

## SOUTH WEBER CITY COUNCIL AGENDA

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**PUBLIC NOTICE** is hereby given that the City Council of SOUTH WEBER CITY, Utah, will meet in a special public meeting commencing at 6:00 p.m. on Tuesday, June 29, 2021 in the Council Chambers at 1600 E. South Weber Dr.

1. Ordinance 2021-09: Restricting Personal Fireworks

**CLOSED SESSION** held pursuant to the provision of UCA section 52-4-205 (1) (d)

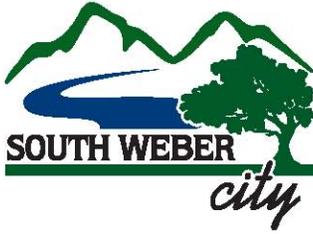
2. Discuss the purchase, exchange, or lease of real property
3. Return to Open Meeting and Adjourn

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder, 1600 East South Weber Drive, South Weber, Utah 84405 (801-479-3177) at least two days prior to the meeting.

THE UNDERSIGNED DULY APPOINTED CITY RECORDER FOR THE MUNICIPALITY OF SOUTH WEBER CITY HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS MAILED, EMAILED, OR POSTED TO: 1. CITY OFFICE BUILDING 2. FAMILY ACTIVITY CENTER 3. CITY WEBSITE <http://southwebercity.com/> 4. UTAH PUBLIC NOTICE WEBSITE <https://www.utah.gov/pmn/index.html> 5. THE GOVERNING BODY MEMBERS 6. OTHERS ON THE AGENDA

**DATE:** 06-24-2021

**CITY RECORDER:** Lisa Smith



# Agenda Item Introduction

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**Council Meeting Date:** 06-29-2021

**Name:** Lisa Smith

**Agenda Item:** Restricting Personal Fireworks

**Background:** Council discussed the possibility of restricting fireworks in the June 22<sup>nd</sup> meeting and decided the safety issue outweighs the entertainment value. Ordinance 2021-09 will create a temporary restriction of personal fireworks while allowing the professional display for Country Fair Days in August.

**Summary:** Restrict Fireworks by passing Ordinance 2021-09

**Budget Amendment:**

**Procurement Officer Review:** Budgeted amount \$                      Bid amount \$

**Committee Recommendation:**

**Planning Commission Recommendation:**

**Staff Recommendation:**

**Attachments:** Ordinance 2021-09

**ORDINANCE NO. 2021-09**

**AN ORDINANCE OF THE CITY COUNCIL OF SOUTH WEBER CITY  
RESTRICTING THE USE OF PERSONAL FIREWORKS  
WITHIN ALL PORTIONS OF THE CITY**

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

**WHEREAS**, being advised by the South Weber City Fire Chief, the South Weber City Council further finds that the City, throughout all areas, contains innumerable brush-covered areas, dry- grass covered areas, undeveloped wildland, and land being used for agricultural purposes, that 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 South Weber 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 South Weber 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, outside fires, outside smoking, sparking machinery, and sky landers are hereby restricted in all areas of South Weber 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. Violation(s) of this Ordinance shall be punished and enforced pursuant to Section 1-9-1 et seq. of the South Weber City Code up to the maximum criminal or civil responsibility 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.

**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 29<sup>th</sup> day of June, 2021.

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**MAYOR: Jo Sjoblom**

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**ATTEST: City Recorder, Lisa Smith**

Roll call vote is as follows:		
Council Member Halverson	FOR	AGAINST
Council Member Hyer	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Taylor	FOR	AGAINST
Council Member Winsor	FOR	AGAINST

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**CERTIFICATE OF POSTING**

I hereby certify that Ordinance 2021-09 was passed and adopted the 29th day of June 2021 and that complete copies of the ordinance were posted in the following locations within the City this 30<sup>th</sup> day of June 2021.

1. South Weber Elementary, 1285 E. Lester Drive
2. South Weber Family Activity Center, 1181 E. Lester Drive
3. South Weber City Building, 1600 E. South Weber Drive

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**Lisa Smith, City Recorder**