
Document Control Changes: Created 10 October 2006, Revised 24 November 2015 (was CF-035-DF-06), New Format May 2016

BE IT ORDAINED by the Town Council of the Town of Cedar Fort, Utah County, Utah that an ordinance pertaining to Discharge of Firearms within the Town limits be enacted as follows:

DISCHARGE of FIREARMS

1.0 Findings

Whereas, the Town of Cedar Fort finds and declares as follows:

- 1.1 State law [76-10-508 (1)(a)(vii)] prohibits the discharge of firearms within 600' of any structure or domestic animals without written permission of the owner, and
- 1.2 Certain areas in the Town limits are presently designated as Hunting Conservation units, and
- 1.3 Certain landowners desire to allow private hunting within remote areas of the Town.

2.0 Conclusions

Now, therefore, be it ordained by the Town of Cedar Fort, Utah that an ordinance be enacted as follows:

A person may not discharge any kind of dangerous weapon or firearm within Town limits unless the requirements of paragraph 2.1 through 2.4 are fulfilled.

2.1 Private landowners and others having written permission to access designated lands are allowed to carry and discharge firearms on such designated land (subject to approval of the designated area by the Town) for the sole purpose of hunting in accordance with all State and Federal regulations permitting such actions. The hunting is done on private land and, as such, the Town is held harmless for any actions, willful or negligent, regarding such use of the property.

2.2 Notwithstanding item 2.1., above, no person shall be permitted to discharge a firearm within 600 feet of any building or on any land within the Town limits that has not permitted such hunting as described above.

This ordinance does not apply to a person who:

2.2.1 Discharges any kind of firearm when that person is in lawful defense of self or others,

2.2.2 Is performing official law enforcement duties,

2.3 Utah State Code 76-10-508 (1) (a) (vii) (A) & (B) states: A person may not discharge any kind of dangerous weapon or firearm: without written permission to discharge the dangerous weapon from the owner or person in charge of the property within 600 feet of:

2.3.1 a house, dwelling, or any other building; or

2.3.2 any structure in which a domestic animal is kept or fed, including a barn, poultry yard, corral, feeding pen, or stockyard.

3.0 Judicial Review

Any legal action challenging any decision of the Town Council, or other governmental body performing a function under this ordinance shall be filed in a court of competent jurisdiction within 30 days of the action challenged.

4.0 Severability

If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof

5.0 Conflict With Other Ordinances Of The Town

If any provision of this ordinance is in conflict with a provision of another ordinance of the Town, then the most stringent requirement shall govern.

6.0 Penalty

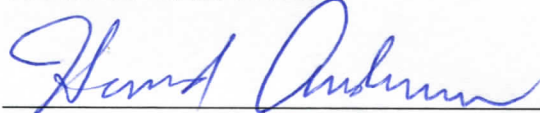
Any person violating or causing or permitting the violation of the provisions of this ordinance will, upon conviction, be guilty of a Class B misdemeanor and punishable as provided by law - both civilly and criminally, as per UCA 76-10-508.

7.0 Effective Date

This ordinance will take effect upon its passage by majority vote of the Town Council and posting in three public places within the Town

Approved and passed this 24th Day of May 2016

TOWN OF CEDAR FORT



Howard Anderson, Mayor



Attested by: Wanda Cook
Town Clerk

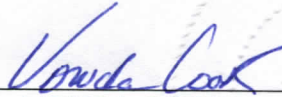
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|-------------------------------|------------------|
| Councilmember Howard Anderson | Voted <u>yes</u> |
| Councilmember Ellen Cibula | Voted <u>yes</u> |
| Councilmember Larry Mohler | Voted <u>yes</u> |
| Councilmember Chris Murphy | Voted <u>yes</u> |
| Councilmember Richard Stark | Voted <u>yes</u> |

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

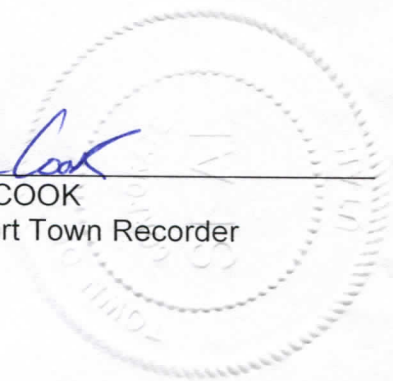
I, VONDA COOK, Town Recorder of Cedar Fort Town, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the Town Council of Cedar Fort, Utah, on the 24th day of May 2015, entitled

“DISCHARGE of FIREARMS ORDINANCE“

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Cedar Fort Town, Utah this 24th day of May 2016.



VONDA COOK
Cedar Fort Town Recorder



(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Vonda Cook, Town Recorder of Cedar Fort Town, Utah, do hereby certify and declare that I posted in three (3) public places the following summary of the ordinance which was passed by the Cedar Fort Town Council on the 24th day of May 2016 and herein referred to as:

“DISCHARGE of FIREARMS ORDINANCE“

SUMMARY:

The above named ordinance was enacted to define and describe the requirements, limitations and penalties for discharge of firearms within the Town of Cedar Fort.

The three places are as follows:

1. Post Office
2. Town Hall
3. Cedar Valley Store



Vonda Cook
Cedar Fort Town Recorder

Date of Posting 25 May 2016