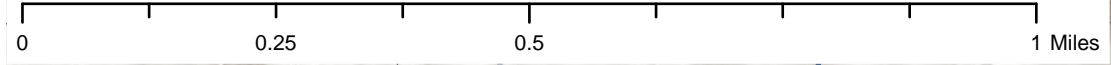
Permission to conduct any allowed fire under this chapter does not relieve any person from responsibility for fire control, smoke impacts, property damage, suppression costs where otherwise recoverable by law, or compliance with any other city, county, state, or federal regulation.

7A-04-15: ENFORCEMENT:

- A. Violations of this chapter may be enforced through any lawful criminal or civil remedy available under the Fruit Heights City Code.
- B. For violations of this chapter that occur under circumstances that do not rise to the level of reckless burning, arson or other violations of the Utah Code, a person is guilty of:
 - 1. For negligent open burning that results in an injury to any person or the property damage of another, a class C misdemeanor; and
 - 2. For any other violation of this chapter, an Infraction.
- C. Fines for violation of this chapter should be as designated on the Utah Uniform Fine Schedule published by Utah State Courts for violations of local ordinances, applicable at the time of the offense.
- D. Any sentence or plea in abeyance arrangement for a criminally charged defendant under circumstances in which an individual was injured or property of another was damaged shall require an order of restitution for the full recovery of costs associated with the loss, unless otherwise waived by the person suffering the loss.
- E. In lieu of criminal charges, the AHJ may issue notices of violation, civil citations, seek immediate enforcement where public safety requires, and treat each day a violation continues as a separate offense, consistent with existing City enforcement provisions.

7A-04-16: SEVERABILITY:

If any subsection, sentence, clause, or phrase of this chapter is held invalid, the remaining portions shall not be affected.



LEGEND

- AREA RESTRICTED FROM THE USE OF OPEN FIRES AND FIREWORKS
- FRUIT HEIGHTS CITY BOUNDARY
- OTHER CITY BOUNDARY
- STREAMS



NOTES:
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SCALE:
 1" = 1,000'
 DATE:
 March 2026

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FRUIT HEIGHTS CITY CORPORATION
PUBLIC SAFETY
OPEN FIRES AND FIREWORKS RESTRICTIONS MAP

SHEET:
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 OF 1 SHEETS