

ORDINANCE NO. 2021-969-O

AN ORDINANCE PROHIBITING THE USE OF FIREWORKS WITHIN THE CITY LIMITS; PROHIBITING THE SALE OF FIREWORKS IN THE CITY; AND DECLARING AN EMERGENCY AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE

WHEREAS, Chapter II Section 4 of the City Charter of the City of Talent provides that the City has all powers that the constitutions, statutes, and common law of the United States and of the State of Oregon now or hereafter expressly or impliedly grant or allow the City; and

WHEREAS, Chapter VIII Section 33 of the City Charter of the City of Talent provides that an emergency may take effect as soon as adopted; and

WHEREAS, in September 2020, a third of the City was destroyed by an intensive wildfire, known as the Almeda Fire, making residents understandably fearful of threats of wildfire; and

WHEREAS, it is common practice for individuals to use fireworks to celebrate the 4th of July holiday, posing a potential fire hazard; and

WHEREAS, current weather conditions are making the city vulnerable to wildfire; and

WHEREAS, the City Council of the City of Talent has determined that, in order to protect and benefit the health, safety and welfare of residents of the City, it is necessary to adopt this Ordinance; and

WHEREAS, the City Council of the City of Talent has determined that an emergency exists, supporting this Ordinance taking effect upon adoption.

NOW, THEREFORE, THE CITY OF TALENT ORDAINS AS FOLLOWS:

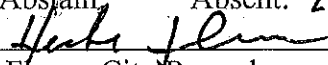
SECTION 1. In addition to restrictions on the use of fireworks (as defined in ORS 480.111) under State law, the use, lighting, detonation or display of consumer and display fireworks is prohibited throughout the City of Talent, effective immediately.

SECTION 2. The sale of fireworks (as defined in ORS 480.111) is prohibited throughout the City of Talent, effective immediately.

SECTION 3. Emergency. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety of the City of Talent, and an emergency is hereby declared to exist and this ordinance shall take effect and be in full force and effect upon adoption by the City Council.

Duly enacted by the City Council in open session on June 30, 2021 by the following vote:

Ayes: 4 Nays: 0 Abstain: Absent: 2



Hector Flores, City Recorder and Custodian of City Records