

ORDINANCE NO. O-21-07

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

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

WHEREAS pursuant to the Utah Code Annotated 15a-5-202.5(1)(b) on recommendation of the local fire official, the Garland City Council is authorized to enact prohibition on the use of fireworks when such hazardous conditions require controlled use; and

WHEREAS the Garland City Fire Chief, as the local fire official, has recommended the prohibition of fireworks in areas within the Garland City limits; and

WHEREAS the Garland City Council finds it in the best interest of the City and general health, safety and welfare of the public that this ordinance should be passed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GARLAND CITY AS FOLLOWS:

1. **Definition.** All terms relating to fireworks used in this ordinance shall have the same meaning as they are defined in Utah Code Annotated 53-7-202 of the Utah Fire Prevention Act.
2. **Sale, Discharge, and Possession of Certain Fireworks Restricted.**
 - a. It is unlawful and for any person to sell or offer for retail sale, or to discharge, or to have in their possession any fireworks in this municipality, other than class C common Utah state approved explosives used in accordance with, and only on the dates allowed, by Utah Code Ann. Sections 53-7-220 through 225; the rules adopted pursuant thereto; and this ordinance, except as otherwise permitted by state law.
 - b. It is unlawful for any person to discharge any fireworks within 20 feet of any residence, dwelling, or structure.
 - c. Due to unusual extreme hazardous fire conditions in certain portions of the municipality, the discharge of all fireworks, including class C common fireworks, are prohibited within 250 feet of the following hazard areas inside the municipality described as follows:

Hazard Area 1: Starting at 200 N and Main, north to the railroad track, following the tracks to the east until the spur joins, then south on the east side of the railroad right-of-way until West Factory. Continuing across to the west side of the railroad right-of-way until 200 N and 300 W, then east again to Main Street.

Hazard Area 2: Including the right-of-way on both sides railroad tracks on the east side of Main, north of 200N, east until the east side of Garland Park. On the north side of the tracks the hazard area continues until 5400 W. On the west side, the hazard area continues south until the back property lines of those homes on E Factory starting at 713 East Factory continuing to the west side of the concrete retention pond, then following the merge of East Factory and 5400 W, north until the two-track road the past the north side other railroad right of way.

Hazard Area 3: The area starts the property line west of the entrance to the old sugar factory and continues east along SR82 until the underpass at Hwy 13. It then follows Hwy 13 then cuts to intersect the Malad River at Garland Rd. The area then follows the east side of the Malad River bottoms (where it meets crop fields to the east) until 1400 S. Continuing, west on 1400 S until the west side of the property at 685 E 1400 S, then follows west side of the Malad River bottoms (where it meets the crop fields on the west side) north until reaching the south side of the apartment complex property at 802 E Factory, turning east following the property line behind Ampelio Auto, then to join back at the west side of the entrance at E. Factory.

Hazard Area 4: The property of Autoliv in Garland. Starting on 1400 W to the west side of the loading dock at the front of Autoliv, north to the north entrance to Autoliv. Continuing east to the next two track road, then south to the next intersecting field. Then west through Autoliv to 1400 S.

Hazard Area 5: Starting at the intersection of 12800 N/West Factory and Canal Bank Rd, from the east side of the canal to the back property lines of the homes along canal bank road SSE to 12505 Canal Bank Rd.

Hazard Area 6: The area starts at the west property line of Lish's Grainery, to the southern property line, east to the western railroad right-of way, continuing south to 1035 S 350 W. Then north along the railroad right-of-way until the back property line of 392 S 300 W, east to 300 W, north along 300 W until W. Factory, lastly turning west along W. Factory until the western border again of Lish's Grainery.

3. Enforcement.

a. Every officer charged with enforcement of State and municipal laws, including the Fire Marshal, is hereby charged with the responsibility to enforce this ordinance.

b. Fireworks possessed, sold, or offered for sale in violation of this ordinance may be seized and destroyed, and the license of the person selling or offering fireworks for sale may be revoked.

4. Punishment. Violation of this ordinance shall be a class B misdemeanor punishable by both fine and imprisonment as set forth is Utah law.

5. Conflicting Ordinances. This ordinance shall supersede any conflicting ordinance previously adopted by the City Council until this ordinance sunsets on December 31, 2021.

6. Effective Dates. This ordinance shall become effective on July 1, 2021, and the ordinance shall sunset on December 31, 2021.

PASSED AND ADOPTED this 30th day of June 2021.

By: Todd Miller
Todd Miller, Mayor


[SEAL]

VOTING:

Chuck Bingham
Linda Bourne
Joshua Marble
Roger Ogborn
Steve Peacock

Yea Nay ___
absent
absent
Yea Nay ___
Yea Nay ___

ATTEST:

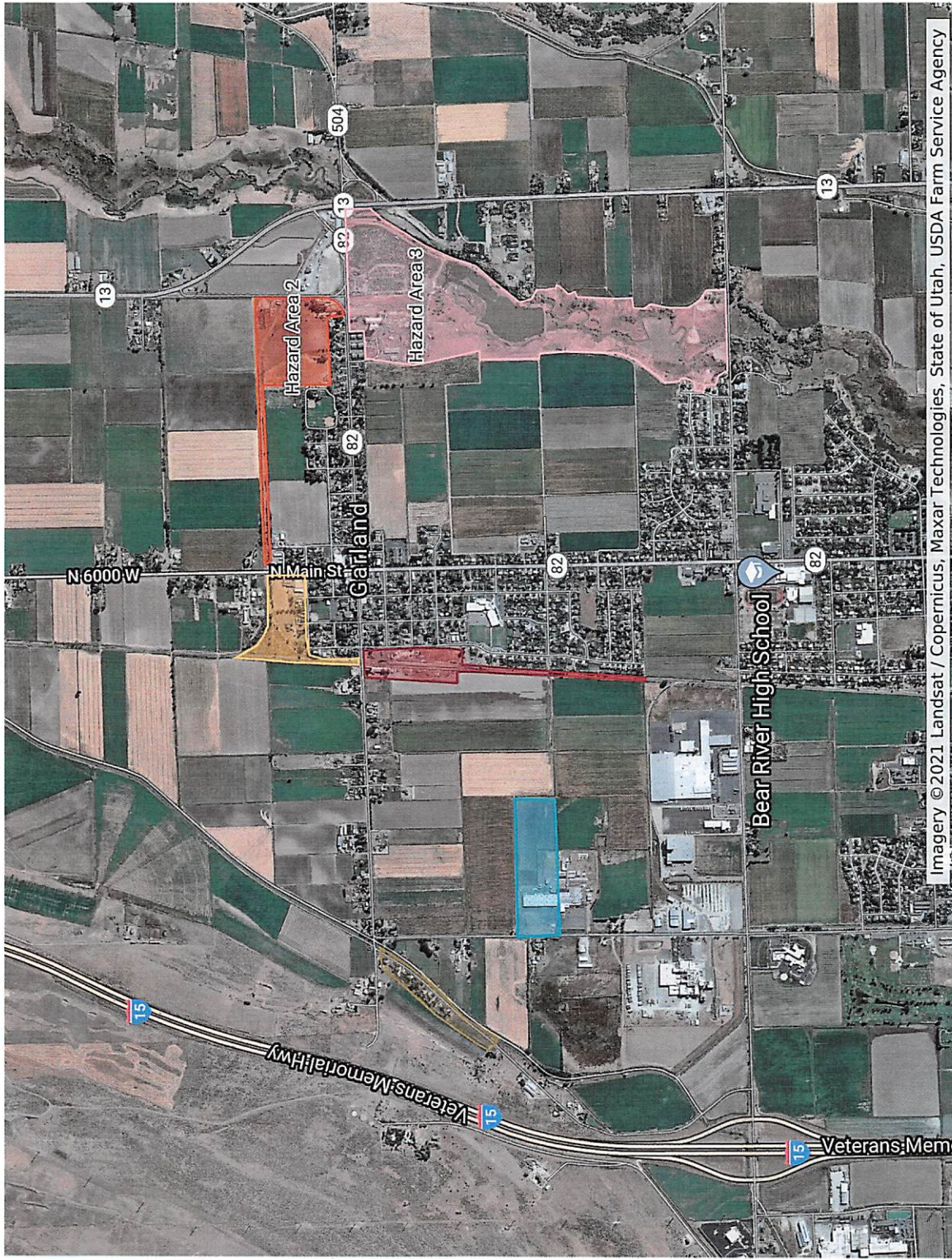


Sharlet Anderson, Recorder

Garland FW 2021

Hazard Areas

- Hazard Area 1
- Hazard Area 2
- Hazard Area 3
- Hazard Area 4
- Hazard Area 5
- Hazard Area 6



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