

**SUGAR CITY
ORDINANCE 411_2026**

TEMPORARY BURN BAN

A TEMPORARY ORDINANCE BANNING OPEN FIRES WITHIN THE CITY OF SUGAR CITY, IDAHO; PROVIDING THAT A VIOLATION OF THIS ORDINANCE IS AN INFRACTION PUNISHABLE BY A FINE OF UP TO THREE HUNDRED DOLLARS (\$300.00); AND PROVIDING FOR CIVIL LIABILITY FOR THE COST OF THE FIRE CONTAINMENT AND DAMAGES CAUSED BY A VIOLATION.

WHEREAS, the City Council values the lives and safety of Sugar City residents and takes matters affecting the same very seriously; and

WHEREAS, the City Council finds that conditions and circumstances within the City of Sugar City now or in the future may necessitate the imposition of an open fire ban to protect the public health, safety, and welfare; and

WHEREAS, there exists an extreme or serious danger of forest fires, grass fires, and wildfires due to dry weather and vegetation conditions within the City of Sugar City, and such fires have periodically occurred during dry conditions, causing property damage and creating a risk of loss of life; and

WHEREAS, dry conditions have already resulted in multiple fires during June and July 2026; and

WHEREAS, pursuant to Idaho Code Section 50-301, cities corporate and politic have the authority "to exercise all powers and perform all functions of local self-government in city affairs as are not specifically prohibited by or in conflict with the general laws or the constitution of the state of Idaho".

NOW THEREFORE, be it ordained by the Council of the City of Sugar City, in the State of Idaho, as follows:

SECTION 1: **ADOPTION** "3-4 TEMPORARY OPEN FIRE BAN" of the Sugar City Municipal Code is hereby *added* as follows:

ADOPTION

3-4 TEMPORARY OPEN FIRE BAN(*Added*)

SECTION 2: **ADOPTION** “3-4-1 DECLARATION” of the Sugar City Municipal Code is hereby *added* as follows:

A D O P T I O N

3-4-1 DECLARATION(*Added*)

Conditions and circumstances within the City of Sugar City necessitate the imposition of a temporary open fire ban to protect the public health, safety, and welfare.

SECTION 3: **ADOPTION** “3-4-2 OPEN FIRE BAN” of the Sugar City Municipal Code is hereby *added* as follows:

A D O P T I O N

3-4-2 OPEN FIRE BAN(*Added*)

From July 24, 2026, through September 30, 2026, unless terminated earlier by the Sugar City Council, there is hereby imposed a ban on open fires of any kind on all property located within the City of Sugar City in Madison County. This Ordinance shall expire by its own terms at midnight on September 30, 2026, unless extended by the Sugar City Council.

SECTION 4: **ADOPTION** “3-4-3 ACTIVITIES PROHIBITED” of the Sugar City Municipal Code is hereby *added* as follows:

A D O P T I O N

3-4-3 ACTIVITIES PROHIBITED(*Added*)

This burn ban applies to any and all outdoor fires, including, but not limited to, campfires, warming fires, the use of explosives, firing of model rockets, discharge of tracer ammunition, discharge of fireworks, exploding targets, welding or operating an acetylene or other open-flame torch (except in an area cleared of all flammable materials and with adequate firefighting equipment immediately available), the burning of trash or debris, and any open burning that is offensive or objectionable because of smoke or odor emissions or that becomes hazardous because of atmospheric conditions or local circumstances.

SECTION 5: **ADOPTION** “3-4-4 EXCEPTIONS” of the Sugar City Municipal Code is hereby *added* as follows:

A D O P T I O N

3-4-4 EXCEPTIONS(*Added*)

This burn ban shall not apply to:

- A. Properly permitted commercial fireworks within incorporated city limits
- B. Wood-burning stoves and fireplaces located within enclosed buildings
- C. Roadside emergency flares used for vehicle safety in a safe and prudent manner with due regard to wildfire risk
- D. Barbeque grills at personal residences when used in a safe and prudent manner with due regard to wildfire risk

SECTION 6: **ADOPTION** “3-4-5 ENFORCEMENT” of the Sugar City Municipal Code is hereby *added* as follows:

A D O P T I O N

3-4-5 ENFORCEMENT(*Added*)

The Sugar City Code Enforcement Officer and/or the Madison County Sheriff's Office and its officers, deputies, designees, and agents are authorized to enforce the provisions of this Ordinance. The Sheriff shall be responsible for the administration of this ordinance. All inquiries regarding the current status of open fire restrictions and bans within the City shall be directed to the Madison County Non Emergency Dispatch at 208-372-5000.

SECTION 7: **ADOPTION** “3-4-6 PENALTY” of the Sugar City Municipal Code is hereby *added* as follows:

A D O P T I O N

3-4-6 PENALTY(*Added*)

A violation of this Ordinance constitutes an infraction. Upon conviction or admission of responsibility, a violator shall be subject to a fine of not more than Three Hundred Dollars (\$300.00) for each violation. The minimum fine shall be One Hundred Dollars (\$100.00). It is

the intent of this Ordinance that fines for repeated or multiple violations by the same person be significantly increased.

SECTION 8: **ADOPTION** “3-4-7 CITATION AUTHORITY” of the Sugar City Municipal Code is hereby *added* as follows:

A D O P T I O N

3-4-7 CITATION AUTHORITY (*Added*)

The Sugar City Code Enforcement Officer or the Madison County Sheriff's Office is authorized to issue citations for violations of this Ordinance. Prosecution may be brought under applicable state statutes or pursuant to the penalty assessment procedures authorized by law.

SECTION 9: **ADOPTION** “3-4-8 SEPARATE OFFENSES” of the Sugar City Municipal Code is hereby *added* as follows:

A D O P T I O N

3-4-8 SEPARATE OFFENSES (*Added*)

Each violation of this Ordinance shall be deemed separate and distinct from any other violation of this Ordinance or of any federal, state, or local law, rule, order, or regulation. Each day during which a violation continues shall constitute a separate offense.

SECTION 10: **ADOPTION** “3-4-9 CONFLICTING REGULATIONS” of the Sugar City Municipal Code is hereby *added* as follows:

A D O P T I O N

3-4-9 CONFLICTING REGULATIONS (*Added*)

If the State of Idaho, the Bureau of Land Management ("BLM"), or the United States Forest Service has issued fire restrictions or burning regulations applicable to public lands within the City of Sugar City that conflict with this Ordinance, the most restrictive applicable rules or regulations shall control.

SECTION 11: **ADOPTION** “3-4-10 CIVIL LIABILITY” of the Sugar City Municipal Code is hereby *added* as follows:

A D O P T I O N

3-4-10 CIVIL LIABILITY (*Added*)

Any person who willfully or negligently starts or permits an open fire in violation of this Ordinance shall be liable for all costs incurred by federal, state, or local agencies, or their authorized representatives, in controlling or extinguishing the fire, together with any damages to persons or property resulting from the violation. Such costs may be recovered through a civil action brought by the City of Sugar City, any person sustaining damages, or any governmental agency seeking reimbursement, as applicable. The civil liability provided by this section is in addition to, and not in lieu of, any criminal or civil penalties otherwise provided by law.

SECTION 12: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 13: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from _____ and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE SUGAR CITY COUNCIL JULY 23, 2026.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Joy M Ball	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Catherine Nielsen	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Glenn Dayley	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Carter Stanford	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest

Steven Adams, Mayor, Sugar City

Wendy McLaughlin, City Clerk,
Sugar City