

Chapter 6-6 FIRE PREVENTION AND FIREWORKS

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Section 6-6-010 Definitions. All words used in this chapter shall mean the same as they are defined in Utah Code Ann. 53-7-202, as amended.

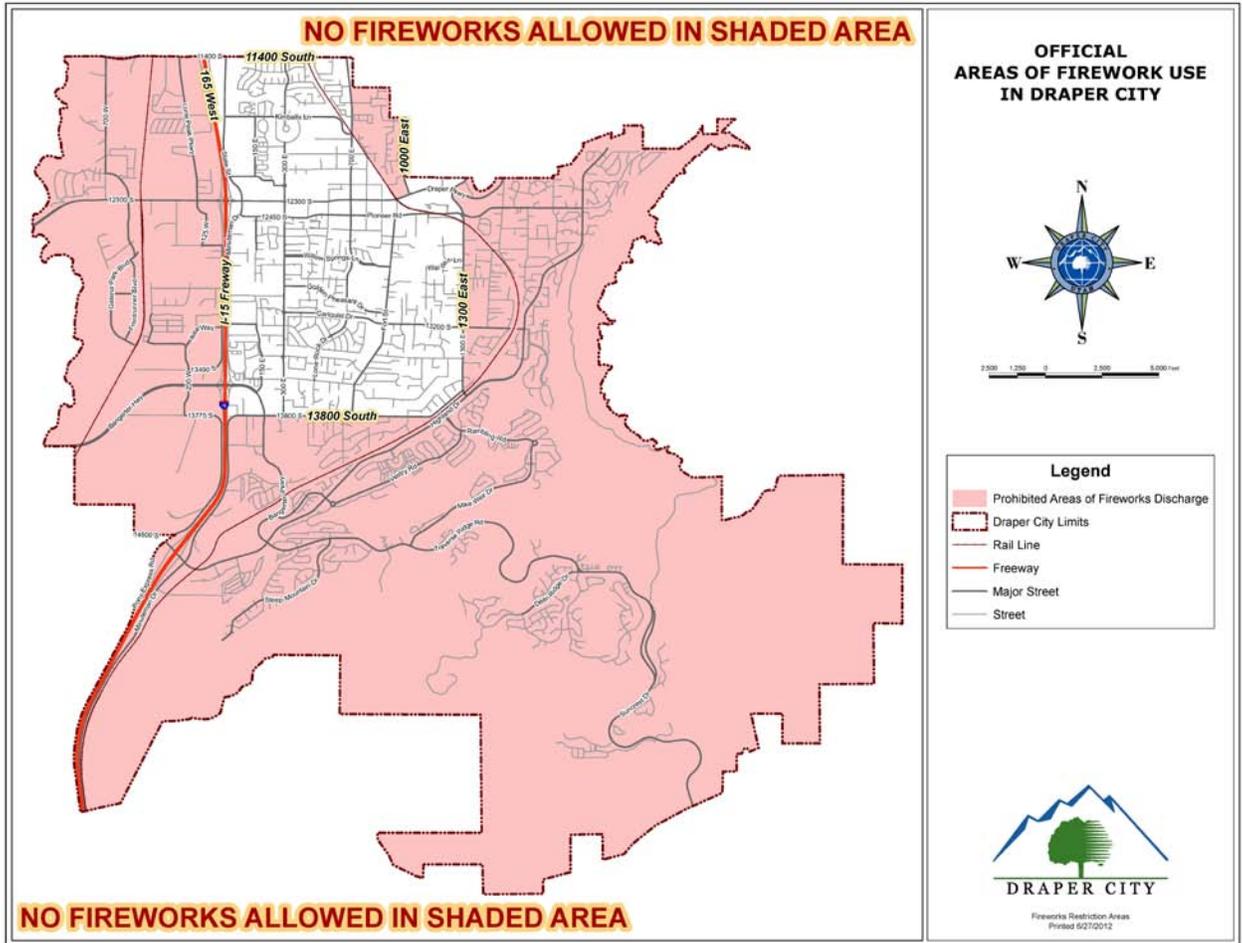
Section 6-6-020 Sale, Discharge and Possession of Fireworks Restricted.

(a) It is unlawful and shall constitute a class B misdemeanor for any person to sell or offer for retail sale any fireworks without first obtaining a license from the City and paying the required regulatory fee as set forth in the City's Consolidated Fee Schedule.

(b) It is a class B misdemeanor for any person to sell, offer for retail sale, discharge, or have in their possession any fireworks in Draper City, other than class C common state approved explosives as authorized by Utah Code Ann. 53-7-201 et seq., as amended, the rules adopted by the Utah Fire Prevention Board pursuant thereto, and this chapter, except as otherwise permitted by state law

(c) It shall be unlawful to discharge any fireworks within 20 feet of any residence, dwelling or other structure.

(d) Due to perennial extreme hazardous fire conditions in certain portions of Draper City, the discharge of fireworks is prohibited east of 1300 East Street, south of 13800 South Street, west of Interstate 15, and in the area from 12300 South running north along 1000 East Street to the north city boundary, then following the city boundary west to 700 East Street, then south to the UTA TRAX line, then following the TRAX line to 12300 South Street, to be known as the Mehraban Wetlands area, all as shown on the following map:



(e) It is unlawful and shall constitute a class “B” misdemeanor for any person to discharge display fireworks, special effects, or flame effects performances, without first receiving a Draper City permit therefor. Evidence shall also be provided that the display operator, special effects operator, or flame effects operator who will set up and discharge the display has received a license from the State Fire marshal Division Department of Public Safety. The operator shall also provide a certificate of insurance in the minimum amount of \$2,000,000 and which names the City as an additional insured.

(f) It shall be unlawful and shall constitute a class B misdemeanor for any person to discharge or launch a “sky lantern” or similar type of unmanned fire. “Sky lantern” means a small unmanned hot air balloon with an opening at the bottom where a fire is suspended. “Sky lanterns” are sometimes called “Chinese lanterns,” “sky candles” or “fire balloons” and usually consist of a wire frame with a paper shell and a candle or other fuel, by which the burning candle or fuel creates hot air that makes the lantern float and glow.

Section 6-6-030 Application for License to Sell Fireworks.

(a) All applications for a license to sell fireworks shall:

(1) set forth the proposed location where the fireworks are to be sold and whether the location is a temporary stand, trailer, tent, or permanent structure;

- (2) be accompanied by certificates of insurance evidencing:
 - (i) liability coverage in the minimum amounts of \$200,000/\$400,000, property damage coverage in the minimum amount of \$200,000 with each naming the City as an additional insured;
 - (ii) products liability coverage in a minimum amount of \$500,000;
 - (iii) a statement that Draper City will be given ten days' written notice prior to any cancellation of the insurance by the insurance company; and
- (3) be accompanied by a copy of the applicant's Utah Sales Tax License.

(b) Applications shall be made at least three business days prior to when the applicant wishes to begin selling fireworks within the time constraints set forth in state law.

Section 6-6-040 Posting of License and Map.

(a) Licenses issued pursuant to this chapter shall be posted in a conspicuous place in a temporary stand, trailer or tent, and in a conspicuous place in the vicinity of the fireworks in a permanent structure.

(b) The City license shall be available for presentation upon request to duly authorized officials.

(c) A map showing the boundaries for discharge of fireworks in Draper City shall be posted at all retail fireworks locations.

Section 6-6-050 Regulations Governing All Retail Sales Locations.

(a) Every officer charged with the enforcement of State and City laws including the Fire Marshal is hereby charged with responsibility to enforce this chapter.

(b) Fireworks sold or offered for sale in violation of this chapter may be seized and destroyed and the license of the person selling or offering fireworks for sale may be revoked.

(c) Any violation of this chapter may serve as a basis for non-renewal of a license in future years.

Section 6-6-060 Temporary Stands, Trailer, and Tents.

(a) Temporary stands, trailers, and tents used for the retail sale of fireworks shall meet the requirements of the latest edition of the building code adopted by the City. Each licensee shall pay the inspection fee and each licensed premises shall be inspected prior to any sales.

(b) Temporary fireworks stands, trailers, and tents shall be removed within seven days after the fireworks sales period has ended.

Title 6 Chapter 6 Code Amendments

6-6 amended	per Ordinance No. 590	02/15/2005
6-6 amended	per Ordinance No. 969	05/03/2011
6-6-020 amended	per Ordinance No. 1020	06/26/2012
6-6-020 amended	per Ordinance No. 1052	06/18/2013