

**TOWN OF CASTLE VALLEY, UTAH**  
**ORDINANCE 2007 – 6**  
**(This Ordinance Supersedes Ordinance 99 – 4)**

**AN ORDINANCE PROHIBITING OPEN FIRES, THE USE OF FIREWORKS, AND OTHER  
FIRE HAZARDS DURING PERIODS OF HIGH FIRE DANGER IN THE TOWN OF CASTLE  
VALLEY**

WHEREAS, the Town Council of the Town of Castle Valley finds that there can exist within the Town a high degree of fire hazard which creates a significant danger to persons and to property, and

WHEREAS, there is a limited ability to fight fires and contain fires in the Valley, and

WHEREAS, the Bureau of Land Management has posted a Smokey the Bear sign at the entrance to the Town, and the Castle Valley Fire Department posts by 9:00 A.M. daily the degree of fire danger in Castle Valley, therefore

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE VALLEY, UTAH:

**SECTION 1: Period of Prohibition/Restriction:** At any time that the Fire District sign posts a fire hazard at a “High”, “Very High” or “Extreme” level, the activities listed in Section 2 are strictly prohibited. This includes periods when, according to Utah State officials, the “burn window” is open.

**SECTION 2: Prohibited and restricted hazards:**

- A) Open fires are prohibited. The burning of trash, garbage or refuse in any manner is prohibited. Fires for recreational purposes are prohibited. Charcoal outdoor cooking may be used if it is done in a metal or masonry cooking device and is done in a manner such that no airborne sparks are produced.
- B) The use of all types of fireworks is prohibited except in the case of approval in writing from the Castle Valley Fire Department Chief. The use of any aerial fireworks such as “bottle” or “penny rockets”, or any other combustion-propelled device shall be a class B misdemeanor.
- C) Smoking materials must be disposed of safely.
- D) Welding, metal grinding or other processes known to produce sparks and other fire hazards must be conducted indoors or with means to extinguish a fire located at the site of the activity.
- E) An exception for recreational fires may be permitted in a fire pit approved in writing by the Castle Valley Fire Department Chief.

### **SECTION 3: Cost Responsibility and restitution**

- A) Any individual(s) causing a fire in the Town of Castle Valley shall pay for any costs incurred in extinguishing such fire and shall pay full restitution for any property damaged by such fire, insofar as permitted by State law
- B) If any fire is started by any child under the age of legal accountability, the parents, guardians, or other adults legally responsible for that child shall pay for the costs of extinguishing the fire and shall pay for any damage caused by the fire, insofar as permitted by State law.

**SECTION 4: LEGAL SANCTION:** It shall be a class B misdemeanor to violate any provisions of this ordinance. The Grand County Sheriff is hereby authorized by the Town of Castle Valley to enforce the provisions of this ordinance.

**SECTION 5: SEVERABILITY:** If any provision of this ordinance or any application thereof to any person(s), entity, or circumstance is held invalid, the remaining provisions of this ordinance and applications thereof to other person(s), entities, or circumstances shall not be affected thereby.

**SECTION 6: EFFECTIVE DATE:** To protect the safety of the residents of the Town of Castle Valley, this ordinance shall take effect immediately upon passage by the Town Council.

**PASSED, ADOPTED AND APPROVED** by the Town Council of the Town of Castle Valley, Utah in open session the 19<sup>th</sup> day of September, 2007.