

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.

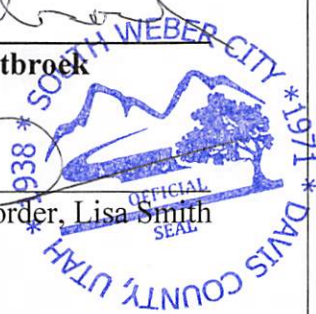
Section 2. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

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 Westbrook


ATTEST: City Recorder, Lisa Smith



Roll call vote is as follows:

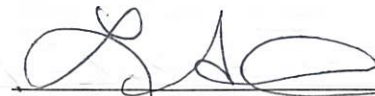
Council Member Halverson	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Soderquist	FOR	AGAINST
Council Member Alberts	FOR	AGAINST
Council Member Dills	FOR	AGAINST

Excused

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

