

TEMPORARY RESTRICTIONS DUE TO DROUGHT CONDITIONS

RESOLUTION NO. R-06-14-2021

A RESOLUTION OF THE EUREKA CITY COUNCIL ADOPTING RESTRICTIONS ON FIREWORKS, OUTDOOR FIRES, AND TARGET SHOOTING AND LIMITING OUTDOOR WATERING, IMPOSING PENALTIES FOR VIOLATIONS, AND RELATED MATTERS

WHEREAS Utah Governor Spencer J. Cox issued executive orders on March 17, 2021, and June 8, 2021, declaring a state of emergency due to drought conditions in the State of Utah; and

WHEREAS Eureka City wishes to protect vulnerable areas from the risk of fire and to restrict excessive use of water; and

WHEREAS Eureka City declares existence of extreme drought conditions in the City and surrounding area; and

WHEREAS Eureka City finds that it is necessary to implement conservation efforts and restrict certain activities for the health, welfare, and safety of Eureka City residents.

NOW, THEREFORE, BE IT RESOLVED BY THE EUREKA CITY COUNCIL as follows:

SECTION I: POLICIES REGARDING FIREWORKS, OUTDOOR FIRES, TARGET SHOOTING, AND WATER RESTRICTIONS.

- A. All fireworks are banned in Eureka City limits for a period of six months. (State law does not allow the use of fireworks outside of two periods in July, New Year's Eve, and Chinese New Year).
- B. Outdoor fires are allowed only when utilizing an established fire ring with a gravel perimeter of at least six feet for a period of six months.
- C. All target shooting within Eureka City limits is banned for a period of six months
- D. Outdoor watering shall be limited to the alternating watering schedule set by the City Council, and no outdoor watering is allowed between the hours of 10:00 am and 6:00 pm.

SECTION II: PENALTIES FOR VIOLATION OF THESE REGULATIONS.

- A. The violation of any of these temporary regulations is an infraction, subject to a fine of \$100 for a first offense, and \$500 for each subsequent offense.
- B. These regulations may also be enforced through court orders, injunctions, physical restriction of water supply (shut-offs), and other equitable or legal remedies.

SECTION III: SEVERABILITY.

The sections, paragraphs, sentences, clauses, and phrases of this Resolution 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 Resolution.

SECTION IV: EFFECTIVE DATE.

This resolution shall take effect immediately upon its approval and adoption.

PASSED by the Eureka City Council this 14th day of June, 2021.


J. NICHOLSON CASTLETON
Mayor of Eureka City

ATTEST:


PATRICIA BIGLER, City Recorder