

HERRIMAN, UTAH
ORDINANCE NO. 2024-06

**AN ORDINANCE OF THE HERRIMAN CITY COUNCIL REGULATING,
PREVENTING, AND BANNING THE DISCHARGE OF FIREWORKS WITHIN
CERTAIN AREAS OF HERRIMAN CITY.**

WHEREAS, the Herriman City Council (“*Council*”) met in regular session on March 13th, 2024 to consider, among other things, regulating, preventing, and banning the discharge of all fireworks within certain areas of the City; and

WHEREAS, the fire code official has advised the Council and has determined that existing or historical hazardous environmental conditions necessitate controlled use of any ignition source, including all types of fireworks, in bush-covered or dry grass-covered areas, within 200 feet of waterways, trails, canyons, washes, ravines, or similar areas, or a limited area outside the hazardous areas described above to facilitate a readily identifiable closed area; and

WHEREAS, the fire code official has produced a map (the “*Map*”) that identifies the existing or historical hazardous environmental conditions that necessitate controlled use of any ignition source, including all fireworks, in bush-covered or dry grass-covered areas, within 200 feet of waterways, trails, canyons, washes, ravines, or similar areas, or a limited area outside the hazardous areas described above to facilitate a readily identifiable closed area; and

WHEREAS, the Council finds that based upon the *Map*, that the areas designated for closure are along readily identifiable features like major roadways, waterways, or geographic features; and

WHEREAS, the Council finds that based upon the *Map*, the boundary of the designated closed areas are as close as is practical to the defined hazardous areas, provided that the closed areas may include areas outside of the hazardous areas in order to facilitate a readily identifiable line; and

WHEREAS, the Council finds that the *Map* is readily available to the public because the *Map* will supplement the historical hazardous environmental conditions county-wide map as contemplated in Utah Code Ann. § 53-7-225; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the inhabitants of Herriman City to ban the use of fireworks within the areas designated as closed in the *Map*.

NOW, THEREFORE, BE IT ORDAINED by the Herriman City Council as follows:

1. Except for display operators properly licensed as required by applicable state and federal law, it is unlawful for any person to discharge a class C common state approved explosive in the areas identifies as Restricted Areas on the *Map*, an accurate copy of which is attached hereto as Exhibit A.


2. The definition of a “class C common state approved explosive” shall be as set forth in Utah Code Ann. § 53-7-202(5). All other terms shall have the same meaning as set forth in the Utah Fireworks Act as found in Utah Code Ann. § 53-7-220 *et seq.*

3. Any person convicted of violating the provisions of this ordinance shall be guilty of an infraction, punishable by a fine of up to \$175 with jurisdiction in the Herriman City Justice Court.

4. This Ordinance, assigned no. 2024-06, shall take effect immediately upon recording or no later than 30 days of the date hereof, whichever is sooner, pursuant to Utah Code Ann. § 10-3-705

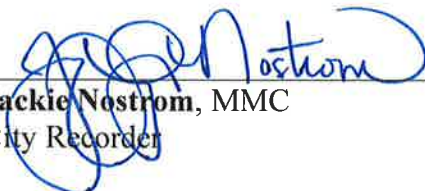
PASSED AND APPROVED by the Herriman City Council this 13th day of March, 2024.

HERRIMAN



Lorin Palmer, Mayor

ATTEST:



Jackie Nostrom, MMC
City Recorder



Herriman City

ORDINANCE NUMBER: 2024-06

SHORT TITLE: ORDINANCE REGULATING, PREVENTING, AND BANNING THE DISCHARGE OF FIREWORKS WITHIN CERTAIN AREAS OF HERRIMAN CITY

PASSAGE BY THE CITY COUNCIL OF HERRIMAN CITY ROLL CALL

NAME	MOTION	SECOND	FOR	AGAINST	OTHER
Lorin Palmer			X		
Jared Henderson					Absent
Teddy Hodges		X	X		
Sherrie Ohrn	X		X		
Steven Shields			X		
	TOTALS		4		

This ordinance was passed by the City Council of Herriman City, Utah on the 13th day of March 2024, on a roll call vote as described above.

HERRIMAN CITY 2024 FIREWORK RESTRICTION AREA



IT IS UNLAWFUL FOR ANY PERSON TO DISCHARGE, IGNITE, EXPLODE, PROJECT, OR OTHERWISE FIRE OR PERMIT THE IGNITION, EXPULSION OR PROJECTION OF ANY FIREWORKS OR OPEN FLAME FIRES WITHIN

TWO HUNDRED (200) FEET
OF AN UNDEVELOPED PROPERTY
OR AGRICULTURAL FIELD.

**FIREWORKS ARE PROHIBITED AT
SCHOOLS AND IN PARKS.**

CITY CODE
TITLE 2 CHAPTER 4-2-3
DISCHARGE OF FIREWORKS

