

RESOLUTION #2023-R-7

RESOLUTION FINDING HAZARDOUS ENVIRONMENTAL CONDITIONS AND 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 beginning on July 2 and ending on July 5, and beginning on July 22 and ending on July 25;

WHEREAS, Utah Code § 15A-5-202.5(1)(b) allows municipalities to “close a defined area to the discharge of fireworks due to a historical hazardous environmental condition” if the “historical hazardous environmental condition has existed in the defined area before July 1 of at least two of the preceding five years;”

WHEREAS, the fire official for the Town of Alta (“Alta”) has found that existing hazardous environmental conditions have existed within Alta before July 1 of at least two of the preceding five years. (see *Letter From Fire Marshal* dated May 1, 2023, attached as Exhibit A);

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, for at least two of the preceding five years before July 1st, 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 are hereby restricted in all areas of the Town of Alta as shown in the attached map in Exhibit B.

Section II: Effective Date. This resolution shall be effective upon receipt of the attached map (Exhibit B) by Salt Lake County and publication of the Resolution by the Town Clerk.

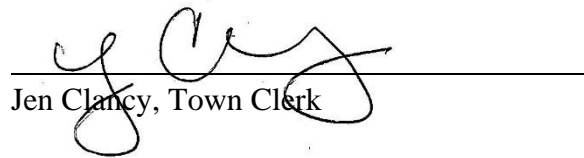
PASSED AND APPROVED by the Town of Alta Town Council, Utah, this 10th day of May in the year 2023.

TOWN OF ALTA

A handwritten signature in black ink, appearing to read "Roger Bourke", written over a horizontal line.

Roger Bourke, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Jen Clancy", written over a horizontal line.

Jen Clancy, Town Clerk

Exhibit A: Letter From Fire Marshal dated May 1, 2023.

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



UNIFIED FIRE AUTHORITY

May 1, 2023

To: Town of Alta

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 Town of Alta 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 Town of Alta has experienced these extremely hazardous environmental conditions in two of the last five years (in fact every year of the past five years). I fully expect such conditions to continue throughout the fireworks season this year.

Given the history, factors, and conditions, I have determined, as the fire code official, that hazardous environmental conditions historically and currently exist that necessitate the controlled use of ignition sources in the entirety of The Town of Alta. These conditions have existed in perpetuity given the location (mountainous, brush covered, forest covered, etc.) and as the Fire Code Official for Unified Fire, I recommend that your entity restrict ignition sources, including fireworks, and prohibit their use throughout The Town of Alta.

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

BRAD LARSON
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