ORDINANCE NO. 2014-10 (VERSION 1)

AN ORDINANCE OF IVINS CITY, UTAH, PROHIBITING WITHIN IVINS CITY THE DISCHARGE OF FIREARMS, TRAPPING, AND THE FEEDING OF PREDATORY ANIMALS

WHEREAS, in response to a citizen request to consider an ordinance regulating the discharge of firearms and trapping in Ivins City, the City Council considered the potential dangers that these activities pose to public health and safety; and

WHEREAS, although Utah law generally provides exclusive jurisdiction regarding the regulation of trapping to the Utah Division of Wildlife Resources, municipalities do have authority to enact laws to protect public health and safety; and

WHEREAS, the Ivins City Council finds 1) that discharging a firearm within city limits poses a danger to public health and safety, 2) that trapping, as defined herein, poses a danger to public health and safety, and 3) that feeding predatory animals poses a danger to public health and safety;

NOW, THEREFORE, BE IT ORDAINED BY THE IVINS CITY COUNCIL that the following chapter be added to Title 7 of the Ivins City Code regarding Health and Safety:

TITLE 7

HEALTH AND SAFETY

* * *

CHAPTER 12

DISCHARGE OF FIREARMS; TRAPPING; FEEDING PREDATORY ANIMALS

12.01.101 DEFINITIONS: For purposes of this section, the following terms shall be defined as follows:

FIREARM: Any gun, revolver, pistol, rifle or firearm of any kind or nature, or any air gun or any other such type instrument designed to propel or throw a projectile.

PREDATORY ANIMAL: Coyotes, foxes, mountain lions, bobcats and any other animal defined as a predator by law.

TRAPPING: The use of any mechanical device which entraps, snares or snaps closed on any animal, excluding the trapping of rodents, the use of live box or cage traps, and any trapping deemed necessary and performed by either the Utah Division of Wildlife Resources or the Ivins City Public Safety Department.

12.01.102 DISCHARGE OF FIREARMS PROHIBITED; EXCEPTIONS: It is unlawful for any person to discharge any firearm in Ivins City, except in self-defense or in any case of any law enforcement officer in the discharge of his/her duty.

12.01.103 TRAPPING PROHIBITED: EXCEPTIONS: It is unlawful for any person to trap, set a trap, or engage in trapping in Ivins City, excluding live cage traps and any trapping deemed

necessary and performed by either the Utah Division of Wildlife Resources or the Ivins City Public Safety Department.

12.01.104 FEEDING PREDATORY ANIMALS PROHIBITED: It is unlawful for any person to feed a predatory animal in Ivins City.

12.01.105 PENALTY: Violations of this chapter may be enforced either criminally as a Class C misdemeanor or civilly by imposing a monetary penalty under Title 4 of the Ivins City Code (Administrative Code Enforcement).

Severability. If any section, clause or portion of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Effective Date. This ordinance shall become effective immediately upon passage and publication.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS ____ DAY OF _____, 2014 BY THE FOLLOWING VOTE:

	AYE	**NAY**	**ABSTAIN**	**ABSENT**
George E. Elwell, Jr.	_____	_____	_____	_____
Cheyne McDonald	_____	_____	_____	_____
Lesley Mendenhall	_____	_____	_____	_____
Steven Roberts	_____	_____	_____	_____
Ron Densley	_____	_____	_____	_____

_____
Chris Hart, Mayor

ATTEST:

_____
Kari Jimenez, City Recorder