

**ORDINANCE NO. 940**

**AN ORDINANCE AMENDING CITY OF OAKRIDGE CODE CHAPTER 130 TO  
ADOPT A FIREWORKS BAN AND OTHER RESTRICTIONS DURING  
DECLARED FIRE SEASON, EXTREME FIRE DANGER CONDITIONS**

**WHEREAS**, pursuant to Article IX, Section 2 of the Oregon Constitution and the Oakridge Charter, the City of Oakridge is a home rule municipality with all the powers that the constitutions, statutes, and common law of the United States and the State of Oregon expressly or impliedly grant or allow the City; and

**WHEREAS**, the City Council finds that summertime weather conditions can create conditions that create an extreme risk of wildfires; and,

**WHEREAS**, the City Council finds there are many things that could be the source of ignition for a wildfire, including but not limited to fireworks; and,

**WHEREAS**, the City Council finds that wildfires endanger the health and safety of the city's population, jeopardize economic vitality within the city, and imperil the quality of the environment; and,

**WHEREAS**, the City Council finds that Oregon Revised Statute 480.160 authorizes a municipality to prohibit the manufacture, sale or discharge of fireworks; and,

**WHEREAS**, the City Council finds that Oregon Revised Statutes 477.505 through 477.512 provides that when conditions that create a fire hazard to exist in any forest protection district or portion thereof, the Oregon State Forester has the authority to declare the beginning of fire season; and,

**WHEREAS**, the City of Oakridge finds the restrictions that are imposed by the declaration of the beginning of fire season found at Oregon Revised Statutes 477.510 and 477.512 would be appropriate for all areas within the City of Oakridge; and,

**WHEREAS**, the City Council finds the same conditions that trigger the declaration of a fire season and imposition of the accompanying restrictions are the same conditions that make it appropriate to prohibit the discharge of fireworks during declared extreme fire danger conditions for the South Cascade District.

**WHEREAS**, considering all of the above, the Oakridge City Council finds that prohibiting the use of fireworks during extreme fire conditions has benefits to the community through less risk of fire in an increasingly dry environment.

**NOW, THEREFORE, the City of Oakridge ordains as follows:**

**Section I.** Section 130.02(C), Fireworks Ban and Other Restrictions During a Declared Fire Season, Extreme Fire Danger Condition is attached as Exhibit A and incorporated by this reference is hereby added to the City of Oakridge Code Chapter 130.

**Section II.** Professional fireworks displays or shows that have been issued a General Fireworks Display Permit by the Oregon State Fire Marshal and which have been approved by the Oakridge City Council, are exempt from prohibition.

**Section III.** If any section, subsection, sentence, clause phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion constitutes a separate, distinct and independent provision, and such holding does not affect the validity of the remaining portions hereof.

**Section IV.** Nothing herein is intended to, nor acts herein to amend, replace, or otherwise conflict with any other ordinances of Lane County or any other Code or statutory provisions unless expressly so stated.

**Section V.** This Ordinance is necessary for the protection of public health, public safety, and public property and is effective immediately upon adoption.

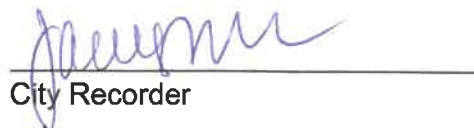
**READ, PASSED AND ADOPTED** by a vote of the Oakridge City Council this 29 day of June, 2023.

**APPROVED AND SIGNED BY THE MAYOR** of the City of Oakridge this 29 day of June, 2023.

Attest:



Mayor  
BRYAN CROTCHEN



City Recorder

Ayes: 5

Nays: 2

**§ 130.02 WEAPONS AND FIREWORKS.**

**(A) (1) Except at firing ranges approved by the Chief of Police, no person other than a peace officer or dog control officer shall fire or discharge a gun, including a spring or air actuated pellet gun, air gun or B.B. gun or other weapon which propels a projectile by use of gunpowder, other explosive or jet or rocket propulsion. (2) The provisions of this section shall not be construed to prohibit the firing or discharge of any weapon as allowed in the defense stated in O.R.S. 161.190 to 161.275.**

**(B) The Oregon Fireworks Law, O.R.S. 480.110 to 480.160, as now enacted, is hereby adopted and violation thereof shall constitute an offense against the city.**

**(Ord. 721, passed 6-5-86) Penalty, see § 130.99**

**(C) Fireworks prohibition and fire restrictions.**

- (1) Upon the declaration of fire season by the Oregon State Forester pursuant to ORS 477.505 for the City of Oakridge, the [use or discharge] of fireworks is prohibited in the City of Oakridge during “extreme” fire danger conditions, as declared by the Oregon State Forester. The prohibitions and restrictions shall remain in place until the Oregon State Forester declares a fire danger condition less than extreme or has declared the end to fire season pursuant to ORS 477.505. Professional fireworks displays or shows that have been issued a General Fireworks Display Permit by the Oregon State Fire Marshal and which have been approved by the Oakridge City Council, are *exempt* from prohibition.**
- (2) For purposes of this section, the following definitions apply:**
  - (a) “Oregon State Forester” is defined as the position described in ORS 477.001(27);**
  - (b) “Fireworks” has the same definition as ORS 480.111;**
  - (c) “Fire Season” has the same definition as ORS 477.001(7).**
- (3) Violation of §130.02(C) is punishable upon conviction of a fine not exceed \$1000.**