

ORDINANCE #2021– O –4

ORDINANCE PROVIDING FOR MUNICIPAL RESTRICTION OF FIREWORKS WITHIN
ALL PORTIONS OF THE TOWN OF ALTA

WHEREAS, Utah Code §53-7-225, prohibits the discharge of Class C common state approved explosives (fireworks) except around certain holidays including annually around the July 4th holiday and the July 24th holiday.

WHEREAS, the fire official for the Town of Alta (“Alta”) has found that existing hazardous environmental conditions exist within the entire town. (see *Letter From Fire Marshal* dated June 21, 2021, attached as Exhibit A);

WHEREAS, most of Salt Lake County is in the D-4, Exceptional Drought category with a historic dry line and explosive potential;

WHEREAS, the Town Council (“Council”) finds that Alta, throughout all areas, contains innumerable mountainous, brush-covered, forest-covered, and dry grass-covered areas which historically and existing today are in an extremely flammable condition;

WHEREAS, if existing or historical hazardous environmental conditions exist within the boundaries of Alta, Utah Code §15A-5-202.5 allows the Council to prohibit the ignition and use of fireworks while these conditions exist in the following areas: (1) mountainous, brush-covered, forest covered, or dry grass-covered areas; (2) within 200 feet of waterways, trails, canyons, washes, ravines, or similar areas; (3) wildland urban interface area, which means the line, area, or zone where structures or other human development meet or intermingle with undeveloped wildland or land being used for an agricultural purpose; or (4) a limited area outside the hazardous areas;

WHEREAS, the Council finds that the entire Town of Alta consists of the above listed hazardous areas and a map of Alta is attached hereto as Exhibit B;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF ALTA TOWN COUNCIL OF, UTAH, THAT:

SECTION I: Pursuant to the provisions of Utah Code Ann. 15A-5-202.5, and based on the findings as noted above, the use of Class C fireworks is hereby restricted in all areas of the Town of Alta as shown in the attached map in Exhibit B.

SECTION II: Due to the extreme drought conditions, the following are prohibited until October 31, 2021, unless earlier terminated by action of the Council.

1. No cutting, welding or grinding metal in areas of dry vegetation unless the areas where the work is being done is thoroughly wetted down and the areas are kept wet throughout the process.
2. No operating a motorcycle, chainsaw, ATV, other small internal combustion engine without an approved and working spark arrestor.
3. No open fires of any kind (compressed or liquid gas grills, stoves, and pellet fed smokers allowed with proper clearance of flammable materials.)

Section III: Penalty. Violation of this Ordinance is a Class B misdemeanor and punishable by up to a \$1,000 fine and/or up to 6 months in jail.

Section IV: Effective Date. For the protection and preservation of public health and safety, this Ordinance shall take effect immediately upon its passage. The Town Clerk is hereby directed to publish and/or post this Ordinance forthwith.

PASSED AND APPROVED by the Town of Alta Town Council, Utah, this ____ day of _____ in the year 2021.

TOWN OF ALTA

Harris Sondak, Mayor

ATTEST:

Piper Lever, Town Clerk

Exhibit A: Letter From Fire Marshal dated June 21, 2021.

Exhibit B: Map of Existing Hazardous Conditions in the Town of Alta. (Entire Town)



June 21, 2021

To: Town of Alta

I have been asked to provide guidance as to the currently existing environmental conditions that are in effect as they may impact your legislative bodies' evaluation of fireworks restrictions based on current conditions.

The US Drought Monitor shows most of Salt Lake County in the D-4, Exceptional Drought category. I received a report Saturday from the Division of Forestry Fire and State Lands that shows we are clearly following the historic dry line and explosive potential. This means that along the Wasatch Front, the energy release component of vegetation is near maximum potential and the fuel moisture well below average. Given the unusually high temperatures and low humidity the past few days since these reports, conditions have become drier.

The current conditions present very hazardous fire potential during this fireworks season. This is particularly true for Alta as the entire town is located within a wildland interface area or the type of area described in Utah Code §15A-5-202.5(1)(b)(1).

Given these factors and conditions, I have determined, as the fire code official, that hazardous environmental conditions exist that necessitate the controlled use of ignition sources in the entirety of Alta. I recommend that your entity restrict ignition sources, including fireworks, and prohibit their use throughout Alta (a map of the town boundaries is attached hereto).

Please feel free to contact our office should you have any questions.

Brad Larson

Fire Marshal / Unified Fire Authority

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