

ORDINANCE NO. 2019-13

AN ORDINANCE AMENDING SECTION 13.03.062 OF THE CENTERVILLE MUNICIPAL CODE REGARDING THE DISCHARGE OF PROJECTILES TO ADD AN EXCEPTION FOR AUTHORIZED AND APPROVED ACTIVITIES UNDER THE CITY'S URBAN DEER CONTROL PROGRAM

WHEREAS, the City Council of Centerville City has previously adopted Title 13 of the Centerville Municipal Code enacting the Centerville City Criminal Code, including Section 13.03.062 regarding regulation of the discharge of projectiles within the City; and

WHEREAS, the City Council desires to update and amend Section 13.03.062 of the Centerville Municipal Code regarding the regulation of the discharge of projectiles within the City to allow for authorized and approved activities under the City's Urban Deer Control Plan as more particularly provided herein; and

WHEREAS, the City is authorized to regulate the discharge of projectiles within the City as an exercise of the City's police powers as further authorized by State law; and

WHEREAS, the City Council finds that the proposed amendments to Section 13.03.062 of the Centerville Municipal Code regarding the regulation of the discharge of projectiles within the City to allow for authorized and approved activities under the City's Urban Deer Control Plan as more particularly set forth herein is in the best interest of the public health, safety and welfare.

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

Section 1. Amendment. Section 13.03.062 of the Centerville Municipal Code regarding the Discharge of Projectiles is hereby amended to read in its entirety as set forth as follows:

13.03.062. Discharge of Projectiles.

- (a) Private Property. Except as otherwise expressly provided in Subsection (c), it shall be unlawful to discharge or shoot a bow and arrow, crossbow, air gun, bb gun, pellet gun, and any type of instrument, designed to propel or throw missiles capable of doing substantial bodily injury as defined by Utah Code § 76-1-601, on private property (including developed target or archery ranges) in such a manner as to endanger persons or property or to cause the projectile or missile to cross into property owned by another when the person shooting the projectile or missile does not have permission to use such property for the purpose of discharging the device.
- (b) Public Property. Except as otherwise expressly provided in Subsection (c), it shall be unlawful to discharge or shoot a bow and arrow, crossbow, air gun, bb gun, pellet gun, and any type of instrument, designed to propel or throw missiles capable of doing substantial bodily injury as defined by Utah Code § 76-1-601, on public property.

(c) Exceptions. The prohibitions of this Section regarding the discharge of missiles or projectiles within the City limits shall not apply to the discharge of such weapons or contrivances under the following circumstances:

1. When acting in lawful self-defense or the defense of another;
2. By any law enforcement officer acting in the lawful exercise of his or her duties; ~~or~~
3. At a lawfully approved an-archery or target range approved by the Police Chief; ~~or~~
- 3.4. By authorized and approved participants for deer removal activities lawfully pursued in accordance with the City's Urban Deer Control Program.

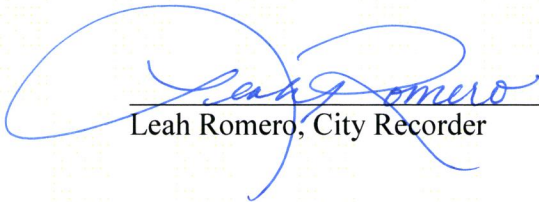
Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, which occurs first.

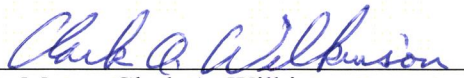
PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 2nd DAY OF JULY, 2019.

CENTERVILLE CITY

ATTEST:



Leah Romero, City Recorder

By: 

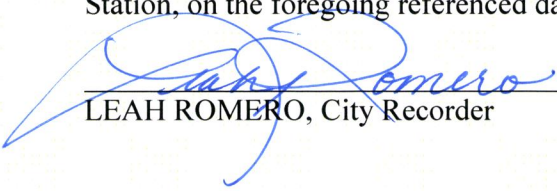
Mayor Clark A. Wilkinson

Voting by the City Council:

	"AYE"	"NAY"	"ABSENT"
Councilmember Fillmore	_____	_____	_____✓_____
Councilmember Ince	_____✓_____	_____	_____
Councilmember Ivie	_____✓_____	_____	_____
Councilmember McEwan	_____✓_____	_____	_____
Councilmember Mecham	_____	_____✓_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.


LEAH ROMERO, City Recorder

DATE: July 5, 2019

RECORDED this 5 day of July, 2019.

PUBLISHED OR POSTED this 5 of July, 2019.

