

SOUTH WEBER CITY COUNCIL AGENDA

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<https://www.youtube.com/c/southwebercityut>

PUBLIC NOTICE is hereby given that the City Council of SOUTH WEBER CITY, Utah, will meet in a regular public meeting commencing at 6:00 p.m. on Tuesday, April 25, 2023, in the Council Chambers at 1600 E. South Weber Dr.

ACTION ITEMS

1. Ordinance 2023-05: Firework Restrictions
2. Adjourn

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder, 1600 East South Weber Drive, South Weber, Utah 84405 (801-479-3177) at least two days prior to the meeting.

The undersigned City Recorder for the municipality of South Weber City hereby certifies that a copy of the foregoing notice was mailed/emailed/posted to: City Office building, Family Activity Center, City Website <http://southwebercity.com/>, Utah Public Notice website <https://www.utah.gov/pmn/index.html>, Mayor and Council, and others on the agenda.

DATE: 04-24-2023

CITY RECORDER: Lisa Smith

MEETING DATE

April 25, 2023

PREPARED BY

David Larson

City Manager

ITEM TYPE

Legislative

ATTACHMENTS

ORD 2023-05

Fire Chief Letter

PRIOR DISCUSSION DATES

NA

AGENDA ITEM

Ordinance 2023-05: Fireworks Restrictions

PURPOSE

Consider fireworks restrictions for the 2023 fireworks season

RECOMMENDATION

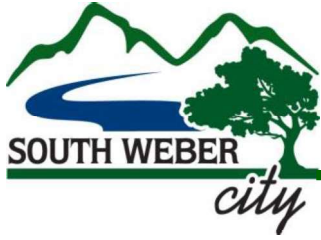
Staff recommends approval, which keeps restrictions the same as last year

BACKGROUND

Utah State Code (UCA 15A-5-202.5) directs cities that wish to enact fireworks restrictions to adopt those restrictions annually by ordinance. South Weber has adopted restrictions in previous years.

ANALYSIS

The recommended restrictions remain the same as what were in place last year.



1600 E. South Weber Drive
South Weber, UT 84405

www.southwebercity.com

801-479-3177
FAX 801-479-0066

South Weber Fire Resolution 23-01

Whereas, as the Fire Chief of South Weber and as an expert, my opinion is that the findings of the City regarding the extreme fire danger within South Weber are accurate, and that such danger would be reduced by prohibiting the discharge of personal fireworks within South Weber; and

Whereas, the Fire Chief is responsible for protecting the safety and welfare of South Weber's residents and property, and has determined that it is necessary to adopt regulations prohibiting the use and discharge of personal fireworks within South Weber's limits;

Therefore, be it resolved by the Fire Chief of South Weber that the use and discharge of personal fireworks within South Weber's limits are hereby prohibited in certain areas and restricted in others. This prohibition and restrictions shall take effect immediately and shall remain in effect until further notice.

Any person who violates this resolution shall be subject to penalties as provided by law. The Fire Chief's office of South Weber is directed to publish notice of this resolution as required by law.

Signed,


Derek Tolman (Apr 24, 2023 13:39 MDT)

Fire Chief Derek Tolman

Dated this 24th day of April, 2023.

ORDINANCE 2023-05

AN ORDINANCE OF THE CITY COUNCIL OF SOUTH WEBER CITY RESTRICTING THE USE OF PERSONAL FIREWORKS WITHIN CERTAIN PORTIONS OF THE CITY

WHEREAS, the City Council of South Weber City finds that the current conditions existing within the State of Utah, Davis County, and South Weber City present dangerous conditions relating to fire danger due to the likely presence of excessive fuels for fires; and

WHEREAS, the City Council of South Weber City further finds that the City, throughout all areas, contains innumerable brush covered, and grass covered areas and a very significant number of trees which, due to the above referenced conditions, present significant fuel for fires; and

WHEREAS, the City's fire code officials have provided an opinion to the City that the above-referenced findings of the City are accurate and the fire danger within the City is very likely to be extreme and that such danger would be reduced by prohibiting the discharge of personal fireworks within the City; and

WHEREAS, the City Council of South Weber City has determined that the minimal restriction on public convenience which would occur through a restriction on the use of personal fireworks is significantly outweighed by the need to protect public health and safety and to take precautions to guard against the existing extraordinary fire danger;

NOW, THEREFORE, BE IT ORDAINED by the City Council of South Weber City, Utah as follows:

Section 1. Restriction on Personal Fireworks. Pursuant to the provisions of the *Utah Code Ann.* 15A-5-202.5, and based on the findings as noted above, the use of personal fireworks is hereby restricted in all areas of the City indicated on Exhibit A, a copy of which is attached hereto and incorporated herein by reference. This restriction shall remain in effect until October 15, 2023, unless earlier terminated by action of the City Council. This restriction shall not apply to permitted public fireworks displays authorized by the City and approved by the City's fire code official.

Section 2. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. For the protection and preservation of public health and safety, this Ordinance shall take effect immediately upon its passage. The City Recorder is hereby directed to publish and/or post this Ordinance forthwith.

PASSED AND ADOPTED by the City Council of South Weber, Davis County, on the 25th day of April 2023.

MAYOR: Rod Westbroek

ATTEST: City Recorder, Lisa Smith

Roll call vote is as follows:		
Council Member Halverson	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Soderquist	FOR	AGAINST
Council Member Alberts	FOR	AGAINST
Council Member Dills	FOR	AGAINST

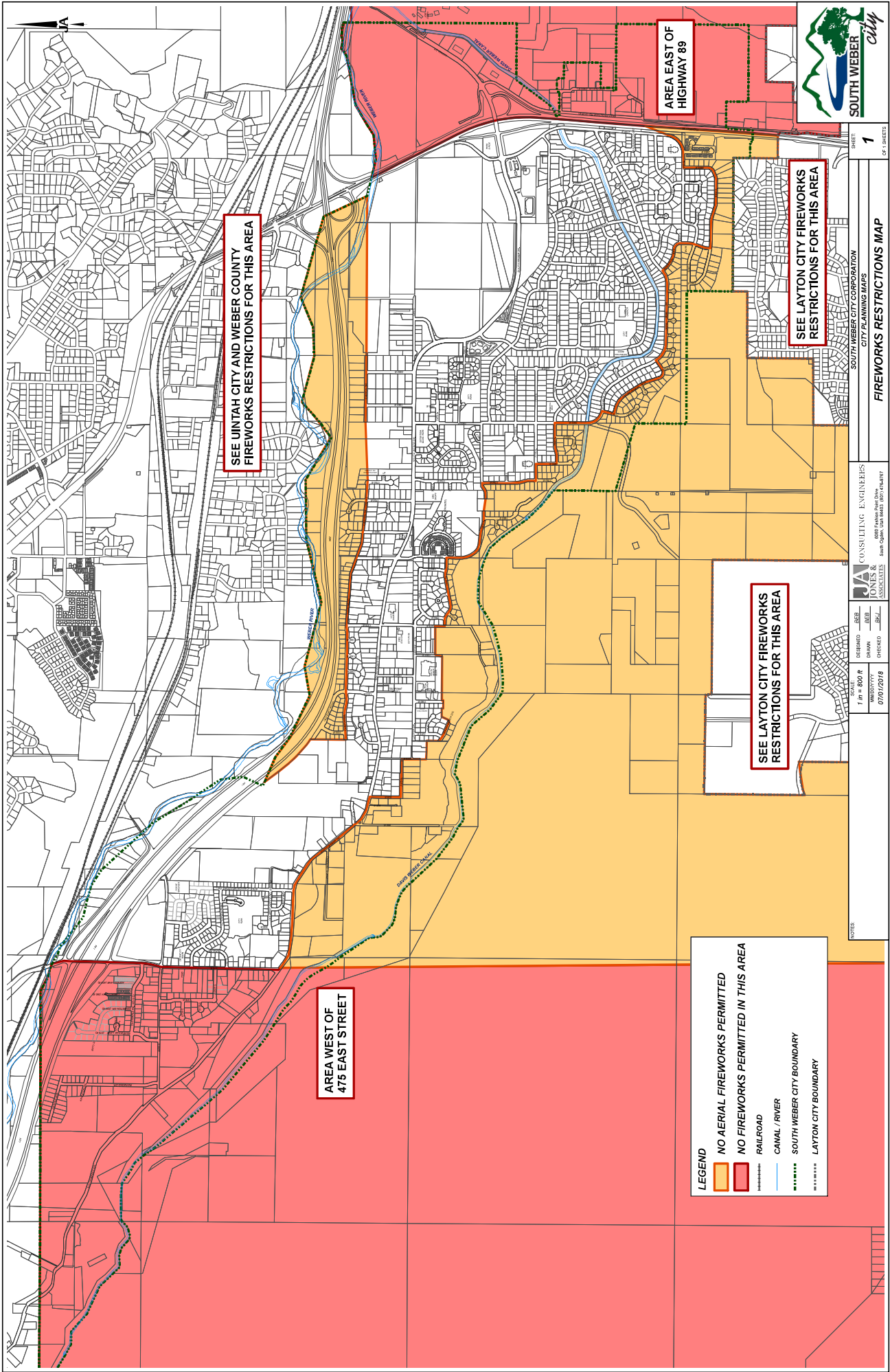
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CERTIFICATE OF POSTING

I hereby certify that Ordinance 2023-05 was passed and adopted on the 25th day of April 2023 and that complete copies of the ordinance were posted in the following locations within the City this 26th day of April 2023.

1. South Weber Family Activity Center, 1181 E. Lester Drive
2. South Weber City Building, 1600 E. South Weber Drive
3. City Website www.southwebercity.com
4. Utah Public Notice Website Utah.gov/pmn

Lisa Smith, City Recorder



SEE UTAH CITY AND WEBER COUNTY
FIREWORKS RESTRICTIONS FOR THIS AREA

AREA WEST OF
475 EAST STREET

AREA EAST OF
HIGHWAY 89

SEE LAYTON CITY FIREWORKS
RESTRICTIONS FOR THIS AREA

SEE LAYTON CITY FIREWORKS
RESTRICTIONS FOR THIS AREA

LEGEND

- NO AERIAL FIREWORKS PERMITTED IN THIS AREA
- NO FIREWORKS PERMITTED IN THIS AREA
- RAILROAD
- CANAL / RIVER
- SOUTH WEBER CITY BOUNDARY
- LAYTON CITY BOUNDARY



SHEET
1
OF 1 SHEETS

SOUTH WEBER CITY CORPORATION
CITY PLANNING MAPS
FIREWORKS RESTRICTIONS MAP

CONSULTING ENGINEERS
JONES & ASSOCIATES
South Weber, Utah 84093

DESIGNED: JEB
DRAWN: JEB
CHECKED: JEB
DATE: 07/01/2018

NOTE: