

HEBER CITY RESOLUTION #2021-08

RESOLUTION ADOPTING CITY WIDE FIRE WORKS AND OPEN FIRE  
RESTRICTIONS FOR 2021

WHEREAS, Heber City, Wasatch County, Utah desires to adopt fire work and open fire restrictions for 2021 as set forth in the County wide fire restriction adopted by the Wasatch County Fire District,

NOW, THEREFORE, it is hereby resolved by the City Council of Heber City, Wasatch County, Utah, that Heber City, for the jurisdictional boundaries of the City, hereby adopts those certain and specific fire work and open fire restrictions and declarations for 2021, as set forth in the County wide fire restriction adopted by the Wasatch County Fire District, and hereby approves the same. Said District restriction is attached as *Exhibit A*, and incorporated herein by reference, and shall be posted on the Heber City Website. Attached as *Exhibit B*, is Governor Cox's 2021 Drought Executive Order, and declarations.

Heber City's restrictions shall include any and all incendiaries, including but not limited to aerial and non-aerial fireworks and incendiaries, i.e., sparklers, fire bombs, spinners, etc.

The penalty and sanction for any violation of this Resolution may carry a class B misdemeanor charge, with a fine of up to \$1,000.00 per incident, plus surcharge and restitution, and six months in jail.

All vendors of fireworks shall be required to display a copy of this Resolution with Exhibits and a map of the City wide restriction, as designated by the City, in a prominent place at point of sale.

The duration of this restriction shall be until September 30, 2021, unless otherwise modified by the City Council.

Any licensing fees already paid by fireworks vendors for the 2021 Season, shall be refunded upon written request.

If any one or more provisions of this Resolution shall be held by any court to be invalid or unenforceable such invalidity or unenforceability shall not affect the validity of enforceability of any other portion of this Resolution.

PASSED, APPROVED and ORDERED TO BE PUBLISHED BY THE HEBER CITY COUNCIL this 17<sup>th</sup> day of June 2021.

	AYE	NAY	ABSENT	ABSTAIN
Heidi Franco	_____	_____	<u>X</u>	_____
Wayne Hardman	<u>X</u>	_____	_____	_____
Michael Johnston	<u>X</u>	_____	_____	_____
Rachel Kahler	<u>X</u>	_____	_____	_____
Ryan Stack	<u>X</u>	_____	_____	_____

APPROVED:

Kelleen L. Potter  
Mayor Kelleen L. Potter



ATTEST:

Trina W. Cooke Date: 6/17/2021  
RECORDER

**Exhibit A.**

# WASATCH FIRE DISTRICT

FIRE RESTRICTIONS  
JUNE 16<sup>TH</sup> 2021

## PROHIBITED ACTIVITIES

1. **No open fires** of any kind except within established **public** facilities in improved campgrounds, picnic areas. -OR- In permanently constructed fire pits at **private** homes where running water is present.
2. **Smoking**, except within an enclosed vehicle, trailer or building, a developed recreation site or while stopped in an area that is paved or free from dry vegetation.
3. **Discharging or using any fireworks, tracer ammunition or other pyrotechnic devices including exploding targets.**
4. **Cutting, welding, or grinding metal** in areas of dry vegetation.
5. Operating a motorcycle, chainsaw, ATV, or other small internal combustion engine without an approved and working spark arrestor.

**Exhibit B.**



SPENCER J. COX  
GOVERNOR

STATE OF UTAH  
OFFICE OF THE GOVERNOR  
SALT LAKE CITY, UTAH  
84114-2220

DEIDRE M. HENDERSON  
LIEUTENANT GOVERNOR

## NEWS RELEASE

May 3, 2021

### Contact:

Rossina Lake  
Office of the Governor  
(385) 303-4383, [rlake@utah.gov](mailto:rlake@utah.gov)

### **Gov. Cox orders water conservation measures at all state facilities**

*He urges cities, businesses and all residents to do the same*

(SALT LAKE CITY) – In response to ongoing concerns about extremely dry conditions, Gov. Spencer J. Cox issued an executive order forbidding irrigation at state facilities between 10 a.m. and 6 p.m., requiring that sprinklers are shut off during rain storms and making sure landscape watering systems are operating efficiently.

Executive Order 2021-10 also encourages local governments to implement similar water restrictions on public landscaping, urges irrigation companies to delay the start of the irrigation season and asks all Utahns to reduce water use by taking shorter showers, converting turf to waterwise landscaping and replacing appliances with water-efficient models.

“Last year, Utah experienced one of the driest and hottest years on record and we anticipate another tough drought year ahead,” Gov. Cox said. “State government is committed to doing its part to conserve water and we encourage all Utahns to use this most precious resource wisely and sparingly.”

Executive Order 2021-10 (attached) is effective immediately.

###





**Spencer J. Cox**

**Governor**

**EXECUTIVE ORDER**

**2021-10**

*Requiring Water Conservation Due to Drought Conditions*

**WHEREAS**, the state of Utah experienced a record dry and near record hot calendar year in 2020;

**WHEREAS**, the statewide snowpack reached approximately 81% of normal and peaked 10 days early;

**WHEREAS**, soil moisture reached exceptionally low levels not previously seen since soil moisture monitoring began in 2006;

**WHEREAS**, low soil moisture has already adversely affected the spring runoff;

**WHEREAS**, the state's reservoir storage has decreased 14% over the past year;

**WHEREAS**, all forecasts for spring runoff for the state are below 76% of the state seasonal average;

**WHEREAS**, the United States Department of Agriculture currently has listed 28 primary and one contiguous county in Utah under the Secretarial Disaster Designation for drought;

**WHEREAS**, these extreme drought conditions have adversely and significantly impacted agribusiness and livestock production, as well as wildlife and natural habitats;

**WHEREAS**, increased recreation in dry vegetative conditions has contributed to an increased and prolonged threat of wildfire across the state;

**WHEREAS**, drought conditions that require mitigation are expected to persist;

**NOW, THEREFORE**, I, Spencer J. Cox, Governor of the State of Utah, hereby order the following:

1. As used in this Order:
  - a. "State facility" means a building or structure that is owned or controlled by the state or a state governmental entity.
  - b. "State facility" does not mean a building or structure that is owned or controlled exclusively by:
    - i. the legislative branch of the state;



EXECUTIVE ORDER 2021-10

PAGE 2

- ii. the judicial branch of the state;
    - iii. the Attorney General's Office;
    - iv. the State Auditor's Office;
    - v. the State Treasurer's Office;
    - vi. the State Board of Education; or
    - vii. an independent entity as defined in Utah Code § 63E-1-102.
  - c. "State governmental entity" means any department, board, commission, institution, agency, or institution of higher education.
2. A state governmental entity may not water landscapes at a state facility between 10:00 a.m. and 6:00 p.m.
3. A state governmental entity shall do the following at all state facilities:
  - a. follow the [conservewater.utah.gov](https://conservewater.utah.gov) weekly lawn watering guide;
  - b. evaluate opportunities to update irrigation technology with devices that are WaterSense certified and include rain and wind shutoff functions and soil moisture sensors;
  - c. manually shut off systems during rain and wind events in areas without rain and wind sensors;
  - d. audit and repair all landscape irrigation systems so they are operating at maximum acceptable efficiency;
  - e. evaluate opportunities to limit turf areas surrounding facilities and replace turf with waterwise plants;
  - f. evaluate opportunities to replace inefficient plumbing fixtures with WaterSense certified low-flow fixtures;
  - g. evaluate opportunities to update facility-management technology to include metering for water-consuming processes related to irrigation, domestic, and mechanical systems;
  - h. implement leak-detection and repair programs for both indoor and outdoor water use;
  - i. conduct periodic checks of state facility restrooms, boiler rooms, etc., to ensure appliances are working at maximum efficiency;
  - j. use the Utah Division of Water Resources as a resource to implement water efficient methods, technologies, and practices.

I further make the following recommendations:

1. Water suppliers and irrigation companies should:
  - a. where possible, delay the start of the irrigation season or end irrigation early;
  - b. encourage efficient landscape watering; and
  - c. as needed, contact the Division of Water Resources for assistance with developing a drought response plan.
2. Cities and counties should consider developing and implementing water restriction plans for the upcoming irrigation season. Also, consider implementing the same practices that are recommended for state facilities at city and county buildings.
3. Residential water users should consider the following conservation practices:
  - a. delay outdoor irrigation or end irrigation early;
  - b. follow the weekly lawn watering guide at <https://conservewater.utah.gov/guide.html>;
  - c. fix irrigation inefficiencies;
  - d. purchase and install a smartcontroller or low-flow toilet (rebates are offered at [utahwatersavers.com](https://utahwatersavers.com));
  - e. reduce indoor water use by taking shorter showers, turning off water when not in use, and replacing appliances with water-efficient models;
  - f. follow the directions of local water providers;
  - g. convert turf areas to waterwise landscapes;
  - h. be an advocate of water efficiency by setting an example and help educate friends and neighbors on the importance of water conservation; and
  - i. reduce indoor water waste.

This Order is effective immediately and shall remain in effect until otherwise modified, amended, rescinded, or superseded.



SPENCER J. COX  
GOVERNOR

STATE OF UTAH  
OFFICE OF THE GOVERNOR  
SALT LAKE CITY, UTAH  
84114-2220

DEIDRE M. HENDERSON  
LIEUTENANT GOVERNOR

**FOR IMMEDIATE RELEASE**

May 13, 2021

**Contact:**

Rossina Lake  
Office of the Governor  
(385) 303-4383, [rlake@utah.gov](mailto:rlake@utah.gov)

**Gov. Cox issues another drought executive order**

*The order declares a state of emergency due to drought conditions*

Salt Lake City (May 13, 2021) – Today Gov. Spencer J. Cox issued a new Executive Order declaring a state of emergency due to continued drought conditions. This declaration allows drought-affected communities, agricultural producers and others to continue the process that may provide access to state or federal emergency resources.

This action continues the state Emergency Operations Plan and the state Drought Response Plan that was activated on March 17, 2021.

[Learn more](#) about current drought conditions and impacts in Utah.

###





**Spencer J. Cox**

**Governor**

**EXECUTIVE ORDER**

**2021-13**

*Declaring a State of Emergency Due to Drought Conditions*

**WHEREAS**, the state of Utah experienced a record dry and near record hot calendar year in 2020;

**WHEREAS**, the statewide snowpack reached approximately 81% of normal and peaked 10 days early;

**WHEREAS**, soil moisture reached exceptionally low levels not previously seen since soil moisture monitoring began in 2006;

**WHEREAS**, low soil moisture has already adversely affected the spring runoff;

**WHEREAS**, the state's reservoir storage has decreased 14% over the past year;

**WHEREAS**, all forecasts for spring runoff for the state are below 76% of the state seasonal average;

**WHEREAS**, the United States Department of Agriculture currently has listed 28 primary and one contiguous county in Utah under the Secretarial Disaster Designation for drought;

**WHEREAS**, these extreme drought conditions have adversely and significantly impacted agribusiness and livestock production, as well as wildlife and natural habitats;

**WHEREAS**, increased recreation in dry vegetative conditions has contributed to an increased and prolonged threat of wildfire across the state;

**WHEREAS**, drought conditions that require mitigation are expected to persist;

**WHEREAS**, these conditions create a state of emergency within the intent of the Disaster Response and Recovery Act found in Title 53, Chapter 2a of the Utah Code;

**WHEREAS**, Utah Code § 53-2a-204(1)(a) authorizes the governor to utilize all available resources of state government as reasonably necessary to cope with a state of emergency; and

**WHEREAS**, Utah Code § 53-2a-204(1)(b) authorizes the governor to employ measures and give direction to state and local officers and agencies that are reasonable and necessary for

**EXECUTIVE ORDER 2021-13**

**PAGE 2**

the purpose of securing compliance with orders made pursuant to the Disaster Response and Recovery Act;

NOW, THEREFORE, I, Spencer J. Cox, Governor of the State of Utah, declare a state of emergency due to the aforesaid circumstances requiring aid, assistance, and relief available from State resources and hereby order:

1. The state Emergency Operations Plan is activated.
2. The state Drought Response Plan is activated.
3. The state Drought Response Committee is activated and shall:
  - a. review hardships and unmet needs caused by the drought;
  - b. identify and recommend action to meet those needs;
  - c. ensure inter-agency coordination in addressing those needs; and
  - d. recommend when deactivation of the state Drought Response should occur.

1. The state Emergency Operations Plan is activated.
2. The state Drought Response Plan is activated.
3. The state Drought Response Committee is activated and shall:
  - a. review hardships and unmet needs caused by the drought;
  - b. identify and recommend action to meet those needs;
  - c. ensure inter-agency coordination in addressing those needs; and
  - d. recommend when deactivation of the state Drought Response should occur.

This Order is effective immediately and shall remain in effect for 30 days unless the Legislature extends the state of emergency.



IN WITNESS, WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 13th day of May, 2021.

Spencer J. Cox  
Governor

Deidre M. Henderson  
Lieutenant Governor

ATTEST:

**EXECUTIVE ORDER 2021-10**

**PAGE 3**



IN WITNESS, WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 3rd day of May, 2021.

Spencer J. Cox  
Governor

ATTEST:

Deidre M. Henderson  
Lieutenant Governor





STATE OF UTAH  
OFFICE OF THE GOVERNOR  
SALT LAKE CITY, UTAH  
84114-2220

SPENCER J. COX  
GOVERNOR

DEIDRE M. HENDERSON  
LIEUTENANT GOVERNOR

## NEWS RELEASE

June 8, 2021

### Contact:

Rossina Lake  
Office of the Governor  
(385) 303-4383, [rlake@utah.gov](mailto:rlake@utah.gov)

### **Gov. Cox announces third drought executive order, fireworks ban on state lands**

SALT LAKE CITY (June 8, 2021) – Utah Gov. Spencer J. Cox issued another executive order further restricting water use at state facilities. He also announced a prohibition on fireworks for all state and unincorporated lands.

“All indicators show this could be the worst drought year on record,” Gov. Cox said. “Utah state government is leading the way by cutting back on water use at all state facilities, but all of us -- from private businesses to local governments to individuals -- need to conserve water now more than ever.”

Cox announced Executive Order 2021-10, which requires lawn watering at some state facilities to be reduced to two days per week. A previous order allowed three days per week.

He also announced that the State Forester and the Division of Forestry, Fire and State Lands issued an order banning fireworks on all state and unincorporated private lands. This order is effective today. The same goes for SITLA lands: No fireworks will be allowed on SITLA lands this summer.

Cox was joined by Utah Department of Agriculture and Food Commissioner Craig Buttars, who described the effect the extreme drought is having on agribusiness, and Deputy Director for Division of Water Resources Candice Hasenyager, who discussed the impact on the state’s



waterways. Also attending were Lt. Gov. Deidre Henderson, Jamie Barnes, interim director of Forestry, Fire and State Lands, and Jeff Rasmussen, director of the Division of Parks and Recreation.

Watch the full news conference on [www.facebook.com/utgovernorcox/](https://www.facebook.com/utgovernorcox/).

Executive Order 2021-10 [here](#).

###



**Spencer J. Cox**

**Governor**

**EXECUTIVE ORDER**

**2021-10**

*Requiring Increased Water Conservation Due to Drought Conditions*

**WHEREAS**, 100% of the state is in drought and experiencing record high temperatures in June;

**WHEREAS**, the forecast predicts exceptionally poor to (potentially) worst-on-record water supply conditions this summer;

**WHEREAS**, a dry April was followed by an even drier May, with an average of 0.3 inches of precipitation accumulated in valley locations;

**WHEREAS**, a below-average statewide snowpack reached approximately 81% of normal and peaked 10 days early;

**WHEREAS**, soil moisture reached exceptionally low levels not previously seen since soil moisture monitoring began in 2006;

**WHEREAS**, these conditions have caused the streamflows around the state to remain below average;

**WHEREAS**, many of the reservoirs around the state that provide drinking and irrigation water are less than half of the capacity;

**WHEREAS**, these conditions were preceded by a record dry and near-record hot year in 2020;

**WHEREAS**, the United States Department of Agriculture currently has listed 28 primary and one contiguous county in Utah under the Secretarial Disaster Designation for drought;

**WHEREAS**, these extreme drought conditions are adversely and significantly impacting agribusiness and livestock production, as well as wildlife and natural habitats;

**WHEREAS**, increased recreation in dry vegetative conditions has contributed to an increased and prolonged threat of wildfire across the state;

**EXECUTIVE ORDER 2021-10**

**PAGE 2**

**WHEREAS**, extreme drought conditions threaten access to safe, reliable drinking water from wells, streams, and reservoirs, and exacerbate water quality issues that affect recreational waters including an increase in harmful algal blooms;

**NOW, THEREFORE**, I, Spencer J. Cox, Governor of the State of Utah, hereby order the following for municipal and industrial water use:

1. As used in this Order:
  - a. "State facility" means a building or structure that is owned or controlled by the state or a state governmental entity.
  - b. "State facility" does not mean a building or structure that is owned or controlled exclusively by:
    - i. the legislative branch of the state;
    - ii. the judicial branch of the state;
    - iii. the Attorney General's Office;
    - iv. the State Auditor's Office;
    - v. the State Treasurer's Office;
    - vi. the State Board of Education; or
    - vii. an independent entity as defined in Utah Code § 63E-1-102.
  - c. "State governmental entity" means any department, board, commission, institution, agency, or institution of higher education.
2. When feasible, a state governmental entity should not water landscapes at a state facility between 10 a.m. and 6 p.m.
3. A state governmental entity shall do the following at all state facilities:
  - a. Irrigate lawn areas only 2 times a week in Northern Utah and 3 times a week in Southern Utah
  - b. Prioritize irrigation as follows:
    1. Trees
    2. Shrubs
    3. Perennials
    4. Annuals
    5. Grass
  - c. Develop an implementation plan for updating irrigation technology with devices that are WaterSense certified and include rain and wind shutoff functions and soil moisture sensors;
  - d. Manually shut off systems during rain and wind events in areas without rain and wind sensors;
  - e. Audit and repair all landscape irrigation systems so they are operating at maximum efficiency;
  - f. Develop plans to replace inefficient plumbing fixtures with WaterSense certified low-flow fixtures;
  - g. Update facility-management technology to include metering for water-consuming processes related to irrigation, domestic, and mechanical systems;
  - h. Implement leak-detection and repair programs for both indoor and outdoor water use;
  - i. Conduct periodic checks of state facility restrooms, boiler rooms, etc., to ensure appliances are working at maximum efficiency;
  - j. Implement water efficient methods, technologies, and practices.
  - k. Check with the local water provider to follow restrictions in the local area.

I further ask all Utahns to join this call for conservation:

1. Cities and counties should:
  - a. Immediately consider implementing residential and commercial water restrictions for watering lawns during the current year and develop a supporting enforcement strategy;
  - b. Implement the same practices that are recommended for state facilities at city, county, and institutional buildings.
2. Municipal and industrial water suppliers and secondary systems should:
  - a. Implement water restrictions where appropriate.
  - b. Encourage efficient landscape watering.
  - c. Develop drought response plans.

- d. Notify customers in your system area of current water supply status and system plans.
3. Residential water users should follow best conservation practices:
  - a. Water at least one less time per week (average quarter-acre yard uses 3,000 gallons of water for each watering). Not to exceed lawn watering more than 2 times per week or no more than 3 times per week for Southern Utah.
  - b. Don't water when it's windy.
  - c. Don't water between 10 a.m.- 6 p.m. (Or 10 a.m.-8 p.m. in Southern Utah.)
  - d. Prioritize your watering to water the most valuable plants in your landscape first: Trees, shrubs, perennials, annuals then grass. Grass is resilient and will enter dormancy during times of drought and high temperatures and recover when conditions improve.
  - e. Mow your lawn higher. Set blades to 3-4 inches. Taller grass means deeper roots that can access water that is deeper in the soil. Tall grass also shades roots and soil to reduce evaporation loss.
  - f. Install a smart irrigation controller and receive a money-saving rebate. These devices connect to WiFi and access weather data and adjust the watering schedule to account for rain, temperature, humidity, UV index and even evapotranspiration. It connects to your phones so that you can control how often you water your landscape. UtahWaterSavers.com
  - g. Check with your local water provider to follow restrictions in your local water provider's jurisdiction.

This Order is effective immediately and shall remain in effect until otherwise modified, amended, rescinded, or superseded.

IN WITNESS, WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 8th day of June, 2021.



A handwritten signature in black ink, appearing to read "Spencer J. Cox".

Spencer J. Cox  
Governor

ATTEST:

A handwritten signature in black ink, appearing to read "Deidre M. Henderson".

Deidre M. Henderson  
Lieutenant Governor



