

ERDA, UTAH
ORDINANCE NO. 22-27

**AN ORDINANCE OF THE ERDA COUNCIL REGULATING, PREVENTING, AND
BANNING THE DISCHARGE OF FIREWORKS WITHIN CERTAIN AREAS OF THE
CITY**

WHEREAS, the Erda City Council (the "*Council*") met in regular session on Thursday June 30, 2022 to consider among other things, regulating, preventing, and banning the discharge of fireworks within certain areas of the city; and

WHEREAS, the fire code official has advised the Council and has determines that existing or historical hazardous environmental conditions under Utah Code Ann. § 15A-5-202.5(1)(b) necessitates controlled use of any ignition source including fireworks as defined in Utah Code Ann. § 53-7-202, lighters, matches, sky lanterns, and smoking materials in bush-covered or dry grass-covered areas, within 200 feet of waterways, trails, canyons, washes, ravines, or similar area, or a limited area outside the hazardous areas described above to facilitate a readily identifiable closed area in accordance with Utah Code Ann. § 15A-5-202.5(2); and

WHEREAS, the fire code official has produced a map ("Map") a copy of which is attached hereto, that identifies the existing or historical hazardous environmental conditions under Utah Code Ann. § 15A-5-202.5(1)(b) that necessitate controlled use of any ignition source including fireworks, lighters, matches, sky lanterns, and smoking materials in bush-covered or dry grass-covered areas, within 200 feet of waterways, trails, canyons, washes, ravines, or similar area, or a limited area outside the hazardous areas described above to facilitate a readily identifiable closed area in accordance with Utah Code Ann. § 15A-5-202.5(2); and

WHEREAS, the Council finds that based on the Map that the areas designate for closure are closed areas along readily identifiable features like major roadways, waterways, or geographic features in accordance with Utah Code Ann. § 15A-5-202.5(2); and

WHEREAS, the Council finds that based on the Map the boundary of the designated closed areas are as close as is practical to the defined hazardous area, provided that the closed area may include areas outside of the hazardous area to facilitate a readily identifiable line; and

WHEREAS, the Council finds that the Map is readily available to the public because the Map will supplement the historical hazardous environmental conditions county-wide map as contemplated in Utah Code Ann. § 53-7-225(6); and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the inhabitants of Erda to ban the use of fireworks within certain areas of the city.

NOW, THEREFORE, BE IT ORDAINED except for display operators properly licensed as required by Utah law it is unlawful for any person to discharge a class C common state approved explosive in the areas identified as _____ on the Map.

BE IT FURTHER ORDAINED that the definition of “a class C common state approved explosive” shall be as defined in Utah Code Ann. § 53-7-202(5). All other terms shall have the same meaning as set forth in the Utah Fireworks Act, Utah Code Ann § 53-7-220 et seq.

BE IT FURTHER ORDAINED that any person convicted of violating the provisions of this ordinance shall be guilty of an infraction.

PASSED AND APPROVED this 30th day of June 2022.

ERDA

By: _____
Jess Bird, Chair

ATTEST:

Jennifer Poole, City Recorder

2022 Tooele County Firework Restrictions

**** IN EFFECT ONLY DURING THE LEGAL DISCHARGE DATES AND TIMES ****
OTHERWISE DISCHARGING CLASS C FIREWORKS IS PROHIBITED

 **Fireworks Restricted**
(NOT allowed, on any State, BLM, military, tribal, or USFS land)

