

ORDINANCE #2022-O-04

ORDINANCE AMENDING TITLE 6 CHAPTER 08 SECTION 050 “PROHIBITED ACTS AND ACTIVITIES”

WHEREAS, the Town Council finds that it is in the public interest to address fire ignition sources due to environmental issues (weather conditions and dry fuel loads), topographical considerations (mountainous terrain, wildland interface, brush covered areas throughout the city), public safety concerns (people, structures, waterways, washes, and property), etc. in Hideout, Utah; and

WHEREAS, Utah Code §§ 53-7-225, 15A-5-202.5 authorize a municipality to restrict ignition sources in areas with hazardous environmental conditions, and

WHEREAS, the fire official for Town of Hideout (“Hideout”) has found that existing hazardous environmental conditions have existed within Hideout before July 1 of at least two of the preceding five years. (see Letter From Fire Marshal dated April 4, 2022, attached as Exhibit A);

WHEREAS, the Town of Hideout contains significant amounts of property containing hazardous environmental conditions.

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

SECTION I: Title 6 Chapter 08 Section 050 “Prohibited Acts and Activities” is amended as follows:

6.08 FIREWORKS AND IGNITION SOURCES

6.08.050 PROHIBITED ACTS AND ACTIVITIES

A. It shall be unlawful to discharge fireworks:

- 1- Within one hundred feet (100') of any place where fireworks are sold or offered for sale;
- 2- Within three hundred feet (300') of any church, hospital, rest home, retirement center, school building or similar institution;
- 3- In such a manner that the fireworks project over or onto the property of another person without the consent of the person owning or controlling such property; or
- 4- In any public park.

B. It shall be unlawful to ignite, discharge or throw any fireworks from or into any motor vehicle, or at or near any person.

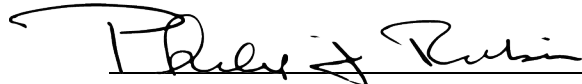
C. It shall be unlawful to make, sell, or offer to sell or to discharge any type of homemade fireworks.

- D. It shall be unlawful to sell or to offer to sell fireworks:
- 1- Without a permit;
 - 2- In violation of any requirement of this chapter or any regulations adopted by the Utah fire prevention board;
 - 3- At a location not specified in the permit application;
 - 4- Without the insurance coverage required in the permit application; or
 - 5- In violation of HMC 6.08.030 Paragraph B.
- E. It shall be unlawful to discharge fireworks, even when otherwise permitted under Utah Statute or Town Code, when:
- 1- When the fire code official determines that existing or historical hazardous environmental conditions necessitate controlled use of any ignition sources.
 - 2- In areas designated by the Council as containing hazardous environmental conditions.
- F. The use of ignition sources including but not limited to open fires, solid fuel fire pits, lighters, matches, sky lanterns, open barbeques, and smoking materials is prohibited under the following circumstances:
- 1- From May 1st through November 30th of each year.
 - ~~1-2-~~ When the fire code official of Hideout determines that existing or historical hazardous environmental conditions necessitate controlled use of any ignition sources.
 - ~~2-3-~~ In areas designated by the Council as containing hazardous environmental conditions.
 - ~~4-~~ When the use of open fires, fire pits, lighters, matches, sky lanterns, barbeques, smoking materials, or other ignition source that produces embers and/or is negligent.
- Enclosed grills and gas fire pits are not prohibited with proper clearance from flammable materials.
- G. Except as provided in HMC 6.08.010, it shall be unlawful for any person, firm or corporation to at any time own, possess, control, sell or offer to sell any fireworks other than as set forth in Utah Code § 53-7-222.

Section II: Effective Date. This Ordinance shall take effect upon publication.

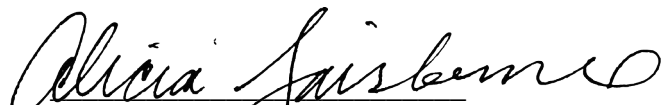
PASSED AND APPROVED by the Town of Hideout Town Council, Utah, this 14th day of April in the year 2022.

TOWN OF HIDEOUT



Phil Rubin, Mayor

ATTEST:



Alicia Fairbourne, Town Clerk





WASATCH FIRE DISTRICT

10420 N. Jordanelle Blvd. Heber City, UT 84032
435-940-9636

April 4, 2022

Hideout Town Council,

You have requested guidance from me as to your historical environmental conditions as they may impact your legislative bodies' evaluation of fireworks restrictions this season.

As the Municipality is located entirely within a wildland interface area or the type of area described in Utah Code §15A-5-202.5(1)(b)(1), and in or adjacent to US Forest Service lands, both historical and expected conditions present extreme hazardous fire potential during this fireworks season. The entire area of the Municipality has experienced these extremely hazardous environmental conditions in two of the last five years.

Given the history, factors, and conditions, Wasatch Fire District has determined that hazardous environmental conditions historically and currently exist that necessitate the controlled use of ignition sources in the entirety of Hideout. These conditions have existed in perpetuity given the location (mountainous, brush covered, forest covered, etc.) and as the Fire Code Official for Wasatch Fire District, we recommend that your entity restrict ignition sources, including fireworks, and prohibit their use throughout the Municipality.

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

Wasatch Fire District