

AN ORDINANCE ADOPTING ADA COUNTY CODE 5-6-7 TO PROVIDE FOR A BAN ON THE USE OF FIREWORKS IN AREAS WHICH CONSTITUTE A SEVERE FIRE THREAT; PROVIDING THAT THE BAN WILL BECOME EFFECTIVE UPON PASSAGE OF A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS DETERMINING THAT A SEVERE FIRE THREAT EXIST DURING THE CURRENT FIRE SEASON, PURSUANT TO IDAHO CODE § 39-2609(4); AND PROVIDING FOR A VIOLATION OF THE ORDINANCE TO BE A MISDEMEANOR PUNISHABLE AS SET FORTH IN IDAHO CODE § 18-113 AS IT MAY BE AMENDED AND OR RECODIFIED FROM TIME TO TIME.

5-6-7: ADA COUNTY ~~EMERGENCY~~ BAN ON USE OF FIREWORKS IN SEVERE FIRE THREAT AREAS:

SECTION 1: SHORT TITLE AND PURPOSE: This Ordinance shall be known and cited as the Ban on Fireworks in Unincorporated Ada County. The purpose of this Ordinance is to ban the use of fireworks in all unincorporated areas of Ada County outside fire protection districts to lessen the danger of fires in those areas, where vegetative conditions during any fire season constitutes a severe fire threat.

SECTION 2: DEFINITIONS: For purposes of this Ordinance, the following definitions shall apply. Any other words and phrases not defined in this Ordinance shall be given their ordinary, commonly understood and accepted meanings:

FIRE SEASON: The period of time between June 1 and October 31 of any given year.

FIREWORKS: Any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible effect by combustion, explosion, deflagration or detonation. Fireworks include items classified as common or special fireworks by the United States Bureau of Explosives or contained in the regulations of the United States Department of Transportation and designated as UN 0335 1.3 or UN 03336 1.4G. The term "fireworks" shall not include any automotive safety flares, toy guns, toy cannons, party poppers, or pop-its or other devices which contain twenty-five hundredth (.25) of a grain or less of explosive substance. (See Idaho Code § 39-2602(3)).

SEVERE FIRE THREAT: A determination of the county board of commissioners authorized under Idaho Code § 39-2609 (4), which is made as needed by yearly resolution duly passed by the board of county commissioners before or during the fire season.

UNINCORPORATED AREAS OF ADA COUNTY OUTSIDE FIRE PROTECTION DISTRICTS: Any area located in Ada County which is outside the city limits of any city within Ada County and outside the boundaries of any fire protection district formed pursuant to Title 31, Chapter 14, Idaho Code. The area, which will be subject to county enforcement pursuant to Idaho Code § 39-2612, will be depicted on a map to be attached to the yearly resolution, if any, and shown as a white area with cross-hatching.

SECTION 3: PROHIBITION AND PENALTY: It shall be unlawful and a misdemeanor for any person to use fireworks in unincorporated areas of Ada County outside fire protection districts during the fire season. Violation of this Ordinance shall be punishable as a misdemeanor as set forth in Idaho Code § 18-113, as it may be amended or recodified from time to time.

This Ordinance will be effective upon publication.

APPROVED AND ADOPTED this 23rd day August, 2010.

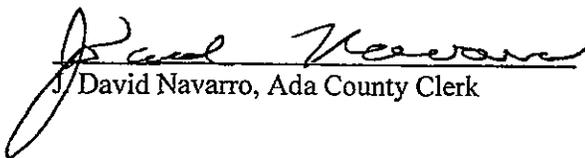
Board of Ada County Commissioners

By: 
Fred Tilman, Chairman

By: 
Sharon M. Ullman, Commissioner

By: 
Rick Yzaguirre, Commissioner

ATTEST:


David Navarro, Ada County Clerk

published: 8/23/10

**LEGAL NOTICE
ORDINANCE NO. 760**

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Board of Ada County Commissioners

By: Fred Tilman, Chairman

By: Sharon M. Ullman, Commissioner

By: Yzaguirre, Commissioner

ATTEST: J. David Navarro, Ada County Clerk

Pub. Aug. 28, 2010

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