

ORDINANCE NO. 773

**AN ORDINANCE PROHIBITING THE USE OF FIREWORKS, OPEN FIRES,
AND USE OF CERTAIN AMMUNITION WITHIN SUMMIT COUNTY DURING
THE FIRE SEASON 2012**

WITNESSETH

WHEREAS, the governing body of Summit County, Utah, in conjunction with the Park City Fire District, the South Summit Fire District and the North Summit Fire District, have a desire to reduce the threat of wild fires within the County; and

WHEREAS, based upon the forecasted drought, and the history of wild fires thus far in Utah, the fire risk for the year 2012 is expected to be high from June 25, 2012 through October 1, 2012; and

WHEREAS, Summit County and each of the fire districts desire to reduce the risk of wild fires which may cause extensive damage within the county; and

WHEREAS, the use of explosive and other fireworks, as well as open fires and certain ammunition within the county substantially increase the risk of wildfires; and

WHEREAS, the State of Utah has created the Utah Fireworks Act as found in UTAH CODE ANN. § 53-7-220 - 225 which prohibits the sale and use of fireworks except on specific days; and

WHEREAS, Summit County has determined that the increased fire risk and risk to the health, safety and welfare of its citizens and their property warrant the need to restrict the use of fireworks, open fires, and certain ammunition completely during the high risk period;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL
OF SUMMIT COUNTY, UTAH, AS FOLLOWS:**

Section 1. Summit County hereby finds and determines that the high risk fire season for the year 2012 shall be from June 25, 2012 through October 1, 2012.

Section 2. The use of any and all class "C" fireworks, shall be prohibited during the entirety of the 2012 high risk fire season. Class "C" fireworks as defined by UTAH CODE ANN. § 53-7-202(4)-(6) include:

- a) a firecracker, cannon cracker, salute, cherry bomb, or other similar explosive;
- b) a bottle rocket, skyrocket or any device other than a model rocket that uses combustible or explosive material;
- c) a roman candle or other device that discharges balls of fire;

- d) a tube or cone aerial firework that propels comets, shells, salutes, flash shells, or similar devices; and
- e) a chaser, whistler, or similar device.

Section 3. All open fires are prohibited during the 2012 high risk fire season. An open fire is defined as a fire which is not contained in a receptacle or structure specifically designed to contain the fire and prevent its spread outside the receptacle or structure. The receptacle or structure must be designed and located such that heat from the fire is precluded from starting a fire outside the receptacle or structure.

Section 4. The firing of the following ammunition is prohibited: steel jacketed bullets, incendiary bullets, and tracer bullets.

Section 5. Violations of this Ordinance shall be deemed a class B misdemeanor and shall be punishable by a fine not to exceed \$1,000.00 for persons or \$5,000 for corporations, and/or imprisonment for a term not to exceed six (6) months.

Section 6. All resolutions, ordinances, orders, and regulations or parts thereof heretofore adopted or passed which are in conflict with any of the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 7. Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health and safety of the county and the county's inhabitants this Ordinance shall become effective immediately upon its approval and passage and posting at the courthouse door.

APPROVED, ADOPTED AND PASSED this ___ day of June , 2012.

COUNTY COUNCIL
SUMMIT COUNTY, UTAH

By: _____
Chair

ATTEST:

Kent Jones
County Clerk

Approved as to Form
David L. Thomas
Chief Civil Deputy

VOTING OF COUNTY COUNCIL:

Councilmember Elliott	_____
Councilmember Robinson	_____
Councilmember Ure	_____
Councilmember Hanrahan	_____
Councilmember McMullin	_____