



# MOTION SHEET

CITY COUNCIL of SALT LAKE CITY

**TO:** City Council Members

**FROM:** Allison Rowland  
Policy Analyst

**DATE:** September 15, 2020

**RE:** Vegetation Reduction Permits for Wildfire Mitigation

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*Note: this item has one scheduled hearing, September 15<sup>th</sup>. The Council could choose to take action the same night or defer to October 6<sup>th</sup>.*

**MOTION 1 (close and adopt)**

I move that the Council close the public hearing and adopt the ordinance.

**MOTION 2 (close and defer)**

I move that the Council close the public hearing and defer action to a future Council meeting.

**MOTION 3 (close and reject)**

I move that the Council close the public hearing and reject the ordinance.

**MOTION 4 (continue hearing)**

I move that the Council continue the public hearing to a future Council meeting.





# COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

**TO:** City Council Members  
**FROM:** Allison Rowland  
Budget & Policy Analyst

**DATE:** August 11, 2020

**RE: ORDINANCE: VEGETATION REDUCTION PERMITS FOR WILDFIRE MITIGATION**

**Item Schedule:**

Briefing: August 11, 2020

Set Date: August 11, 2020

Public Hearing: September 15, 2020

***Staff note:** This discussion was originally scheduled for May 5, 2020, but the Administration requested it be pulled from the Council agenda because their proposed ordinance inadvertently did not consider potential effects on City properties managed by departments other than Public Services, including Public Utilities. The Administration's original intent was to limit the pilot program to Public Services' properties and modifications to the proposed ordinance were needed to clarify this. The Administration provided an updated ordinance for Council consideration. The key update appears in the definition of Public Property: "Real property in which the City has a legal interest and that is **managed by the City's Parks and Public Lands Division**" (emphasis added). Other aspects of the proposed permit program remain the same as in the May 5 staff report, which appears below.*

## ISSUE AT-A-GLANCE

The Administration is proposing a new permit program that would allow qualifying residents to reduce vegetation on a strip of City-owned open lands adjacent to their properties as a way to reduce potential wildfire fuel sources. This pilot program and the proposed new ordinance seek to strike a balance between the financial reality of the City's limited budget for public lands management, and the concerns of some residents about the risk of wildfires spreading to their properties. It is based on a program operating currently in Boise, Idaho.

The Parks and Public Lands Division worked with the Fire Department to assess potential approaches that are consistent with Utah State law in wildland-urban interface areas, and which are intended to encourage participation and cooperation between Salt Lake City residents and City personnel to reduce wildfire risk and promote public safety. Once an applicant submits a completed application, the request would be reviewed by representatives from the Parks and Public Lands Division and/or the Fire Department, as appropriate to each case, and potentially approved. The Parks and Public Lands Division would be responsible for maintaining the list of permits and enforcing the policy. The Fire Department is preparing to include permit holders in its



outreach activities, like their home assessments to advise residents on how to better prepare and protect their homes from wildfire.

There would be no charge to obtain fuel reduction permits, but applicants would need to certify they had reviewed the City's educational presentation on wildfire fuel reduction (available electronically), which reviews the prohibitions and restrictions on these activities. Applicants also would certify that the permit holder would abide by all requirements, prohibitions, and restrictions on permitted vegetation reduction activities.

Requirements, prohibitions, and restrictions would include the following:

1. Wildfire mitigation activities would have to be conducted in a manner that maintains public safety, promotes appropriate wildfire fuel reduction techniques, and protects natural habitats and watershed.
2. Weed and grass trimming using plastic blades or string, and combustion engines with a spark arrestor only.
3. Denuding the ground would be prohibited, as would be the use of herbicide.
4. The removal of shrubs, brush, and trees on public land would be prohibited, unless specifically approved in writing by the City's Parks and Public Lands Division on a case- by-case basis.
5. Cut or trimmed organic materials would have to be bagged and removed from the site to reduce the spread of non-native invasive grasses and to reduce wildfire risk.
6. The area limits would be as follows:
  - within five feet of the shared property line on City-designated urban open space, and
  - within 20 feet of the shared property line on City property that is not designated as urban open space.
7. Seeding of native grasses would also be permitted in these areas, with approved native grass varieties determined by the Parks and Public Lands Division.

If the Council supports the concept, an existing City employee would shift his/her other current responsibilities to include tracking requests during the first year of the program, as well as processing permit applications, communicating with permittees, and performing pre-and post-mitigation site visits to evaluate permit requests and ensure compliance with the terms. Depending on the popularity of the program, the Administration may request additional staffing resources in the future. The budget impact of this pilot program is estimated at roughly \$15,000 per 100 permit requests.

***Goal of the briefing:*** Review an ordinance to address wildfire mitigation within the Salt Lake City boundaries through the issuance of fuel reduction permits.

## POLICY QUESTIONS

1. The title for the proposed new City ordinance is "Fuel Reduction Permits." ***Is the Council interested in exploring changes to this title to clarify that it does not refer to motor fuel reduction?*** The Administration has indicated that it is open to such a change. Some potential options:
  - a. "Vegetation Reduction Permits for Wildfire Mitigation,"
  - b. "Wildfire Fuel Reduction Ordinance," or
  - c. "Resident Wildfire Mitigation Ordinance."
2. ***Depending on the results of the proposed pilot program, would the Council like to request that the Administration explore the potential for the permit program to be extended to***

***certain other areas where private property abuts City-owned open space, for example, parks and golf courses?*** The Administration reports that the intention was for this policy to be applicable to any private properties that border natural areas and nature parks managed by the Trails & Natural Lands Division including, for example, along the Jordan River Parkway and the Miller Bird Refuge. The distance allowed for mitigation activities would be reduced to fewer feet beyond the property line in these situations, because in many cases these natural areas are not very wide to begin with.



## CITY COUNCIL TRANSMITTAL

11  
JUL 22, 2020 12:51 PM (PT)

Lisa Shaffer, Chief of Administrative Officer


**Date Received:** July 21, 2020

**Date sent to Council:** July 22, 2020

**TO:** Salt Lake City Council  
Chris Wharton, Chair

**DATE:** July 21, 2020

**FROM:** Lorna Vogt, Director, Public Services Department

  
(signature)

**SUBJECT:** Fuel Reduction Permits

**STAFF CONTACTS:** Lisa Demmons, Firefighter Engineer III,  
[lisa.demmons@slcgov.com](mailto:lisa.demmons@slcgov.com)  
Jaysen Oldroyd, Senior City Attorney, [jaysen.oldroyd@slcgov.com](mailto:jaysen.oldroyd@slcgov.com)  
Lewis Kogan, Trails and Natural Lands Director,  
[lewis.kogan@slcgov.com](mailto:lewis.kogan@slcgov.com)

**DOCUMENT TYPE:** Ordinance

**RECOMMENDATION:** It is recommended that the City Council pass this ordinance to implement a fuel reduction permit pilot program that allows qualifying individuals to take certain actions to reduce potential wildfire fuel sources in appropriate circumstances.

**BUDGET IMPACT:** There will be a budget impact associated with implementing a Fuel Reduction Permit system. During the first year of Fuel Reduction Permit implementation, the Parks and Public Lands Division will evaluate the response and subsequent budget impact and request an amendment to the budget after implementation. Depending on the popularity of the program, additional staff resources will be required to accommodate processing the permit applications, communicate with permittees, and perform pre- and post-mitigation site visits to evaluate permit requests and ensure compliance with terms of issued permits. Budget impacts are roughly estimated at \$15,000 per 100 permit requests.

**BACKGROUND/DISCUSSION:** The proposed ordinance would make fuel reduction permits available to individuals who reside at, or have an interest in, a parcel of real property that is adjacent to public property managed by the City's Parks and Public Lands Division. These fuel reduction permits would allow permit holders to take appropriate actions to reduce potential sources of fuel for wildfires on portions of this public property. Any actions to reduce fuel for wildfires would need to satisfy all requirements set forth in the relevant City ordinances, City policies and rules, and in the fuel reduction permit issued to the permit holder. An earlier version of the ordinance that was previously submitted for Council consideration would have applied to a much larger inventory of City-owned public lands. This revised version of the

ordinance proposes that the fuel reduction permit program be first implemented using the smaller inventory of City-owned public lands that is managed by the City's Parks and Public Lands Division. If the fuel reduction permit program proves to be successful, then the City can expand the scope of the program in the future.

Lisa Demmons, Lewis Kogan, and Jaysen Oldroyd would be available to be at the table during the work session. A clean copy (approved as to form) of the proposed ordinance is included with this transmittal.

**ATTACHMENTS:**

Proposed Processes

Fuel Reduction Ordinance

**ATTACHMENT A**  
Proposed Processes

## **Citizen Fuel Reduction Permit – Policy and Procedure**

*Responsible City Agency: Parks and Public Lands*

*KEYWORDS: Fuel Reduction – Mitigation – Permit – Wildland Urban Interface*

### **1. General**

- 1.1 The City's policies on fuel reduction in the Wildland Urban Interface Areas managed by the Salt Lake City Parks and Public Lands Division are intended to encourage participation and cooperation between Salt Lake City residents and City personnel to reduce wildfire risk and promote public safety.
- 1.2 Fuel reduction activity must be regulated to control and maintain public safety, promote appropriate wildfire fuel reduction techniques, and protect natural habitats and adjacent watersheds.
- 1.3 Surveys may be conducted by the City's Parks and Public Lands Division and the City's Fire Department following fuel reduction actions and in subsequent growing seasons. These surveys will serve to evaluate the success of this resident-led wildfire fuel reduction strategy.

### **2. Fees**

- 2.1 The City currently does not charge any fee for fuel reduction permits.
- 2.2 The City's Parks and Public Lands Division will be responsible for maintaining the list of permits and for the enforcement of this policy.

### **3. Application Process**

- 3.1 Application must be made to the City's Parks and Public Lands Division. Applications should include the following:
  - a. The address of the real property adjacent to the City property managed by the City's Parks and Public Lands Division on which permitted fuel reduction activities will be conducted.
  - b. The dates on which permitted fuel reduction activities will be conducted.
  - c. A certification that the permit applicant has reviewed the City's educational presentation regarding wildfire fuel reduction and the prohibitions and restrictions governing the permitted fuel reduction activities.
  - d. A certification that the permit holder will abide by the requirements, prohibitions, and restrictions governing the permitted fuel reduction activities.

### **4. Approval Process**

- 4.1 After the permit applicant submits a completed application, the request will be reviewed by representatives from the City's Parks and Public Lands Division and/or the City's Fire Department, or other relevant City department, as the City deems appropriate.

### **5. Approval Criteria**

- 5.1 The following criteria must be met in order to receive a permit:
  - a. Permit applicants must be property owners, homeowner's associations, or neighborhood associations representing residential property that abuts or is located adjacent to the City's designated wildland urban interface areas under the management inventory of the City's Parks and Public Lands Division.



- b. The City determines that the proposed fuel reduction activities are appropriate for the current conditions on the public land managed by the City's Division of Parks and Public Lands located adjacent to the applicant's property.

## 6. Approval Conditions

### 6.1 Allowed Activities and Requirements

#### a. Allowed Activities

- i. Weed trimming of grasses with plastic blades or plastic string is allowed:
  - i. on portions of City property managed by the City's Parks and Public Lands Division and designated as urban open space if those portions are located within five feet of the shared property line; and
  - ii. on portions of City property managed by the City's Parks and Public Lands Division that is not designated as urban open space if those portions are located within 20 feet of the shared property line.
- ii. Seeding of native grasses is permitted (approved native grasses will be determined by the City's Parks and Public Lands Division).

#### b. Requirements

- i. The permit must be present on-site where the work is being done. Home owner associations and neighborhood associations are responsible for distributing permits to participating homeowners and residents.
  - i. The permit must contain non-emergency and emergency contact information regarding the fuel reduction project.
- ii. Cut or trimmed organic materials must be bagged and removed from the site to reduce the spread of non-native invasive grasses, and to reduce wildfire risk.
- iii. Grasses must not be cut less than four inches in height on flat terrain and six inches in height on sloped terrain, in order to maintain the integrity and stability of soil in treated areas.

### 6.2 Prohibitions and Restrictions Regarding Fuel Reduction Activities

- a. The use of metal blades, chains, and similar metallic implements is prohibited.
- b. Internal combustion engines may not be used from July 1 through September 30 of each year.
- c. During the period when the use of internal combustion engines is allowed, all internal combustion engines must have a spark arrestor.
- d. The removal of shrubs, brush, and trees is prohibited, unless specifically approved in writing by the City's Parks and Public Lands Division on a case-by-case basis.
- e. Denuding the ground (removal of grasses down to bare earth) is prohibited.
- f. Herbicide applications are prohibited.
- g. Use of fire is prohibited.
- h. Planting of non-native vegetation is prohibited.

**ATTACHMENT B**  
Fuel Reduction Ordinance

SALT LAKE CITY ORDINANCE

No. \_\_\_\_ of 2020

(FUEL REDUCTION PERMITS)

An ordinance enacting Chapter 17.21 of the Salt Lake City Code to address wildfire mitigation within the Salt Lake City boundaries through the issuance of fuel reduction permits.

WHEREAS, Utah Code Section 65a-8-201 declares uncontrolled fire to be a public nuisance; and

WHEREAS, Part 2 of Utah Code Chapter 65a-8 encourages governmental entities to engage in deliberate and cooperative efforts to mitigate the circumstances that increase the likelihood of uncontrolled fire; and

WHEREAS, Salt Lake City Corporation manages significant open space areas, including Wildland Urban Interface Areas, and many of those open space areas are near residential homes and businesses; and

WHEREAS, the Salt Lake City Council desires to facilitate cooperative efforts with Salt Lake City residents to reduce the risk of wildfire in Salt Lake City and in the pertinent Wildland Urban Interface Areas; and

WHEREAS, wildfire mitigation activities must be conducted in a manner that maintains public safety, promotes appropriate wildfire fuel reduction techniques, and protects natural habitats and watershed; and

WHEREAS, the Salt Lake City Council finds that the provisions of this ordinance further public health, safety, and welfare.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Chapter 17.21 of the Salt Lake City Code shall be, and hereby is,

enacted to read as follows:

## **Chapter 17.21 WILDFIRE MITIGATION**

17.21.010: DEFINITIONS

17.21.020: FUEL REDUCTION PERMIT REQUIRED

17.21.030 FUEL REDUCTION PERMIT APPLICATION

17.21.040: POLICIES AND PROCEDURES

### **17.21.010: DEFINITIONS:**

As used in this chapter:

APPLICANT: Any person who applies for a fuel reduction permit.

CITY: Salt Lake City Corporation.

DIVISION: The Salt Lake City Parks and Public Lands Division.

FUEL REDUCTION PERMIT: A permit issued under this chapter that allows a property owner to perform permitted wildfire mitigation activities on public property.

PERMITTED FUEL REDUCTION ACTIVITY: Fuel reduction activities either (i) expressly permitted under the city policies and procedures established pursuant to this chapter; or (ii) expressly permitted in the specific fuel reduction permit issued to the permittee.

PERMITTEE: Any person who has been issued a fuel reduction permit.

PERSON: Means and includes any natural person, partnership, firm, association, corporation, company, organization, or entity of any kind.

PROPERTY OWNER: Person having legal title to real property and/or an equitable interest in the property, or the ranking official or agent of a company having legal title to real property and/or an equitable interest in the property.

PUBLIC PROPERTY: Real property in which the City has a legal interest and that is managed by the City's Parks and Public Lands Division.

### **17.21.020: FUEL REDUCTION PERMIT REQUIRED:**

A person residing at, or having an interest in, a parcel of real property adjacent to public property must obtain a fuel reduction permit from the division before performing fuel reduction activities on that public property.

### **17.21.030: FUEL REDUCTION PERMIT APPLICATION:**

- A. An applicant shall file an application for a fuel reduction permit with the division on a form or forms to be furnished by the division, that contain, as applicable:
  - 1. The name, address, and telephone number of the applicant. If an applicant is not the owner of the parcel of real property adjacent to the public property on which the fuel reduction work will be performed, then the applicant also shall include in the application the name, address, and telephone number of the property owner;
  - 2. The address of the parcel of real property adjacent to the public property on which the permitted fuel reduction activities will be conducted;
  - 3. A description of the proposed fuel reduction activities;
  - 4. The dates on which the permitted fuel reduction activities will be conducted;
  - 5. Evidence that the property owner (if not the applicant) has given permission to the applicant to perform the work on behalf of the property owner; and
  - 6. Any other information or certifications required by the division.
- B. The division may approve or deny a fuel reduction permit at the division's discretion upon determining that:
  - 1. The applicant resides at or has an interest in a parcel of real property adjacent to public property; and
  - 2. The proposed fuel reduction activities are appropriate for the current conditions on the public property at issue.

### **17.21.040: POLICIES AND PROCEDURES:**

- A. The mayor, or the mayor's designee, may adopt policies and procedures to implement the requirements of this chapter.
- B. A permittee must comply with:
  - 1. the requirements of this chapter; and
  - 2. any policies and procedures adopted to implement the provisions of this chapter.

SECTION 2. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Salt Lake City Attorney's Office  
Approved As To Form

By: Jaysen Oldroyd  
Jaysen Oldroyd (Jul 21, 2020 11:08 MDT)

Jaysen Oldroyd

Bill No. \_\_\_\_\_ of 2020.

Published: \_\_\_\_\_.

Wildfire Mitigation Ordinance - Final






# Fuel Reduction Packet 20200721

Final Audit Report

2020-07-22


Created:	2020-07-21
By:	Garrett A. Danielson (Garrett.Danielson@slcgov.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAjr9aQ1G7YIJF856WUb8RB7_oBANVOvqb

## "Fuel Reduction Packet 20200721" History

-  Document created by Garrett A. Danielson (Garrett.Danielson@slcgov.com)  
2020-07-21 - 11:08:29 PM GMT- IP address: 204.124.13.222
-  Document emailed to lisa shaffer (lisa.shaffer@slcgov.com) for signature  
2020-07-21 - 11:08:54 PM GMT
-  Email viewed by lisa shaffer (lisa.shaffer@slcgov.com)  
2020-07-21 - 11:10:16 PM GMT- IP address: 65.130.186.77
-  Document e-signed by lisa shaffer (lisa.shaffer@slcgov.com)  
Signature Date: 2020-07-22 - 6:51:37 PM GMT - Time Source: server- IP address: 204.124.13.222
-  Signed document emailed to Garrett A. Danielson (Garrett.Danielson@slcgov.com) and lisa shaffer (lisa.shaffer@slcgov.com)  
2020-07-22 - 6:51:37 PM GMT



**CITY COUNCIL TRANSMITTAL**

  
\_\_\_\_\_  
Rachel Otto, Chief of Staff

**Date Received:** 2/24/20  
**Date sent to Council:** 2-27-20

**TO:** Salt Lake City Council  
Chris Wharton, Chair

**DATE:** FEB. 24, 2020

**FROM:** Lorna Vogt, Acting Director – Public Services Department

  
\_\_\_\_\_  
(signature)

**SUBJECT:** Fuel Reduction Permits

**STAFF CONTACTS:** Lisa Demmons, Firefighter Engineer III,  
[lisa.demmons@slcgov.com](mailto:lisa.demmons@slcgov.com)  
Jaysen Oldroyd, Senior City Attorney, [jaysen.oldroyd@slcgov.com](mailto:jaysen.oldroyd@slcgov.com)  
Lewis Kogan, Trails and Natural Lands Director,  
[lewis.kogan@slcgov.com](mailto:lewis.kogan@slcgov.com)

**DOCUMENT TYPE:** Ordinance

**RECOMMENDATION:** It is recommended that the City Council pass this ordinance to implement a fuel reduction permit program that allows qualifying individuals to take certain actions to reduce potential wildfire fuel sources in appropriate circumstances.

**BUDGET IMPACT:** There will be a budget impact associated with implementing a Fuel Reduction Permit system. During the first year of Fuel Reduction Permit implementation, the Trails & Natural Lands Division will evaluate the response and subsequent budget impact and request and amendment to the budget after implementation. Depending on the popularity of the program, additional staff resources will be required to accommodate processing permit applications, communicate with permittees, and perform pre-and post-mitigation site visits to evaluate permit requests and ensure compliance with terms of issued permits. Budget impacts are roughly estimated at \$15,000 per 100 permit requests.

**BACKGROUND/DISCUSSION:** The proposed ordinance would make fuel reduction permits



available to individuals who reside at, or have an interest in, a parcel of real property that is adjacent to public property. These fuel reduction permits would allow permit holders to take appropriate actions to reduce potential sources of fuel for wildfires on portions of the public property. Any actions to reduce fuel for wildfires would need to satisfy all requirements set forth in the relevant City ordinances, City policies and rules, and in the fuel reduction permit issued to the permit holder.

Lisa Demmons, Lewis Kogan, and Jaysen Oldroyd would be available to be at the table during the work session. A clean copy (approved as to form) of the proposed ordinance is included with this transmittal.

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**ATTACHMENT A**  
Citizen Fuel Reduction Permit – Proposed Processes

# Citizen Fuel Reduction Permit – Policy and Procedure

*Responsible City Agency: Parks and Public Lands*

*KEYWORDS: Fuel Reduction – Mitigation – Permit – Wildland Urban Interface*

## 1. General

- 1.1 The City's policies on fuel reduction in the Wildland Urban Interface Areas are intended to encourage participation and cooperation between Salt Lake City residents and City personnel to reduce wildfire risk and promote public safety.
- 1.2 Fuel reduction activity must be regulated to control and maintain public safety, promote appropriate wildfire fuel reduction techniques, and protect natural habitats and adjacent watersheds.
- 1.3 Surveys may be conducted by the City's Parks and Public Lands Division and the City's Fire Department following fuel reduction actions and in subsequent growing seasons. These surveys will serve to evaluate the success of this resident-led wildfire fuel reduction strategy.

## 2. Fees

- 2.1 The City currently does not charge any fee for fuel reduction permits.
- 2.2 The Parks and Public Lands Division will be responsible for maintaining the list of permits and for the enforcement of this policy.

## 3. Application Process

- 3.1 Application must be made to the City's Parks and Public Lands Division. Applications should include the following:
  - a. The address of the real property adjacent to the City property on which permitted fuel reduction activities will be conducted.
  - b. The dates on which permitted fuel reduction activities will be conducted.
  - c. A certification that the permit applicant has reviewed the City's educational presentation regarding wildfire fuel reduction and the prohibitions and restrictions governing the permitted fuel reduction activities.
  - d. A certification that the permit holder will abide by the requirements, prohibitions, and restrictions governing the permitted fuel reduction activities.

## 4. Approval Process

- 4.1 After the permit applicant submits a completed application, the request will be reviewed by representatives from the City's Parks and Public Lands Division and/or the City's Fire Department as the City deems appropriate.

## 5. Approval Criteria

- 5.1 The following criteria must be met in order to receive a permit:
  - a. Permit applicants must be property owners, homeowner's associations, or neighborhood associations representing residential property that abuts or is located adjacent to the City's designated wildland urban interface areas under the management inventory of the Parks and Public Lands Division or other interface areas the City has identified as being at risk of wildfire.

- b. The City determines that the proposed fuel reduction activities are appropriate for the current conditions on the public land adjacent to the applicant's property.

## 6. Approval Conditions

### 6.1 Allowed Activities and Requirements

#### a. Allowed Activities

- i. Weed trimming of grasses with plastic blades or plastic string is allowed:
  - i. on portions of City property designated as urban open space if those portions are located within five feet of the shared property line; and
  - ii. on portions of City property that is not designated as urban open space if those portions are located within 20 feet of the shared property line.
- ii. Seeding of native grasses is permitted (approved native grasses will be determined by the Parks and Public Lands Division).

#### b. Requirements

- i. The permit must be present on-site where the work is being done. Home owner associations and neighborhood associations are responsible for distributing permits to participating homeowners and residents.
  - i. The permit must contain non-emergency and emergency contact information regarding the fuel reduction project.
- ii. Cut or trimmed organic materials must be bagged and removed from the site to reduce the spread of non-native invasive grasses, and to reduce wildfire risk.
- iii. Grasses must not be cut less than four inches in height on flat terrain and six inches in height on sloped terrain, in order to maintain the integrity and stability of soil in treated areas.

### 6.2 Prohibitions and Restrictions Regarding Fuel Reduction Activities

- a. The use of metal blades, chains, and similar metallic implements is prohibited.
- b. Internal combustion engines may not be used from July 1 through September 30 of each year.
- c. During the period when the use of internal combustion engines is allowed, all internal combustion engines must have a spark arrestor.
- d. The removal of shrubs, brush, and trees is prohibited, unless specifically approved in writing by the City's Parks and Public Lands Division on a case-by-case basis.
- e. Denuding the ground (removal of grasses down to bare earth) is prohibited.
- f. Herbicide applications are prohibited.
- g. Use of fire is prohibited.
- h. Planting of non-native vegetation is prohibited.

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**ATTACHMENT B**  
Ordinance

SALT LAKE CITY ORDINANCE

No. \_\_\_\_ of 2020

(FUEL REDUCTION PERMITS)

An ordinance enacting Chapter 17.21 of the Salt Lake City Code to address wildfire mitigation within the Salt Lake City boundaries through the issuance of fuel reduction permits.

WHEREAS, Utah Code Section 65a-8-201 declares uncontrolled fire to be a public nuisance; and

WHEREAS, Part 2 of Utah Code Chapter 65a-8 encourages governmental entities to engage in deliberate and cooperative efforts to mitigate the circumstances that increase the likelihood of uncontrolled fire; and

WHEREAS, Salt Lake City Corporation manages significant open space areas, including Wildland Urban Interface Areas, and many of those open space areas are near residential homes and businesses; and

WHEREAS, the Salt Lake City Council desires to facilitate cooperative efforts with Salt Lake City residents to reduce the risk of wildfire in Salt Lake City and in the pertinent Wildland Urban Interface Areas; and

WHEREAS, wildfire mitigation activities must be conducted in a manner that maintains public safety, promotes appropriate wildfire fuel reduction techniques, and protects natural habitats and watershed; and

WHEREAS, the Salt Lake City Council finds that the provisions of this ordinance further public health, safety, and welfare.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Chapter 17.21 of the Salt Lake City Code shall be, and hereby is,



enacted to read as follows:

## **Chapter 17.21 WILDFIRE MITIGATION**

17.21.010: DEFINITIONS  
17.21.020: FUEL REDUCTION PERMIT REQUIRED  
17.21.030 FUEL REDUCTION PERMIT APPLICATION  
17.21.040: POLICIES AND PROCEDURES

### **17.21.010: DEFINITIONS:**

As used in this chapter:

APPLICANT: Any person who applies for a fuel reduction permit.

CITY: Salt Lake City Corporation.

DIVISION: The Salt Lake City Parks and Public Lands Division.

FUEL REDUCTION PERMIT: A permit issued under this chapter that allows a property owner to perform permitted wildfire mitigation activities on public property.

PERMITTED FUEL REDUCTION ACTIVITY: Fuel reduction activities either (i) expressly permitted under the city policies and procedures established pursuant to this chapter; or (ii) expressly permitted in the specific fuel reduction permit issued to the permittee.

PERMITTEE: Any person who has been issued a fuel reduction permit.

PERSON: Means and includes any natural person, partnership, firm, association, corporation, company, organization, or entity of any kind.

PROPERTY OWNER: Person having legal title to real property and/or an equitable interest in the property, or the ranking official or agent of a company having legal title to real property and/or an equitable interest in the property.

PUBLIC PROPERTY: Real property in which the City has a legal interest.

### **17.21.020: FUEL REDUCTION PERMIT REQUIRED:**

A person residing at, or having an interest in, a parcel of real property adjacent to public property must obtain a fuel reduction permit from the division before performing fuel reduction activities on that public property.

#### **17.21.030: FUEL REDUCTION PERMIT APPLICATION:**

- A. An applicant shall file an application for a fuel reduction permit with the division on a form or forms to be furnished by the division, that contain, as applicable:
1. The name, address, and telephone number of the applicant. If an applicant is not the owner of the parcel of real property adjacent to the public property on which the fuel reduction work will be performed, then the applicant also shall include in the application the name, address, and telephone number of the property owner;
  2. The address of the parcel of real property adjacent to the public property on which the permitted fuel reduction activities will be conducted;
  3. A description of the proposed fuel reduction activities;
  4. The dates on which the permitted fuel reduction activities will be conducted;
  5. Evidence that the property owner (if not the applicant) has given permission to the applicant to perform the work on behalf of the property owner; and
  6. Any other information or certifications required by the division.
- 
- B. The division may approve or deny a fuel reduction permit at the division's discretion upon determining that:
1. The applicant resides at or has an interest in a parcel of real property adjacent to public property; and
  2. The proposed fuel reduction activities are appropriate for the current conditions on the public property at issue.

#### **17.21.040: POLICIES AND PROCEDURES:**

- A. The mayor, or the mayor's designee, may adopt policies and procedures to implement the requirements of this chapter.
- B. A permittee must comply with:
- a. the requirements of this chapter; and
  - b. any policies and procedures adopted to implement the provisions of this chapter.



SECTION 2. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Salt Lake City Attorney's Office  
Approved As To Form

By: \_\_\_\_\_

Jaysen Oldroyd

Date: 2/27/2020

Bill No. \_\_\_\_\_ of 2020.

Published: \_\_\_\_\_.

Wildfire Mitigation Ordinance