

Minutes of the Hurricane City Council special meeting held on June 25, 2026, in the Council Chambers at 147 North 870 West, Hurricane, Utah at 5 p.m.

**Members Present:** Mayor Clark Fawcett and **Council Members:** Drew Ellerman, Joseph Prete, Dave Imlay (online), Lynn Excell, and Amy Werrett.

**Also Present:** City Manager Kaden DeMille, City Attorney Dayton Hall, Police Chief Kurt Yates, City Planner Gary Cupp, Assistant Planner Fred Resch III, Hurricane Valley Fire District Chief Decker, and City Recorder Cindy Beteag.

## **AGENDA**

### **5:00 p.m. - Call to Order –**

Mayor Fawcett welcomed everyone and called the meeting to order.

Prayer: Kaden DeMille

Pledge: Mayor Fawcett

## **NEW BUSINESS**

1. Consideration and possible approval of a Second Amended Proclamation regarding the discharge of fireworks - Mayor Fawcett

Dayton Hall explained that a special meeting was initially scheduled to discuss the request from the Hurricane Valley Fire District and Hurricane City Police Department regarding further restrictions or a ban of fireworks. He stated the City Council originally passed a proclamation allowing fireworks only in four designated locations. When the meeting was first called the Fire District was proposing to remove Grandpa's Pond from the approved list due to its proximity to the river and the vegetation along it. He explained the State Forester regulates unincorporated areas and state land and potential fire restrictions located in those areas. Municipalities are permitted to regulate fireworks within their municipal borders but there are restrictions on how municipalities can regulate them. Governor Cox issued an Executive Order today to allow the State Forester to regulate fireworks within city boundaries and directed the State Forester to restrict fireworks within municipalities from now until July 6<sup>th</sup>. This is expected to be statewide due to the extreme conditions. However, there are two exceptions to the Order: the mayor in conjunction with the fire chief may designate areas where they can be discharged, the other exception is the City firework show. He stated the Council has two options (1) take no action and allow the Executive Order to remain in effect, prohibiting fireworks through July 6<sup>th</sup>, or (2) discuss and designate areas where fireworks may be discharged. Councilman Prete asked if, under the second option, the designated areas would still require state approval. Mr. Hall stated that, to his understanding, if the mayor and fire chief agree on the locations, they simply need to be submitted to the State Forester and they will be accepted.

Chief Decker confirmed that the City's public fireworks show is exempt from the ban. He stated his preference is to prohibit all personal fireworks, explaining that a single spark can start a fire. While he understands the public's desire to light fireworks, he believes the public safety risk outweighs that right. He stated he and Chief Yates have discussed the issue multiple times and are in agreement that personal fireworks should be banned. Councilman Prete asked for an update on the current fires and staffing levels. Chief Decker explained how personnel are stationed throughout the day, responding to approximately 25 calls daily. He stated the Wildland Division has nine crews, with only one currently in town, as the others are deployed fighting fires throughout the state. He reported the Cottonwood Fire remains 0% contained and is exhibiting extreme fire behavior. The Iron Fire is 29% contained but continues to burn actively. He stated available resources are stretched thin, with personnel deployed across the state assisting with fire suppression. Councilman Excell added that many employees are working double shifts to maintain coverage.

Chief Yates echoed Chief Decker's comments. He stated staff reviewed fireworks violations over the past three years, which averaged approximately 15 calls per night, noting that those numbers only reflect reported incidents. He stated that while allowing fireworks in designated parks may be a solution under normal conditions, it is not appropriate given the current fire danger. He recommended prohibiting all personal fireworks, stating it would simplify enforcement and emphasize the seriousness of the situation. He added that many people do not understand they may discharge fireworks in designated parks but not in residential areas. With resources already exhausted, he does not want to add to the existing challenges.

Mayor Fawcett asked the Council how much enforcement they would like to see if a fireworks ban is enacted. He stated people often light fireworks because they see others doing so and said he would like the Police Department to enforce a zero-tolerance policy. Councilman Excell stated they are here to protect the health, safety and welfare of the citizens and questioned why they would not take action to do so. Chief Decker explained if there is any type of fire anywhere in the District all available resources respond immediately to prevent it from spreading. Councilman Imlay stated that July is consistently hot, dry, and windy, and if fireworks are banned this year, they should be banned every year because the conditions are generally the same. He noted the City is not near the current wildfires and said he opposed an outright ban. He supported removing Grandpa's Pond as a designated location but felt the nation's 250<sup>th</sup> anniversary should still be celebrated for one day. Councilman Excell asked if we are able to limit it to just one day. Mr. Hall stated the Executive Order, which had been issued only a few hours earlier, changed the law, but his interpretation was that it allows the mayor and fire chief to designate specific areas where fireworks may be discharged. He believed those designated areas could also be limited to certain days. Mayor Fawcett stated he likes that the City reviews firework restrictions in April or May because people are already buying fireworks and getting ready but now it is so close to the event. He stated he didn't think cities could ban fireworks so if we have the authority, then he is leaning towards following the Executive Order and banning them.

Councilwoman Werrett asked if the Council banned it outright would there be enough personnel for the violations or if they aren't banned, will there be enough personnel to monitor the designated areas. Chief Decker and Yates stated they will have extra personnel on shift either way. Councilman Prete asked about reducing it to one location. Chief Decker stated if he had to pick one option, the ball fields would probably be the best location. Councilman Excell stated his concern is that even when they allow three parks, they are already packed and it is becoming a safety concern. He is concerned with limiting it to one park. Chief Yates added that allowing them at Dixie Springs Park so close to the City's professional display sometimes gets people trying to compete with the City's display. Mr. Hall explained the Council doesn't vote on this; the mayor and fire chief get to decide but they can take advice from the Council. Councilman Ellerman stated if we close all the parks off then residents will light them off at home. He thinks they need to give them a place to go for that night only. He would give two parks for that night only. This year is a unique year due to its 250<sup>th</sup> anniversary. Mayor Fawcett pointed out that fireworks are not the only way to celebrate it.

Mr. Hall stated the Executive Order only applies through July 5<sup>th</sup>. Then the State Forester will re-evaluate the situation for the 24<sup>th</sup> of July. Councilwoman Werrett stated she can see it both ways. It is a hard call but there is a statewide ban. She doesn't want the city to burn but if they allow them, then limit it to two parks. Councilman Prete stated Councilman Ellerman makes a valid point, people will still let off fireworks. If there is nowhere to go, they will let them off illegally and it becomes difficult to manage. Councilman Excell asked if the discussion had changed the police or fire chief's minds. Chief Yates stated a ban is the best option. Chief Decker agreed. Councilman Excell stated they are the professionals and he supports their decision for a ban. Mayor Fawcett stated he has one council member in support and one against the ban. Councilwoman Werrett stated she likes allowing them in one location or to ban them completely. Chief Yates stated the fine is up to \$1000 for any violations. Mayor Fawcett stated he wants to make sure residents know that tickets will be issued.

Councilman Prete pointed out two years ago the Council voted to designate Hurricane as America's City; he can see the headlines if fireworks are banned on the 250<sup>th</sup> anniversary. Mayor Fawcett stated he has already received requests from citizens to ban the fireworks. Councilman Prete stated he doesn't think the ban will result in a ban. The problem is the people that are letting them off illegally. Mayor Fawcett stated if they allow them in the park people think they are allowed. If they are banned it will be different. Councilman Prete asked if there have been problems in the designated parks in the previous years. Chief Decker stated yes, there have been fires and injuries. Councilman Excell pointed out the City is putting a lot of effort into the celebration at Sand Hollow State Park. He suggested promoting that to get people there to enjoy the 250<sup>th</sup> anniversary that way. Mayor Fawcett stated there are other ways to celebrate without fireworks. He hates not having them on the 250<sup>th</sup> anniversary but his inclination is to not do anything and let the ban stand. Chief Decker added that four of the municipalities within the District have banned them.

**Adjournment:** Councilman Prete motioned to adjourn at 5:47 p.m. Seconded by Lynn Excell. Motion carried unanimously.