

**HUNTSVILLE TOWN  
ORDINANCE NO. 2020-4-16**

**WILDLIFE REGULATIONS**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, REGULATION  
PUBLIC INTERACTION WITH WILDLIFE; SEVERABILITY; AND  
PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Huntsville Town (hereafter “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

**WHEREAS**, *Utah Code Annotated* §10-8-84 and §10-8-60 authorizes the Town to exercise police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

**WHEREAS**, feeding, touching, teasing, molesting, or intentionally disturbing wildlife, subject to certain exceptions such as hunting, creates a public nuisance;

**WHEREAS**, the United State Department of Agriculture reports that: 1) wild animals have specialized diets and certain food from humans can be harmful, 2) wildlife does not need food from humans to survive, 3) human interaction and feeding of wildlife encourages wild animals to congregate and increases chance of disease transmission, 4) wild animals accustomed to humans often lose their fear of people and can become aggressive, 5) wild animals accustomed to humans interaction that become aggressive may have to be destroyed to protect people and property, 6) wildlife fed or attracted along roads increasing the chance of vehicle-animal accidents, and 7) large concentrations of wildlife in populated areas can pollute waterways, backyards, and public areas;

**WHEREAS**, the State of Utah has adopted R651-603-5 for public lands states: “[f]eeding, touching, teasing, molesting, or intentionally disturbing any wildlife is prohibited except as approved for authorized hunting and trapping activities (see R651-614).”

**WHEREAS**, the Town desires to enact regulations that limit human interaction with wildlife and mitigates the same from becoming a public nuisance;

**NOW, THEREFORE**, be it ordained by the Town Council of Huntsville, Utah, as follows:

**Section 1:**     **Repealer.** Any code, chapter, or section in conflict with this Ordinance is hereby repealed in its entirety and referenced thereto vacated.

**Section 2:**     **Enactment.** Chapter 1.10 (or as may otherwise be assigned) of the *Huntsville Municipal Code* are hereby enacted to read as follows:

**1.10 Wildlife Regulations.**

1. Feeding, touching, teasing, molesting, or intentionally disturbing any wildlife on private or public lands, including but not limited to, deer, elk, moose, wild turkey, is prohibited except as provided in this section or otherwise by law.
2. The following regulations apply:
  - a. A property owner shall immediately remove any materials placed on their property by others in violation of this section.
  - b. There shall be a presumption that the placement of fruit, grain, hay, vegetable, minerals, salt, or other food in aggregate volume of more than one-half gallon at a height of less than six (6) feet off the ground, or in any drop feeder, automatic feed, or similar device regardless of height, is for the purpose of feeding wildlife in violation of this section.
3. This section does not apply to:
  - a. Bona fide agriculture operations using sound agricultural practices.
  - b. Domestic animals.
  - c. Naturally growing plants, gardens, residue maintained as a mulch pile, and bird feeders.
  - d. Authorized hunting and trapping activities (also see Utah State Administrative Rules R651-614).
  - e. Recreational feeding of wild songbirds, hummingbirds, or passerine birds in a manner that does not attract wildlife such as deer, elk, moose, or wild turkeys.
  - f. Permitted or conditional land use permits granted by the Town involving wildlife.
  - g. Public officials, employees, or authorized agents acting within the scope of their employment for public safety or wildlife management purposes.
4. Each violation of this section is an Infraction subject to a fine not to exceed \$750.

**Section 3:**     **Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

**Section 4:**     **Effective date.** This Ordinance take effect immediately upon mayoral approval and posting

PASSED AND ADOPTED by the City Council on this 16 day of April, 2020.

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JIM TRUETT, Mayor

ATTEST:

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City Recorder