

ORDINANCE NO. 1326

AN ORDINANCE OF DRAPER CITY COUNCIL AMENDING DRAPER CITY MUNICIPAL CODE CHAPTER 7-5-300 RELATED TO FEEDING UN-DOMESTICATED WILDLIFE, SPECIFICALLY DEER, WITHIN DRAPER CITY LIMITS

WHEREAS, the Utah State Code regulates Draper City's authority to regulate the feeding of un-domesticated wildlife, specifically deer, within the city; and

WHEREAS, the Division of Wildlife Board approval is required for a City to prohibit feeding within city limits; and

WHEREAS, the Division of Wildlife has not been able to find record of approval for Draper City; and

WHEREAS, there are feeding regulations enforced by the State and additional provisions of the Division of Wildlife Resources which protect the health, safety, and welfare of citizens regarding the feeding of un-domesticated wildlife; and

WHEREAS, the City Council of Draper City has determined that it is in the best interest of the City and its citizens to prohibit the feeding of un-domesticated wildlife within Draper City limits.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Enactment. Chapter 7-5-300 of the Draper City Municipal Code is hereby set forth in Exhibit "A," attached hereto and incorporated herein by reference.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

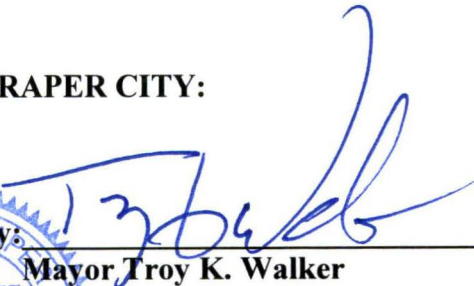
Section 3. Effective Date. This Ordinance shall become effective immediately.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS 10th DAY OF JULY, 2018.

ATTEST:

DRAPER CITY:


Rachelle Conner, MMC, City Recorder


Mayor Troy K. Walker



VOTE TAKEN:

YES

NO

Councilmember Green

Councilmember Lowery

Councilmember Summerhays

Councilmember Vawdrey

Councilmember Weeks

Mayor Walker

EXHIBIT A

COMPLETE PROPOSED TEXT

Chapter 7-5 FEEDING OF UN-DOMESTICATED WILDLIFE

Sections:

7-4-300 Feeding of Un-Domesticated Wildlife Prohibited. It is unlawful for any person intentionally to feed un-domesticated wild animals, specifically deer or make food available for consumption by such mammals on private or public property, including any fruit, grain, mineral, salt, vegetable, or other material placed outdoors with the specific intent of consumption by them.

Each property owner shall remove any materials placed on the owner's property for the purpose of feeding wild mammals. Failure to remove such materials within twenty four (24) hours of notice from the City shall constitute an infraction.

Any materials placed for the purpose of feeding wild mammals are hereby declared to be a public nuisance, which may be abated summarily, by civil action, or by criminal prosecution.

This section does not apply to an animal control officer, veterinarian, peace officer, City employee, authorized urban bow hunting specialist, federal or state wildlife official, or property owner who is authorized by a local, state, or federal government to treat, manage, capture, trap, hunt, or remove un-domesticated wild animals and who is acting within the scope of the person's authority.

To be published on Saturday, July 21, 2018, in the *Salt Lake Tribune* and *Deseret News*

City of Draper Notice of Ordinance Adoption – On July 10, 2018, the Draper City Council approved Ordinance #1326, Prohibiting Feeding of Undomesticated Wildlife Within City Limits. The complete ordinance is on file at the Draper City Recorder's Office and online at www.draper.ut.us. Published this 21st day of July, 2018, Rachelle Conner, Draper City Recorder.

