EMIGRATION CANYON METRO TOWNSHIP

ORDINANCE #2021 – O-\_\_\_\_\_

AN ORDINANCE AMENDING TITLE 9 CHAPTER 9.90 AND ADOPTING SECTION 9.90.25 UTAH WILDLAND-URBAN INTERFACE CODE

WHEREAS, the Emigration Canyon Metro Township Council (“Council”) wished to promote the health, safety and welfare of those who live in properties in the Emigration Canyon Metro Township; and,

WHEREAS, the entire Emigration Canyon Metro Township is within a Wildland-Urban Interface area; and,

WHEREAS, wildfire risk is an issue for the properties in the Township;

NOW, THEREFORE, BE IT ORDAINED BY THE Emigration Canyon Metro Township Council, UTAH, THAT:

SECTION I: Amended and Adopted. The following are hereby amended or adopted:

**[Chapter 9.90 FIRE RESTRICTIONS IN WILDLAND URBAN INTERFACE AREAS](https://emigrationcanyon.municipalcodeonline.com/book?type=ordinances" \l "name=Chapter_9.90_FIRE_RESTRICTIONS_IN_WILDLAND-SUBURBAN_INTERFACE_AREAS)**

[**9.90.010 Findings**](https://emigrationcanyon.municipalcodeonline.com/book?type=ordinances#name=9.90.010_Findings)

The council finds that certain wildland-urban interface areas exist in the township and that preservation of public health, safety and welfare requires the restriction of fireworks, smoking and other fires in such areas and certain surrounding areas as specified below, to reduce the risk of potentially devastating wildfires in the township.

(Ord. No. 1768, § I, 6-3-2014)

**[9.90.020](https://emigrationcanyon.municipalcodeonline.com/book?type=ordinances" \l "name=9.90.020_Definitions)  [Land Subject To Utah Wildland-Urban Interface Code](https://parkcity.municipalcodeonline.com/book?type=ordinances" \l "name=11-21-2_Land_Subject_To_Utah_Wildland-Urban_Interface_Code)**

All the lands within the township limits of the Emigration Canyon Metro Township are designated by the Utah Division of Forestry, Fire and State Lands as Wildland-Urban Interface.(Ord. No. 1768, § I, 6-3-2014)

**[9.90.025 Wildland-Urban Interface Code](https://brighton.municipalcodeonline.com/book?type=ordinances" \l "name=9.90.025_Wildland-Urban_Interface_Code)**

1. The Utah Wildland-Urban Interface Code, 2006 Edition, published by the International Code Council, is hereby adopted as the Wildland-Urban Interface Code of the Town of Brighton for the regulation and governance of the mitigation of hazard to life and property from the intrusion of wildland exposure, fire from adjacent structures, and prevention of structure fires from spreading to wildland fuels in town.
2. Utah Wildland-Urban Interface Code, 2006 Edition, published by the International Code Council, together with any future amendments thereto shall, be maintained as public records with the Town Clerk are incorporated as a part of this Section.

[**9.90.030 Fire Restrictions**](https://emigrationcanyon.municipalcodeonline.com/book?type=ordinances#name=9.90.030_Fire_Restrictions)

1. The following restrictions on open flames and smoking are imposed on, over and within 300 feet of all wildland-urban interface areas:
	1. Setting, building, maintaining, attending or using open flames of any kind is prohibited, except campfires built within the facilities provided for them in improved campgrounds, picnic areas or permanently improved places of habitation; and
	2. Smoking is prohibited, except within an enclosed vehicle or building, a developed recreation site or while stopped in the center of an area of at least ten feet in diameter that is barren or cleared to mineral soil or is covered by concrete or asphalt.
2. The following restrictions on fireworks, tracer ammunition or other pyrotechnic devices are imposed:
	1. Discharging or using any kind of aerial device firework, tracer ammunition or other pyrotechnic devices on, over or within three hundred feet of any wildland-suburban interface area is prohibited; and
	2. Discharging or using any kind of class C common state-approved explosives on, over or within fifty feet of any wildland-suburban interface area is prohibited.
3. The following definitions are applicable to this section:
	1. "Class C common state-approved explosives" is as defined in Utah Code § 53-7-202(5), as amended.
	2. "Aerial device firework" is as defined in sections R710-2-2(2.2) and R710-2-6(6.3.1), Utah Administrative Rules, as amended.

(Ord. No. 1768, § I, 6-3-2014)

[**9.90.040 Exemptions**](https://emigrationcanyon.municipalcodeonline.com/book?type=ordinances#name=9.90.040_Exemptions)

The following persons are exempt from the prohibitions in section 9.90.030:

1. Persons with a permit from the county, from the state of Utah or the United States of America, specifically authorizing the prohibited act at the specific location; and
2. Any county, state or federal firefighting officer or firefighting forces, including the Unified Fire Authority, or any peace officer, in the performance of an official duty.

(Ord. No. 1768, § I, 6-3-2014)

[**9.90.050 Penalty**](https://emigrationcanyon.municipalcodeonline.com/book?type=ordinances#name=9.90.050_Penalty)

Each violation of this chapter shall be a Class B misdemeanor.

Section II: Effective Date. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED by the Emigration Canyon Metro Township, Utah, this \_\_\_ day of \_\_\_\_\_\_\_ in the year 2022.

Emigration Canyon Metro Township

Joe Smolka, Mayor

ATTEST:

Township Clerk