

# **PERRY CITY FIRE RESTRICTION ORDER**

## **Resolution 15-15**

### **A Perry City Resolution Adopting Fire Restriction Order.**

This FIRE RESTRICTION ORDER is issued pursuant to the Perry City Code and the International Fire Code adopted herein.

**WHEREAS**, the Fire Chief has approved the issuance of this fire restriction order; and

**WHEREAS**, the Fire Chief has determined that this fire restriction order is necessary to protect the health, safety and welfare of the citizens of Perry City and their property as well as protect forest, rangelands and watersheds from the destruction caused by fire; and

**WHEREAS**, the Fire Chief has further determined that this fire restriction order is necessary and in keeping with the expressed intent of the International Fire Code (IFC 310.8) as amended and adopted in the Utah Code Annotated (U.C.A. 15A-5-202.5 (1)(c)) "When the fire code official determines that hazardous environmental conditions necessitate controlled use of any ignition source...".

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PERRY AS FOLLOWS:**

**Section 1. Repealer.** Any prior city Resolutions or policies and procedures that conflict with this Resolution are hereby repealed, effective immediately.

**Section 2.**

1. Prohibited Acts. The following acts are prohibited on all private and City owned lands in the "Area Description" set forth herein:
  - a. Discharging, or using any kind of fireworks or tracer ammunition or other pyrotechnic devices.
2. Area Description.
  - a. See attached map of the restricted areas attached as Exhibit "A".
  - b. See back of order to description of restrictions attached as Exhibit "B".
3. Exempted Individuals. The following individuals are exempted from the provisions of this fire restriction order:
  - a. Any individual with a permit specifically authorizing the prohibited act issued by the Perry City Fire Chief or Fire Marshal.
  - b. Any Federal, State, County, or City law enforcement officer or fire fighting personnel engaged in the lawful performance of their official duties.
4. Effective Date. This fire restriction order shall be effective from 12:01 a.m., July 1, 2015 and will remain in effect until rescinded by the City Fire Chief.
5. Violation. Any violation of this fire restriction order shall be punishable as a violation of

the Perry City Code and fire suppression costs will be recovered pursuant to Perry City Ordinances (Cost Recovery).

**Section 3: Severability.** If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of the ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

**Section 4: Effective date.** This Ordinance takes effect at 12:01 a.m. July 1, 2015.

**PASSED AND ADOPTED** by the City Council of Perry City, Utah this 18 day of June, 2015

PERRY CITY

By Karen Cronin  
Mayor Karen Cronin

ATTEST:

Quinn K. Gray  
City Recorder

VOTING COUNCIL MEMBERS:

	Aye	Nye
Christensen	<u>absent</u>	—
Gerlach	<u>X</u>	—
Nelson	<u>absent</u>	—
Montgomery	<u>X</u>	—
Lewis	<u>X</u>	—