

ORDINANCE NO. 2021-09
AN ORDINANCE OF THE CITY COUNCIL OF SOUTH WEBER CITY
PROHIBITING THE USE OF PERSONAL FIREWORKS
WITHIN ALL PORTIONS OF THE CITY

WHEREAS, the South Weber City City Council finds that the current drought conditions existing within the State of Utah, Davis County, and South Weber City present dangerous conditions relating to fire danger; and

WHEREAS, being advised by the South Weber City Fire Chief, the South Weber City Council further finds that the City, throughout all areas, contains innumerable brush-covered areas, dry- grass covered areas, undeveloped wildland, and land being used for agricultural purposes that due to the above referenced drought conditions, are in an extremely flammable condition; and

WHEREAS, the State's fire code officials have already banned personal fireworks in unincorporated areas and on state-owned lands throughout the State of Utah, and the fire danger within the City is extreme and that such danger would be reduced by prohibiting the discharge of personal fireworks within South Weber City; and

WHEREAS, the South Weber City Council has determined that the minimal restriction on public convenience which would occur through a prohibition 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 South Weber City Council as follows:

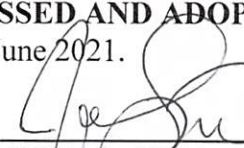
Section 1. Prohibition on Personal Fireworks. Pursuant to the provisions of the *Utah Code Ann.* 15A-5-202.5, and based on the findings as noted above, the use of ignition sources like fireworks and sky lanterns are hereby prohibited in all areas of South Weber City. This prohibition shall remain in effect until October 15, 2021, unless earlier terminated by action of the City Council. This prohibition shall not apply to permitted public fireworks displays authorized by the City and approved by the City's fire code official.

Section 2. Penalty. Violation(s) of this Ordinance shall be punished and enforced pursuant to Section 1-9-1 et seq. of the South Weber City Code up to the maximum criminal or civil responsibility misdemeanor fine under Utah State law or by a term of imprisonment up to six months, or by both the fine and term of imprisonment.

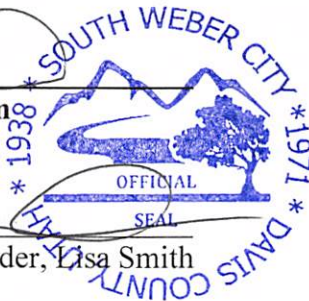
Section 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 4. 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 29th day of June 2021.


MAYOR: Jo Sjoblom


ATTEST: City Recorder, Lisa Smith



Roll call vote is as follows:

Council Member Winsor	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST
Council Member Petty	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST
Council Member Soderquist	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST
Council Member Alberts	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST
Council Member Halverson	<input checked="" type="radio"/> FOR	<input type="radio"/> AGAINST

Excused

CERTIFICATE OF POSTING

I hereby certify that Ordinance 2021-09 was passed and adopted the 29th day of June 2021 and that complete copies of the ordinance were posted in the following locations within the City this 30th day of June 2021.

1. South Weber Elementary, 1285 E. Lester Drive
2. South Weber Family Activity Center, 1181 E. Lester Drive
3. South Weber City Building, 1600 E. South Weber Drive



Lisa Smith, City Recorder