



Spencer J. Cox
Governor

EXECUTIVE ORDER
2026-04

*Declaring a State of Emergency and Enabling the State Forester to
Protect Municipalities from Fires Caused by Fireworks*

WHEREAS, on May 21, 2026, I declared a state of emergency in our state due to drought conditions;

WHEREAS, 94% of the state remains in severe or extreme drought;

WHEREAS, 354 wildfires have started in our state, burning 141,743 acres;

WHEREAS, human activities caused at least 75% of the wildfires in Utah this fire season;

WHEREAS, wildfires, especially those caused by preventable human action, require every measure necessary to protect the lives, property, and wellbeing of Utahns;

WHEREAS, the state forester has implemented Stage 1 fire restrictions, which include prohibitions on fireworks, on state or unincorporated lands in all 29 Utah counties;

WHEREAS, Utah Code § 15A-5-202.5(1)(b) only authorizes the state forester to prohibit fireworks on state land and private unincorporated land in areas that are 1) mountainous, brush-covered, forest-covered, or dry grass-covered areas; 2) within 200 feet of waterways,

trails, canyons, washes, ravines, or similar areas; 3) in the wildland urban interface area; and 4) in a limited area outside these hazardous areas to facilitate a readily identifiable closed area;

WHEREAS, the same section, Utah Code § 15A-5-202.5(1)(b), authorizes municipalities to prohibit fireworks in these areas;

WHEREAS, Utah Code § 65A-8-212 authorizes the state forester to further prohibit fireworks on state land and private unincorporated land in areas broader than those recited above when conditions are extremely hazardous, but this section prevents the state forester from prohibiting fireworks within the municipal boundaries of a city or town;

WHEREAS, municipalities do not have authority similar to that of Utah Code § 65A-8-212 to prohibit fireworks in their boundaries in areas broader than those recited above, preventing municipalities from exercising full decision making authority to prohibit fireworks within their boundaries;

WHEREAS, this year's extremely hazardous conditions present an unusually high risk of devastating fire resulting from the discharge of fireworks;

WHEREAS, Utah Code § 53-7-225(3) authorizes the discharge of fireworks in the state of Utah beginning on July 2 and ending July 5, and beginning on July 22 and ending on July 25;

WHEREAS, the discharge of fireworks anywhere in our state, including within municipal boundaries, creates a significant and material risk of a fire disaster;

WHEREAS, Utah Code § 53-2a-206(1) authorizes the governor to declare an emergency when the occurrence or threat of a disaster is imminent;

WHEREAS, these conditions create a state of emergency under the Disaster Response and Recovery Act found in Title 53, Chapter 2a of the Utah Code;

WHEREAS, the Disaster Response and Recovery Act found in Title 53, Chapter 2a of the Utah Code provides the governor with certain powers to respond to an emergency;

WHEREAS, Utah Code § 53-2a-204(1)(a) authorizes the governor to utilize all available resources of state government as reasonably necessary to cope with a state of emergency;

WHEREAS, Utah Code § 53-2a-209(4) authorizes the governor to suspend the enforcement of a statute during a state of emergency if the statute is directly related to the emergency and suspension is necessary to address the state of emergency;

WHEREAS, the statute suspended below, Utah Code § 65A-8-212(5), is directly related to the threat of a fire disaster contemplated in this emergency declaration;

WHEREAS, the imminent occurrence or threat of a disaster from the discharge of fireworks during the July fireworks season necessitates the suspension of Utah Code § 65A-8-212(5), which prevents the state forester from prohibiting the discharge of fireworks within municipal boundaries;

WHEREAS, the declaration of emergency and suspension of the statute will give the state forester the ability to take every measure necessary to combat the spread of wildfire and to address the state of emergency; and

WHEREAS, law enforcement authorities are actively addressing potential risks of fire including unauthorized encampments or arson;

NOW, THEREFORE, I, Spencer J. Cox, Governor of the State of Utah, hereby do the following:

1. **Declaration of Emergency.** I hereby declare a state of emergency in the state of Utah due to the imminent threat of a fire disaster caused by the July fireworks season.
2. **Suspension of Statute.** To mitigate this risk, I order the suspension of the enforcement of Utah Code § 65A-8-212(5), which subsection when enforced prevents the state forester from prohibiting the discharge of fireworks within municipal boundaries. This suspension allows the state forester, under the provisions of Utah Code § 65A-8-212, to prohibit the discharge of fireworks within municipal boundaries when the conditions are extremely hazardous.
3. **Fireworks Restrictions for the Independence Day Period.** Using the full scope of her authority under Utah Code § 65A-8-212, with Subsection 5 of that provision suspended, the state forester shall issue an order or orders closing extremely hazardous areas in the state to the discharge of fireworks, including areas within municipal boundaries, on state lands, or on unincorporated land, for the Independence Day fireworks period of July 2 through July 5, 2026.
4. **Municipally Designated Areas.**
 - a. If the state forester closes a municipality or an area within a municipality to the discharge of fireworks under Utah Code § 65A-8-212, with Subsection 5 of that provision suspended, the state forester shall do the following:
 - i. In the order closing the municipality or area within the municipality to the discharge of fireworks, the state forester shall provide that, for “municipally designated areas,” the closure is lifted.

- ii. The state forester's order shall provide that "municipally designated areas" are those areas identified jointly by a municipality's mayor and fire chief, or other officials if specified by the state forester's order.
 - iii. The state forester shall provide a deadline by which a municipality may notify the state forester of a municipally designated area for the purposes of the July 2 through July 5 fireworks period. The state forester's orders shall provide that upon the state forester's receipt of a municipality's notice of a municipally designated area, the closure of the municipality designated area shall immediately and automatically lift.
 - iv. If a municipality does not specify a municipally designated area by the deadline provided, then the state forester's closure of a municipality or areas within a municipality shall remain in effect.
 - b. Additionally, the state forester shall provide in orders issued in relation to this executive order an exception for fireworks displays and related performances licensed by the Utah State Fire Marshal Division and permitted by a Utah municipality, county, or fire district.
5. **Clear Disclosures.** The state forester shall ensure that any order(s) closing an area to the discharge of fireworks within municipal boundaries clearly discloses the exact area covered by the order and other information required by § 65A-8-212(3). The Department of Public Safety and the state forester shall also encourage clear disclosure by retailers, municipalities, and counties of what areas are closed to fireworks.
6. **Further Evaluation of Fireworks Risks.** The state forester shall, in consultation with the Governor's Office and the Department of Public Safety, reevaluate fire conditions after the Independence Day fireworks season to determine whether to restrict the discharge of fireworks for the Pioneer Day fireworks season.
7. **Potential Fireworks Restrictions for Pioneer Day after Further Evaluation.** If, after further evaluation, the state forester determines that the extremely hazardous conditions continue to exist, the state forester shall, using the full scope of her authority under Utah Code § 65A-8-212, with Subsection 5 of that provision suspended, follow the same process outlined in this executive order for the Pioneer Day fireworks season running from July 22 through July 25, 2026.
8. **Enforcement of State Laws.** The Department of Public Safety shall diligently enforce state laws against unsanctioned camping, arson, and other offenses likely to cause or contribute to a fire disaster.
9. **Municipal Recommendations.** I recommend that municipalities take the following steps to prevent a fire disaster during the July fireworks season:
- a. Implement fireworks restrictions under Utah Code § 15A-5-202.5(1)(b) to the full extent of municipal authority; and

- b. Diligently enforce laws and ordinances against unsanctioned camping, arson, and other offenses likely to cause or contribute to a fire disaster.

THIS ORDER is effective immediately and shall remain in effect for 30 days, unless the Legislature extends the state of emergency.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 25th day of June, 2026.

A handwritten signature in black ink, appearing to read "Spencer J. Cox".

Spencer J. Cox
Governor, State of Utah

ATTEST:

A handwritten signature in black ink, appearing to read "Deidre M. Henderson".

Deidre M. Henderson
Lieutenant Governor, State of Utah