

FRUIT HEIGHTS, UTAH
ORDINANCE NO. 2019-006

**AN ORDINANCE PROHIBITING THE DISCHARGE OF FIREWORKS
WITHIN SPECIFIED AREAS OF FRUIT HEIGHTS CITY**

WHEREAS, the Fruit Heights City Council has heard evidence and has determined that current conditions exist within the City which increase the danger of wildfire; and

WHEREAS, the Fruit Heights City Council has further determined, in the current condition, that the discharge of fireworks will present a more significant risk of igniting fires; and

WHEREAS, the City Council has determined that the preservation of public health, safety and welfare requires that fireworks not be discharged within certain specified areas of the City; and

WHEREAS, pursuant to *Utah Annotated* §10-8-47, the City has the authority to regulate and prevent the discharge of fireworks;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FRUIT HEIGHTS CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Discharge Prohibited. The discharge of fireworks, as defined in Fruit Heights City Ordinances and/or the Utah State Code, is hereby prohibited within the following specified areas of the City being defined as:

- I. Beginning on the south boundary of the City at Mountain Road and extending eastward, to 400 North, and all areas northward of 400 North and east of highway 89 to the northern boundary of the City, also including;
- II. Nicholls Park and the Baer Creek Hollow area, beginning at the west Right-of-way line of Highway 89 and extending west to SR-273 (Main Street) which shall include all property north of Nicholls Road and south of Fencepost Road to the Fruit Heights/Kaysville boundary line at which point, following the City boundary line, including all property south of the Fruit Heights City boundary which is shown on the map attached hereto as Exhibit "A," and incorporated into this Ordinance by reference.

Section 2. Penalty. Violation of this Ordinance shall be a Class B misdemeanor.

Section 3. Effect on other Ordinances. This Ordinance shall supersede other Fruit Heights City Ordinances in conflict herewith and shall act as a temporary repeal of such conflicting Ordinances, through the effective date.

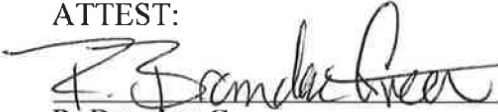
Section 4. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

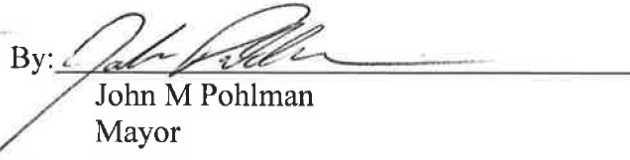
Section 5. Effective Date. For the preservation of public health and safety, this Ordinance shall become effective immediately upon its passage and shall remain in effect until November 30, 2013, unless sooner repealed by the Fruit Heights City Council.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF FRUIT HEIGHTS CITY,
STATE OF UTAH, THIS 4th DAY OF June 2019.**

FRUIT HEIGHTS CITY

ATTEST:


R. Brandon Green
City Recorder

By: 
John M Pohlman
Mayor