

OGDEN VALLEY CITY
ORDINANCE NO. 2026-50

AN ORDINANCE OF THE OGDEN VALLEY CITY COUNCIL AMENDING TITLE 5 OF THE OGDEN VALLEY CITY MUNICIPAL CODE BY ENACTING CHAPTER 5.06, GENERAL FIRE AND FIREWORKS RESTRICTIONS; PROVIDING FOR AUTOMATIC ADOPTION OF FIRE RESTRICTIONS ISSUED BY THE WEBER FIRE DISTRICT OR OTHER APPLICABLE FIRE AUTHORITY; RESTRICTING THE USE OF PERSONAL FIREWORKS WITHIN DESIGNATED AREAS OF THE CITY; ADOPTING AN OFFICIAL FIREWORK RESTRICTION MAP; PROVIDING FOR ENFORCEMENT AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Ogden Valley City (the “City”) is a municipality incorporated in Weber County, State of Utah; and

WHEREAS, the Ogden Valley City Council (the “Council”) is the legislative body of the City; and

WHEREAS, Title 5 of the Ogden Valley City Municipal Code governs public health and safety matters, and Chapter 5.06 is currently reserved; and

WHEREAS, the City is served for fire suppression, fire prevention, inspection, and emergency response purposes by the Weber Fire District, and the Weber Fire District Fire Marshal acts as the fire code official for the City; and

WHEREAS, the Council finds that the preponderance of the geographic area of the City lies within or near the wildland urban interface and includes brush-covered land, forest-covered land, dry grass-covered land, steep and varied topography, limited ingress and egress, limited water infrastructure, and residential structures intermingled with wildland fuels; and

WHEREAS, the Council finds that drought conditions, high winds, fuel accumulation, and the intermixing of residential structures with undeveloped wildland fuels create an ongoing and significant risk of wildfire within the City and the surrounding Ogden Valley; and

WHEREAS, fire restriction orders issued by Weber Fire District, Weber County, the Utah State Forester, the Utah Division of Forestry, Fire and State Lands, or other applicable fire authorities may not automatically apply within incorporated municipal boundaries unless adopted by the City; and

WHEREAS, the Council desires to adopt a standing ordinance providing that, when the Weber Fire District, Weber County, the Utah State Forester, the Utah Division of Forestry, Fire and State Lands, or another applicable fire authority issues Stage 1, Stage 2, Level 1, Level 2, or substantially equivalent fire restrictions covering Weber County, the Ogden Valley, the Upper Ogden Valley, the Weber Fire District service area, or an area that includes or substantially surrounds the City, the same restrictions will apply within Ogden Valley City unless modified by the City; and

WHEREAS, Weber County Fire Marshal Golden Barrett, acting as the fire code official with jurisdiction over the City, has reviewed conditions within the City and has determined that existing and historical hazardous environmental conditions exist that necessitate the controlled use of ignition sources, including personal fireworks, within significant portions of the City; and

WHEREAS, Fire Marshal Barrett has further found that this hazard is heightened by drought conditions, fuel accumulation, and the intermixing of residential structures with undeveloped wildland fuels throughout the Ogden Valley, consistent with the Weber Fire District’s designation of the area as part of the Weber County Wildland Urban Interface Zone; and

WHEREAS, pursuant to Utah Code Ann. § 15A-5-202.5(2), the Council finds that the restricted fireworks areas designated in Exhibit A are closed areas bounded, to the extent practical, by readily identifiable features such as roadways, waterways, ridgelines, or other geographic features, and that the boundaries of the restricted areas are drawn as close as is practical to the actual hazardous areas identified by the Fire Marshal; and

WHEREAS, the Council desires to codify the City’s fireworks restrictions together with the City’s general fire restrictions in Chapter 5.06 so residents, visitors, City staff, the Fire Code Official, and law enforcement may find the applicable fire and fireworks restrictions in a single public health and safety chapter; and

WHEREAS, the Council finds that adopting and codifying such restrictions provides clarity to residents, improves public safety, assists enforcement, and protects life, property, public infrastructure, and natural resources from wildfire; and

WHEREAS, the Council finds that the minimal public inconvenience caused by such restrictions is substantially outweighed by the need to protect the health, safety, and welfare of the City and its residents;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Ogden Valley City, Utah, as follows:

SECTION 1. AMENDMENT TO TITLE 5 TABLE OF CONTENTS.

The Title 5 table of contents of the Ogden Valley City Municipal Code is hereby amended by replacing “CHAPTER 5.06 RESERVED” with “CHAPTER 5.06 GENERAL FIRE AND FIREWORKS RESTRICTIONS.”

SECTION 2. ENACTMENT OF CHAPTER 5.06.

Title 5 of the Ogden Valley City Municipal Code is hereby amended by enacting Chapter 5.06 to read as follows:

CHAPTER 5.06

GENERAL FIRE AND FIREWORKS RESTRICTIONS

5.06.010 Purpose.

The purpose of this Chapter is to protect the public health, safety, and welfare by adopting and enforcing fire restrictions, fireworks restrictions, and related ignition-source restrictions within Ogden Valley City when hazardous environmental conditions, fire danger, drought, fuel conditions, or other wildfire risks warrant such restrictions.

5.06.020 Definitions.

For purposes of this Chapter, the following terms shall have the meanings set forth below:

A. “City” means Ogden Valley City.

B. “Fire Code Official” means the Weber Fire District Fire Marshal, or the Fire Marshal’s authorized designee, acting as the fire code official for Ogden Valley City.

C. “Fire Restriction Order” means any written order, notice, declaration, proclamation, map, public notice, or similar official action imposing Stage 1, Stage 2, Level 1, Level 2, or substantially equivalent fire restrictions issued by the Weber Fire District, Weber County, the Utah State Forester, the Utah Division of Forestry, Fire and State Lands, the Utah State Fire Marshal, or another federal, state, county, district, or local agency with fire management or fire prevention authority.

D. “Open Burning” means the burning of materials where products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber, and includes the burning of weeds, brush, yard waste, rubbish, debris, slash, construction materials, or other materials.

E. “Open Flame” means any flame, fire, or ember-producing source, including but not limited to campfires, bonfires, fire pits, charcoal grills, pellet grills, tiki torches, candles, lanterns, sky lanterns, warming fires, recreational fires, or any other exposed flame or ash-producing fuel source.

F. “Personal Fireworks” means class C common state-approved explosives and any other fireworks, pyrotechnics, sparklers, or similar devices regulated under Utah Code Title 53, Chapter 7, Part 2, as amended.

G. “Stage 1 Fire Restrictions” or “Level 1 Fire Restrictions” means fire restrictions denominated as Stage 1, Level 1, or a substantially equivalent restriction level by the issuing fire authority.

H. “Stage 2 Fire Restrictions” or “Level 2 Fire Restrictions” means fire restrictions denominated as Stage 2, Level 2, or a substantially equivalent restriction level by the issuing fire authority.

5.06.030 Automatic Adoption of Fire Restrictions.

A. Whenever a Fire Restriction Order is issued covering Weber County, unincorporated Weber County, the Ogden Valley, the Upper Ogden Valley, the Weber Fire District service area, public lands within or adjacent to the City, or any geographic area that includes or substantially surrounds the City, the same restrictions shall be deemed adopted and shall be enforceable within the municipal boundaries of Ogden Valley City.

B. The restrictions shall become effective within the City at the same date and time stated in the Fire Restriction Order, unless the City Council, Mayor, or Fire Code Official specifies a later effective date.

C. The restrictions shall remain in effect within the City until the earliest of the following: (1) the issuing authority rescinds or terminates the Fire Restriction Order; (2) the Fire Code Official determines in writing that the restrictions are no longer necessary within the City; (3) the City Council modifies or terminates the restrictions by ordinance, resolution, or other lawful action; or (4) the Fire Restriction Order expires by its own terms.

D. The City Recorder, Mayor, City staff, or Fire Code Official may post notice of the applicable restrictions on the City’s website, at City offices, through social media, by public notice, or by any other reasonable means. Failure to post notice shall not invalidate the restrictions if the underlying Fire Restriction Order has been issued and is otherwise publicly available.

5.06.040 Stage 1 / Level 1 Restrictions.

Unless the applicable Fire Restriction Order is more restrictive or provides otherwise, the following restrictions shall apply during Stage 1 Fire Restrictions, Level 1 Fire Restrictions, or a substantially equivalent restriction level:

A. Open flames and open fires are prohibited except as expressly allowed in this Section or in the applicable Fire Restriction Order.

B. Campfires and recreational fires are prohibited except in approved fire rings, fire pits, grills, or similar facilities located: (1) in an agency-developed recreation site with a pressurized water system; or (2) at a permanently constructed fire pit at a private residence with a pressurized water system, where allowed by the Fire Code Official and all other applicable law.

C. Open burning is prohibited.

D. Primitive fires, bonfires, brush fires, debris burning, slash burning, and similar fires are prohibited.

E. Fireworks, pyrotechnics, tracer ammunition, exploding targets, sky lanterns, and similar devices are prohibited.

F. Cutting, welding, grinding, or other spark-producing metal work is prohibited in areas of dry vegetation, unless specifically authorized by the Fire Code Official and performed with adequate fire prevention measures.

G. Smoking is prohibited near vegetation or outside developed recreation sites, except: (1) inside an enclosed vehicle, trailer, or building; (2) at a developed recreation site; or (3) in an area that is paved, barren, or cleared of dry vegetation.

H. Motorized equipment, including ATVs, motorcycles, chainsaws, generators, and other small internal combustion engines, may not be operated without an approved and functioning spark arrestor where required by applicable law or the Fire Code Official.

I. Hot ashes, charcoal briquettes, or other burning or smoldering materials may not be dumped or discarded.

J. Propane stoves, gas stoves, gas grills, propane griddles, liquid-fueled stoves, and propane fire pits with an on/off switch or shutoff valve may be used in areas cleared of flammable materials, unless prohibited by the Fire Code Official or the applicable Fire Restriction Order.

5.06.050 Stage 2 / Level 2 Restrictions.

Unless the applicable Fire Restriction Order is more restrictive or provides otherwise, the following restrictions shall apply during Stage 2 Fire Restrictions, Level 2 Fire Restrictions, or a substantially equivalent restriction level:

A. All open flames are prohibited, including but not limited to campfires, recreational fires, fire pits, charcoal grills, pellet grills, tiki torches, candles, lanterns, warming fires, bonfires, brush fires, and all ash-producing fuel sources.

B. Open burning is prohibited.

C. Primitive fires, campfires, bonfires, brush fires, debris burning, slash burning, and similar fires are prohibited, including within developed campgrounds, picnic areas, and private residences unless expressly allowed in writing by the Fire Code Official or the applicable Fire Restriction Order.

D. Fireworks, pyrotechnics, tracer ammunition, exploding targets, sky lanterns, and similar devices are prohibited.

E. Cutting, welding, grinding, or other spark-producing metal work is prohibited in areas of dry vegetation, unless specifically authorized by the Fire Code Official and performed with adequate fire prevention measures.

F. Smoking is prohibited except: (1) inside an enclosed vehicle, trailer, or building; (2) at a developed recreation site; or (3) while stopped in an area that is paved, barren, or cleared of dry vegetation.

G. Motorized equipment, including ATVs, motorcycles, chainsaws, generators, and other small internal combustion engines, may not be operated without an approved and functioning spark arrestor where required by applicable law or the Fire Code Official.

H. Hot ashes, charcoal briquettes, or other burning or smoldering materials may not be dumped or discarded.

I. Gas or liquid-fueled stoves, grills, griddles, and similar appliances with an on/off switch or shutoff valve may be used only if located in an area with at least three feet of clearance from flammable vegetation or combustible material, unless prohibited by the Fire Code Official or the applicable Fire Restriction Order.

5.06.060 More Restrictive Rule Controls.

A. If a Fire Restriction Order contains restrictions that are more restrictive than the restrictions stated in this Chapter, the more restrictive Fire Restriction Order shall control.

B. If federal, state, county, district, or City law imposes a more restrictive fire, fireworks, open burning, smoking, equipment, or ignition-source restriction, the more restrictive requirement shall control.

C. Nothing in this Chapter shall be construed to limit the authority of the Fire Code Official to prohibit, extinguish, abate, or order the discontinuance of any fire, open flame, ignition source, or hazardous activity that presents an unreasonable risk to life, property, or public safety.

5.06.070 Permits and Exceptions.

A. The Fire Code Official may authorize limited exceptions to this Chapter where allowed by law and where the Fire Code Official determines that adequate fire prevention, suppression, staffing, water, weather, fuel, and site conditions exist.

B. Any person claiming an exception or permit shall have the burden to maintain and produce proof of the exception or permit upon request of the City, the Fire Code Official, law enforcement, or other authorized enforcement personnel.

C. No permit or exception shall relieve any person from liability for damages, suppression costs, response costs, penalties, or other consequences resulting from fire, smoke, sparks, embers, or hazardous activity.

5.06.080 Fireworks Restrictions - Restricted Areas.

A. Pursuant to Utah Code Ann. § 15A-5-202.5, and based on the findings of the Fire Code Official and the legislative findings adopted by the City Council, the use or discharge of Personal Fireworks is restricted in all areas of the City indicated on the **City's Firework Restriction Map**.

B. The City's Firework Restriction Map shall be maintained on file with the City Recorder and may also be posted on the City's website or made available through other reasonable means.

C. For 2026, the City's Firework Restriction Map is attached to this Ordinance as Exhibit A and is adopted as the Firework Restriction Map for purposes of this Section. The restricted areas designated in Exhibit A include, without limitation, brush-covered, forest-covered, and dry grass-covered areas; areas within 200 feet of waterways, trails, canyons, washes, ravines, or similar features; and wildland urban interface areas of the City, which together constitute the preponderance of the City's land area.

D. The 2026 fireworks restriction shall remain in effect until October 15, 2026, unless extended, modified, or terminated through action of the City Council. Future maps, extensions, modifications, or terminations may be adopted by ordinance, resolution, or other lawful action to the extent allowed by state law.

5.06.090 Fireworks Discharge Windows and Prohibited Discharge.

A. Nothing in this Chapter shall be construed to authorize the discharge of Personal Fireworks at any time, place, or manner prohibited by state law, City ordinance, Fire Restriction Order, order of the Fire Code Official, or any other applicable law.

B. The state discharge dates and hours set forth in Utah Code Ann. § 53-7-225 apply only where fireworks are otherwise lawful and do not authorize the discharge of Personal Fireworks within areas restricted by this Chapter, within any area subject to a Fire Restriction Order, or within any area where fireworks are otherwise prohibited.

C. During any Stage 1, Stage 2, Level 1, Level 2, or substantially equivalent fire restriction, Personal Fireworks are prohibited within the City unless expressly authorized by the City and approved by the Fire Code Official.

5.06.100 Public Fireworks Displays.

This Chapter shall not apply to a permitted public fireworks display authorized by the City and approved by the applicable Fire Code Official, provided the display complies with all permit conditions, safety requirements, state law, and applicable fire code requirements.

5.06.110 Enforcement.

A. This Chapter may be enforced by the City, the Fire Code Official, Weber Fire District personnel, code enforcement officers, law enforcement officers, and any other person authorized by law.

B. The Fire Code Official or other authorized enforcement personnel may order any prohibited or unsafe fire, open flame, open burning, fireworks discharge, spark-producing activity, or other hazardous activity to be immediately discontinued or extinguished.

C. It is unlawful for any person to refuse or fail to comply with an order issued under this Chapter.

D. The remedies and procedures provided in Chapter 2.09, Enforcement Procedures and Administrative Hearings, are available to enforce this Chapter and are not exclusive of any criminal, civil, administrative, injunctive, or equitable remedy otherwise available to the City.

5.06.120 Penalties.

A. Unless a different penalty is specifically provided by state law, any person who violates this Chapter, violates an applicable Fire Restriction Order adopted under this Chapter, refuses to comply with an order of the Fire Code Official, or knowingly allows a violation to occur on property owned or controlled by that person is guilty of a Class B misdemeanor.

B. Any person who discharges fireworks in violation of this Chapter, in violation of Utah Code Ann. § 53-7-225, or in violation of a restricted area designated under Utah Code Ann. § 15A-5-202.5 is guilty of an infraction and is subject to a fine of up to \$1,000, or the maximum amount allowed by state law, unless a greater penalty is authorized by law.

C. In addition to any criminal or infraction penalty, the City may pursue any civil, administrative, injunctive, or equitable remedy available by law.

D. Each separate act, each day a violation continues, and each separate ignition source, fire, discharge, or prohibited activity may constitute a separate violation.

E. Any person who violates this Chapter may be liable for all fire suppression costs, emergency response costs, investigation costs, abatement costs, administrative costs, attorney fees, and damages to public or private property to the fullest extent allowed by law.

5.06.130 Liability.

Any person who starts, maintains, permits, causes, or allows a fire, open flame, fireworks discharge, open burning, spark-producing activity, or other ignition source shall be responsible for any resulting fire, spread of fire, damage, suppression costs, response costs, or injury to the extent provided by law.

5.06.140 Severability.

If any section, clause, sentence, or provision of this Chapter is held invalid or unenforceable by a court of competent jurisdiction, the remainder of this Chapter shall remain in full force and effect.

SECTION 3. SEVERABILITY.

If any section, clause, sentence, or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

SECTION 4. GENERAL REPEALER.

All ordinances, resolutions, policies, or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5. EFFECTIVE DATE.

For the immediate preservation of the public health, safety, and welfare, this Ordinance shall take effect immediately upon adoption and publication or posting as required by law.

PASSED AND ADOPTED by the City Council of Ogden Valley City, Utah, this ____ day of _____, 2026.

Council Member	AYE	NAY
Don Hickman		
Kay Hoogland		
Tia Shaw		
Peggy Dooling-Baker		
Chad Booth		

APPROVED:

Janet Wampler, Mayor

ATTEST:

Sharon Robbins, City Recorder

APPROVED AS TO FORM:

Corbin Gordon, City Attorney

OGDEN VALLEY CITY FIREWORK RESTRICTION MAP

