



KAYSVILLE CITY PUBLIC HEARING NOTICE

Notice is hereby given that the Kaysville City Planning Commission will hold a public hearing on Thursday, February 10, 2022, at 7:00 p.m., in the Kaysville City Municipal Building Council Chambers located at 23 East Center Street, Kaysville, to consider:

The enactment of Title 17, Chapter 7, Section 5, Explosives Prohibited in Residentially Zoned Districts of the Kaysville City Municipal Code.

I hereby certify that I posted a copy of the foregoing Public Hearing notice on the municipality's official website by Thursday, January 27, 2022.

Should you have any questions regarding the request you may contact the Kaysville City Community Development office at 801-546-1241.

A handwritten signature in blue ink that reads "Melinda Greenwood".

Melinda Greenwood

Community Development Director

ORDINANCE XX-XX-XX

ENACTING TITLE 17, CHAPTER 7, SECTION 5 OF THE KAYSVILLE MUNICIPAL CODE REGARDING PROPERTY USES IN A RESIDENTIAL ZONE.

WHEREAS, Kaysville City desires to maintain the safety and public welfare of its residential zones; and

WHEREAS, the Kaysville City Council has found that importing, storing, or manufacturing explosive materials present an unnecessary risk that is incongruous with the nature of residential zones; and

WHEREAS, the City Council of Kaysville City finds that this amendment to be in the best interests of the Citizens of Kaysville City and the health, safety, and welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KAYSVILLE, UTAH:

SECTION I: Enactment. Title 17, Chapter 7, Section 5 of the Kaysville Municipal Code is hereby enacted as follows:

17-7-5 Explosives Prohibited in Residentially Zoned Districts

It shall be unlawful to import, store, or manufacture any explosive or explosive materials in any mixed-use or residentially zoned district.

1. “Explosive” means any chemical compound mixture, or device, the primary or common purpose of which is to function by explosion; the term includes, but is not limited to, dynamite and other high explosives, black powder, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cord, igniter cord, and igniters.
2. “Explosive materials” means explosives, blasting agents, and detonators.
3. “Blasting agent” means any material or mixture, consisting of fuel and oxidizer, intended for blasting, not otherwise defined as an explosive.
4. “Detonator” means any device containing a detonating charge that is used for initiating detonation in an explosive; the term includes, but is not limited to, electric blasting caps of instantaneous and delay types, blasting caps for use with safety fuses and detonating-cord delay connectors.
5. It shall be unlawful to combine Class C Fireworks in ways other than intended by the manufacturer or to tamper with them in an effort to create greater pyrotechnic demonstrations.
6. Exceptions:
 - a. Class C Fireworks that are authorized by the State of Utah for retail sale are not considered explosives for purposes of this code.
 - b. Small arms ammunition and components thereof;
 - c. Commercially manufactured black powder in quantities not to exceed fifty pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers, intended to be used solely for sporting, recreational, or cultural purposes in antique firearms as defined by the federal government.

SECTION II: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion

shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION III: Effective Date. This Ordinance shall become effective immediately upon passage.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this _____ **day of** _____, **2022.**

Tamara Tran, Mayor

ATTEST:

Annemarie Plaizier, City Recorder