



ORDINANCE NO. 62912

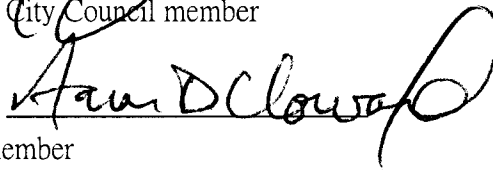
ROLL CALL

VOTING	YES	NO
<b>RANDY A. BRAILSFORD</b> Mayor (votes only in case of tie)		
<b>JANIE CHRISTENSEN</b> City Council member		
<b>AARON D. CLOWARD</b> City Council member	A.C	
<b>SIDNEY M. JORGENSEN</b> City Council member		
<b>STERLING M. REES</b> City Council member		
<b>CRAIG B. WARREN</b> City Council member		

I MOVE this ordinance be adopted:

  
\_\_\_\_\_  
City Council member

I SECOND the foregoing motion:

  
\_\_\_\_\_  
City Council member

ORDINANCE 62912

AN ORDINANCE ADOPTING RESTRICTIONS ON THE USE OF  
FIREWORKS WITHIN CERTAIN AREAS OF SALEM CITY.

**WHEREAS**, in 2011 the Utah legislature modified the state law by amending the types of fireworks which may be discharged in Utah which appears to have increased the use of fireworks within the City; and

**WHEREAS**, the spring and early summer of 2012 have been especially dry and hot, leaving conditions prime for fires; and

**WHEREAS**, there currently is and may be in the future a high risk of fire during the time when fireworks are allowed to be discharged; and

**WHEREAS**, the Governor of the State of Utah has recommended that cities and towns consider a ban on fireworks due to high fire danger; and

**WHEREAS** the City Council finds it is in the best interest of the City and for the health, safety and welfare of the public that fireworks restrictions should be adopted;

**NOW, THEREFORE**, be it ordained and enacted by the Salem City Council as follows:

**I.**

Salem City Municipal Code Title 7, Chapter 11 is hereby created as follows:

**CHAPTER 11 FIREWORKS RESTRICTIONS**

- 7-11-010 State Law Requirements**
- 7-11-020 Fireworks Prohibited - Areas**
- 7-11-030 City Sponsored Events**
- 7-11-040 Penalty - Parental Responsibility**

**7-11-010 State Law Requirements**

Except as modified herein, fireworks are allowed in Salem City only in strict compliance with state law.

**7-11-020 Fireworks Prohibited - Areas**

Fireworks are prohibited in the following areas:

1. South of the Highline Canal;
2. East of Woodland Hills Drive;
3. North of 400 North Street, except in developed subdivisions;
4. Within twenty (20) feet of any building;
5. Within two hundred (200) feet of any open field, unimproved lot with dry vegetation, or any vacant building with dry vegetation on the lot;
6. Within two hundred (200) feet of any haystack, straw, or other flammable agricultural product.

**7-11-030 City Sponsored Events**

An exception to the restrictions imposed in this chapter is granted for any City sponsored public display of fireworks where trained personnel set off the fireworks, and the fire department is present to immediately extinguish any fire.

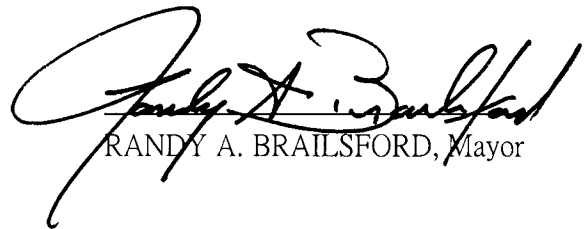
**7-11-040 Penalty - Parental Responsibility**

- A. It is a class C misdemeanor to violate any provision of this chapter.
- B. It is a class C misdemeanor for a parent, guardian, or other adult to allow a child in their control or custody to use fireworks in violation of this chapter.
- C. In addition to any criminal penalties, a person who causes a fire, or a parent, guardian, or other adult having control or custody of a minor who causes a fire, by using fireworks in violation of this chapter is civilly responsible for all costs incurred to put out the fire.

**II.**

This ordinance shall take effect immediately upon passage.

**DATED** this 29<sup>th</sup> day of June 2012.

  
RANDY A. BRAILSFORD, Mayor

Attest:

