

FRANCIS CITY

ORDINANCE NO. 2021-12

AN ORDINANCE OF THE CITY COUNCIL OF FRANCIS CITY RESTRICTING THE
USE OF PERSONAL FIREWORKS WITHIN ALL PORTIONS OF THE CITY

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

WHEREAS, the Francis City Council further finds that the City, throughout all areas, contains innumerable brush covered, and dry grass covered areas and 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 the City; and

WHEREAS, the Francis City Council 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 Francis City Council 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 Francis City. This restriction shall remain in effect until October 15, 2021, 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. Penalty. Pursuant to Section 1.05.100, below, of the Francis City Code, the penalty for violation(s) of this Ordinance shall be as follows:

1.05.100 General penalty. Whenever in this code or in any ordinance of the City an act is prohibited or is made or declared to be unlawful or an offense, or wherever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful and no specific penalty is provided therefor, the violation of any such provision of this code or any such ordinance shall be punishable by a fine not to exceed the maximum Class B 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. Each day any violation of this code or of any ordinance shall continue shall constitute a separate offense, unless otherwise provided. (Ord. 2015-01 § 1, 2015.)

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 APPROVED this 24th day of June, 2021.

By: 
Byron Ames, Mayor

[SEAL]

VOTING:

Byron Ames	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Matt Crittenden	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Jeremie Forman	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Shanna Frye	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Trilby Cox	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

ATTEST:


Suzanne Gillet, City Recorder

DEPOSITED in the office of the City Recorder this 24th day of June, 2021.

RECORDED this 24th day of June, 2021.