

**EMERGENCY MEETING OF THE
BRIGHAM CITY COUNCIL
TO DISCUSS RESTRICTION OF FIREWORKS
July 2, 2012**

PRESENT:	Dennis Fife Scott Ericson Brian Rex Mark Thompson Tyler Vincent	Mayor Councilmember Councilmember Councilmember Councilmember
ALSO PRESENT:	Rick Bosworth Jim Buchanan Mary Kate Christensen Kirk Morgan Tyler Pugsley Bruce Leonard Brian Nawyn Jerry Peterson Tyler Pugsley Paul Tittensor Mike Young	Human Resource Manager Emergency Services Director City Recorder City Attorney Public Works Director City Administrator Fire Captain Fire Captain Public Works Director Police Chief Fire Captain
EXCUSED:	Ruth Jensen	Councilmember

Mr. Morgan came forward and explained that Utah law states that municipalities cannot prohibit fireworks completely, but they can restrict where they can be used based on emergency needs.

The proposed ordinance authorizes the fire marshal, in conjunction with the Mayor or City Administrator, to restrict where fireworks will be allowed in Brigham City. It also states that the fire marshal will determine what areas are subject to prohibition and how the public will be notified. The ordinance explains how enforcement will take place and that violation of the ordinance is a Class B misdemeanor.

Mr. Buchanan explained that the proposed restrictions will be on the east bench, the area at the airport and the area by the Bird Refuge. Notices will be delivered to every home east of Highland, north of 900 North and on Forest Street. The notice will state the City's concerns, encourage them to use John Adams Park, Constitution Park, Lindsay Park or Mary E. Christensen Park if they wish to use fireworks and encourage them to clean up after themselves. Fire Department Staff will meet with residents of the Tannevista Subdivision to make them aware of the danger in that area.

The Fire Department will have a brush truck stationed on the east bench July 1 through July 7 from 9:00 to midnight. On July 4th trucks will be stationed throughout the City.

Mayor Fife added that the Police Department will be patrolling these areas to enforce the restrictions.

The Mayor allowed public comment.

Evin Day, 509 Highland – Mr. Day urged the Council to ban fireworks. He said he wished the governor would have used his emergency powers and banned them entirely. Upon looking at the map, he suggested fireworks be restricted from Highland Blvd up the mountain. He said a few years ago the City had an arrangement with Ruby Pipeline and the power company to reseed the mountain. This would have been a great opportunity to create a fire break. He urged the Council to contact them and have them put the firebreak back in.

Mr. Buchanan responded that there is a firebreak that was put in place by Ruby Pipeline and Rocky Mountain Power. It is choke grass and if it grows, it will remain green throughout the fire season.

Joan Day – Ms. Day said she has already seen fireworks go off behind their house and up in the sky. This is not safe.

Ladean Plum – Ms. Plum stated that there was an article in the paper that fireworks could be set off on the weekends of each week until midnight. Mr. Buchanan replied that the new state law allows fireworks July 1-7 and July 23-27. On the night of July 4 and 24, they can be set off until midnight; the other nights until 11:00. Ms. Plum said her concern is the vacant homes that have dead grass. John Adams Park is only a block and a half from a house that is vacant and has all dead grass.

Amy Greenhalgh, Bywater Way – Ms. Greenhalgh said across the street from her there is a foreclosed home with dead grass. There is one home in their cul-de-sac that faces three undeveloped building lots. If they use fireworks on the street, they would be right by the empty lots. Mr. Buchanan said Fire Department staff is going to meet with the residents in this cul-de-sac and encourage them to use a park. Ms. Greenhalgh asked if those setting off fireworks would be responsible for any damage to her house. Mayor Fife said they would.

Mr. Leonard suggested the restrictions be lowered to Highland Blvd, down to Beecher Avenue to 600 North throughout the City. This would eliminate Forest Hills Subdivision. It will only take one incident. It is better to be proactive. The Fire Department can go out and ask people not to do it, but common sense does not apply when one's kids are asking why they can't use their fireworks they purchased. Everyone thinks they will be safe.

MOTION: A motion to adopt the ordinance was made by Councilmember Vincent, seconded by Councilmember Thompson. All present voted aye.

The Council recommended to the fire marshal to restrict fireworks as suggested by Mr. Leonard.

Mr. Buchanan stated that due to the unbudgeted expenses this will cause in the Police Department and Fire Department, he asked for authorization to use funds from the Emergency Fund to cover wages. Mayor Fife instructed him to do what is needed and then further into the budget year the Council will consider taking money out of the Emergency Fund as needed.

The meeting adjourned at 5:45 PM.