



To: Mayor and Town Council Members

From: Mark C. Meyers, Town Manager

Date: June 11, 2026

Subject: Ordinance Implementing a Ban on Discharge of Fireworks

Background

Due to severe drought conditions from historically low snowpack, and the warmest winter on record, vegetation is extremely dry and fire risk conditions are high. Washington County has implemented Stage 1 fire restrictions for all unincorporated areas prohibiting open fires and fireworks. Zion National Park has also implemented Stage 2 fire restrictions.

Therefore, staff is recommended that the Town Council also prohibit the discharge of fireworks ahead of the July 4th holiday. Town Council's discussed a draft *temporary* ban ordinance at the June 10, 2026, work meeting and the consensus was to consider a *permanent* fireworks ban.

Staff confirmed with the Town Attorney that the Council may approve a permanent ban.

Recommendation

Staff recommends approving a fireworks ban at the June 16, 2026, regular Council meeting.

VIRGIN TOWN
ORDINANCE # 2026-07

**AN ORDINANCE PERMANETLY BANNING THE DISCHARGE OF FIREWORKS WITHIN THE
MUNICIPAL BOUNDARIES OF THE TOWN AND SETTING A CRIMINAL PENALTY FOR
VIOLATING SAID BAN.**

RECITALS

WHEREAS, Virgin Town ("Town") is an incorporated municipality duly organized and existing under the laws of the State of Utah;

WHEREAS, pursuant to Utah Code Annotated, Title 10, Chapter 3b, Section 301, the Virgin Town Council ("Virgin Town Council") is designated as the governing body of the Town.

WHEREAS, the Town is located within the service area of the Hurricane Valley Fire District, a Utah special service district created for the purpose of providing fire protection services and emergency medical services ("EMS") to the Eastern portion of Washington County ("HVFD").

WHEREAS, weather and environmental conditions have resulted in exceptionally dry conditions, increased wildfire risk, and the accumulation of dry, combustible vegetation throughout the Town and surrounding areas.

WHEREAS, the National Interagency Fire Center ("NIFC") Predictive Unit is forecasting an above normal potential for significant fire activity throughout the Western United States and Southwestern Utah.

WHEREAS, many municipalities and counties within Southwestern Utah, working in conjunction with their own fire departments or regional fire agencies have implemented restrictions on fires and activities which might ignite fires.

WHEREAS, the use of explosives and other fireworks within the Town substantially increases the risk of fires under current conditions and the Virgin Town Council finds this to be a direct threat to the health, safety and general welfare of the residents of the Town and their property.

WHEREAS, there are significant public lands, including Zions National Park, which are adjacent to, or near, the boundaries of the Town.

WHEREAS, Utah Code Ann. §§15A-5-202.5 and 53-7-225 provide that cities and towns may prohibit the use of ignition sources, including fireworks in high risk areas.

WHEREAS, in consultation with the HVFD and Utah State Fire Marshall it has been determined that due to the severe drought and high fuel conditions within and surrounding the Town coupled with the limited interagency fire protection resources throughout the State of Utah and the Western US, that all areas within the Town are considered high risk presently.

WHEREAS, the Town Council has determined that allowing residents and visitors to discharge fireworks within the Town boundaries under the present conditions would be careless and negligent.

ORDINANCE

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VIRGIN, UTAH AS FOLLOWS:

1. Prohibition on the Discharge Fireworks Within the Town. The discharge of Fireworks as defined in Utah Code Ann. §53-7-202 anywhere within the municipal boundaries of the Town is hereby immediately prohibited until this ban is lifted by a proper vote of the Town Council.
2. Violation. Violations of this Ordinance shall be deemed a Class B Misdemeanor and shall be punishable as provided for in the Virgin Town Code.

Severability Clause: Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid;

Effective Date: Due to the immediate fire danger and the Town Council's finding of necessity and high risk to the health, safety and general welfare of the Town, its residents and nearby public lands, this Ordinance shall become effective immediately upon adoption by the Town Council.

Repealer Clause: All Virgin Land Use Ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF VIRGIN TOWN, STATE OF UTAH, ON THE 16 DAY OF June 2026.

Council Person:

Valerie Wenz	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
April McKeon	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Paul Luwe	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
James Kietzman	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Jean Krause Mayor	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

VIRGIN TOWN
a Utah municipal corporation

ATTEST:

Jean Krause, Mayor

Krystal Percival, Town Clerk/Recorder

RECORDED this _____ day of _____ 2026

PUBLISHED or POSTED this _____ day of _____, 2026.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §63G-30-102 as amended, I, the Town Clerk/Recorder of Virgin, Utah, hereby certifies that the foregoing Ordinance was duly passed and published or posted via Class A Notice at:

- 1) Utah Public Notice website
- 2) Virgin Town website, www.virgin.utah.gov
- 3) Virgin Town Hall

Krystal Percival, Town Clerk/Recorder
Virgin Town, Utah