

ORDINANCE 23- 14

**AN ORDINANCE OF THE NORTH LOGAN CITY COUNCIL
AMENDING TITLE 15 SECTION 521.08 – PUBLIC DISPLAY**

WHEREAS, the City Council of the City of North Logan, Utah, adopted and passed the Code of Revised Ordinances of the City of North Logan on March 16, 1989, which Code was published and effective on March 20, 1989; and

WHEREAS, said Code includes Title 15-521.08 Public Display; and

WHEREAS, the City Council has determined there is need and good cause to amend the Public Display of fireworks Ordinance to modify how a Special Event Permit is issued and the associated required conditions met;

NOW, THEREFORE; pursuant to UCA Section 10-3-707, the North Logan City Council hereby adopts, passes and publishes the following:

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AMENDING TITLE 15 SECTION 521.08 – PUBLIC DISPLAY**

BE IT ORDAINED by the City Council of the City of North Logan, Utah as follows (highlighted portion changed or added, crossed through items deleted):

SECTION I: CHANGES to Title 15 Amending Section 521.08 – Public Display

15-521.08 Public Display

- A) ~~The City Council~~ **The Fire Marshal**, notwithstanding any of the provisions of this act to the contrary, may, upon application in writing, upon the posting of a suitable bond, grant a **Special Event** Permit for the public display of fireworks by religious, fraternal or civic organizations or groups of individuals, ~~approved by the City Council and the City Council is authorized by resolution, to~~ **and** grant such permission when such display is to be handled by a ~~competent~~ **licensed** operator, to be approved by the Fire Marshal and ~~Chief of Police~~ **the associated City staff on the Special Event Permit**. Such display shall be of such a character, and so located, discharged, or fired, as in the opinion of the Fire Marshal ~~and Chief of Police~~, after property inspection, shall not be hazardous to property or endanger any person or persons. After such permit shall have been granted, sales possession, use, and distribution of fireworks for such display shall be lawful for that purpose only.
- B) All such applications for **Special Event** Permits shall set forth the date, the hour **(no later than 10:00PM for the start of the display in June and July, and no later than 9:30PM in August - November), the time length of the display (not to exceed 25 minutes), and the place of making such display, and the place of storing fireworks prior to the display; and further, the name or names of the person, persons, firm, partnership, corporation, association or group of individuals making the display; and the name of the person or persons, in charge of the igniting, firing, setting off, exploding or causing to be exploded such fireworks. The location of the storage place shall be subject to the approval of the Fire Marshal and Chief of Police. No permit granted hereunder shall be transferable.**
- 1) The City shall only issue one Special Event Permit for the Cache Recreation Complex area (which includes Green Canyon High School) and one Special Event Permit for the Elk Ridge Park area, for the public display of fireworks, per month, during the months of June 1st - November 10th each year, excluding North Logan City event displays. The filing of the Special Event Permit shall follow all park reservation time policies.**
- C) ~~The City Council may require a bond deemed adequate by the Council from the licensee in a sum not less than five hundred dollars conditioned for the payment of all damages, which may be caused either to a person or persons or to property, by reason of the display so as aforesaid licensed, and arising from any acts of the licensee, his agents or employees. Such bond shall run to the City and~~

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shall be for the use and benefit of any person injured or the owner of any property damaged, who is authorized to maintain an action thereon, or his heirs, executors, administrators, successors or assigns.

The Special Event Permit for public displays shall include an administrative fee along with a deposit. The Permit fee shall cover a portion of the costs for the Fire Marshal, and the associated City staff review of the permit. In addition, the permit fee shall cover the cost of the appropriate Fire Department standby based on the size of the public display. Applicants shall be responsible to follow all aspects of the Special Event Permit and establish and delineate the “fallout zone” through temporary fencing which may include caution tape. The Applicant shall also be responsible for all cleanup of garbage and firework remnants after the display. Any deficiencies in the responsibilities of the applicant shall result in the loss of the associated display deposit. Furthermore, any damages that occur to North Logan Facilities, as a result of the display, that exceed the deposit, shall be billed to the applicant. All professional firework company applicants must provide proof of insurance coverage for the display of no less than \$2,000,000 in coverage.

D) Alterations to these display regulations, the waiving of fees, or the approval of additional public firework displays, shall only be permitted by the Fire Marshal and North Logan City Mayor. Additionally, any applications for a Special Event Permit may be denied by the Fire Marshal due to the potential effects of a proposed show on the general public health, welfare, or safety.

SECTION II: CONFLICT. To the extent of any conflict between this ordinance and any other North Logan City ordinance(s) or regulation(s), the provisions of this Ordinance shall be controlling.

SECTION III: SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

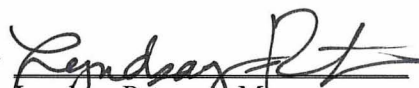
SECTION IV: EFFECTIVE DATE. In the opinion of the City Council of North Logan, it is necessary that this ordinance take effect immediately; therefore, this Ordinance shall take effect immediately upon its passage and first posting as provided by law.

ADOPTED AND PASSED by the City Council of the City of North Logan, Utah, this 4th day of October, 2023

NORTH LOGAN CITY, A Utah Municipal Corporation

ATTEST:

By


Lyndsay Peterson, Mayor


Scott Bennett, City Recorder

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CERTIFICATE OF DUE POSTING

I, SCOTT BENNETT, City Recorder of North Logan, Utah, hereby certify that I, on the 5th day of October, 2023, in the City of North Logan, Cache County, State of Utah, posted the foregoing Ordinance No. 23- 14 in a likely manner, a copy of which is hereto attached, in each of three public places in the said City of North Logan, to-wit:

1. North Logan City Offices, 2076 North 1200 East
2. North Logan City Library, 475 East 2500 North
3. North Park Police Department, 575 East 2500 North

WITNESS my hand this 5th day of October, 2023.



Scott Bennett, City Recorder