DAVIS COUNTY
ORDINANCE NO. 03 2000

AN ORDINANCE RESTRICTING FIRES ON FOREST SERVICE LANDS/URBAN INTERFACE IN UNINCORPORATED COUNTY AREA.

WHEREAS, the Board of County Commissioners of Davis County, Utah, in a regular meeting, lawful notice of which has been given, finds that it is in the best interest of the county and it's citizens that restrictions be set on fires on the Forest Service lands/urban interface in Davis County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Davis County, Utah, as follows:

Section 1. Definitions

For the purpose of this ordinance, "fire" means any visible flame or smoldering fire without visible flame. It includes a campfire or any flame or smoldering fire used for cooking, warming, aesthetics, lighting, ceremonial, or other reason.

Section 2. No Flame Restriction

It shall be unlawful to build, maintain, attend, or use a fire in the unincorporated County Area on or below the high Lake Bonneville shoreline water mark bench (approximately 5200 ft. elevation) to State Road 89, or within ½ mile of any residential structure on or east of that bench, between the Davis/Weber County line and the Davis/Salt Lake County line, from April 1 through October 31.

Section 3. Exemptions

The following acts, persons, or areas are exempt from this ordinance:

1. Persons with a permit or contract from the Forest Service authorizing the otherwise prohibited act at a specific location.

2. Authorized Federal, State, or local law enforcement officers, or active members of an organized rescue or firefighting force when necessary in the performance of official duty.

3. Persons using portable gas stoves, lanterns, or tent heaters which use gas, jellied petroleum, or pressurized liquid fuel either outdoors or within a building, an enclosed recreational vehicle, or tent, **unless otherwise posted as closed to such use.**

4. Permanent facilities constructed for the use of fires in a picnic or campground site designated by the County or Forest Service.

5. On private property during a declared "open burning" period as established yearly by the Davis County Fire Marshal.

Section 4. Penalty

Violation of this ordinance is a class C misdemeanor.

Section 5. Effective date

This ordinance shall take effect 15 days after adoption and publication in the manner provided by law.

This ordinance was duly adopted by the Board of County Commissioners of Davis County, Utah on the 29 day of March, 2000, upon the following vote:

UNANIMOUSLY PASSED AND APPROVED this 29th day of Mar, 2000, with Commissioners Dannie R. McConkie, Carol R. Page, and Gayle A. Stevenson, all voting "aye".

DAVIS COUNTY

By: _____
Dannie R. McConkie, Chairman
Board County Commissioners

ATTEST:

By: _____
Steve S. Rawlings
Davis County Clerk/Auditor

Approved as to Form:

By: _____
Office of Davis County Attorney