

Chapter 9.19 - WILDLIFE RESOURCES CODE

Sections:

9.19.010 - Definitions.

For the purpose of this chapter, certain terms, phrases, words, and their derivatives are defined as follows:

"Motor vehicle" shall have the same meaning as defined in Utah Code Annotated § 41-6a-102.

"Spotlighting" means casting the rays of any artificial light on any highway, in any fields, woodland, forest or other land while having in possession a weapon by which protected wildlife may be killed.

(Ord. No. 5-4-2015 O1, § I, 5-4-2015)

9.19.020 - General provisions.

- A. A person may not engage in hunting by means of spotlighting without first having procured the necessary permit under this chapter and having at the same time the required permit on his or her person.
- B. The hunting shall be for coyote, red fox, striped skunk, or raccoon and no other form of terrestrial or avian wildlife.
- C. Any artificial light used to spotlight the animal shall be carried by the hunter.
- D. A motor vehicle headlight or light attached to or powered by a motor vehicle may not be used to spotlight the animal; and
- E. While hunting with the use of an artificial light, the hunter may not occupy or operate any motor vehicle.

(Ord. No. 5-4-2015 O1, § I, 5-4-2015)

9.19.030 - When spotlighting is permissible or prohibited.

- A. Pursuant to Utah Code Annotated § 23-13-17, hunting by means of spotlighting is only allowed under the following conditions:
- B. Spotlighting shall not be permitted inside any of the incorporated areas of Uintah County.

(Ord. No. 5-4-2015 O1, § I, 5-4-2015)

9.19.040 - Private property.

Hunters shall obtain permission from the landowner before spotlighting on privately owned lands in accordance with Utah Code Annotated § 23-20-14.

(Ord. No. 5-4-2015 O1, § I, 5-4-2015)

9.19.050 - Required permit.

- A. Any person wishing to hunt by means of spotlighting must obtain a spotlighting permit from Uintah County. A permit may be obtained from the Uintah County Sheriff or his designee (hereinafter collectively referred to as sheriff). Permits will be valid for six months. The Sheriff may decline to issue a permit to any person who:
 - 1. Is restricted from possessing a firearm under Utah Law;

- 2. Has had his hunting privileges restricted by the DWR; and
 - 3. any other provision of law that restricts a person's ability to possess a firearm or hunt.
- B. The sheriff may rescind an issued permit for any person who would no longer qualify to obtain a permit or who violates the provisions of this chapter.

(Ord. No. 5-4-2015 O1, § I, 5-4-2015)

9.19.060 - Notice.

Hunters shall notify the Uintah Basin Consolidated Communication Center each time he/she engages in spotlighting; the hunter will also provide the location he/she intends to spotlight.

(Ord. No. 5-4-2015 O1, § I, 5-4-2015)

9.19.070 - Applicability.

- A. This chapter does not apply to:
- 1. A person or the person's agent who is lawfully acting to protect the person's crops or domestic animals from predation by those animals; or
 - 2. An animal damage control agent acting in the agent's official capacity under a memorandum of agreement with the division;
- B. This chapter shall not affect any other provision in the Utah Code not otherwise addressed herein regarding the taking of wildlife, the discharge of a firearm, or the rights and duties of landowners or hunters.

(Ord. No. 5-4-2015 O1, § I, 5-4-2015)

9.19.080 - Penalty.

Any person who violates this chapter shall be guilty of a class B misdemeanor.

(Ord. No. 5-4-2015 O1, § I, 5-4-2015)

23-13-17 Spotlighting of coyote, red fox, striped skunk, and raccoon -- County ordinances -- Permits.

- (1) Spotlighting may be used to hunt coyote, red fox, striped skunk, or raccoon where allowed by a county ordinance enacted pursuant to this section.
- (2) The ordinance shall provide that:
 - (a) any artificial light used to spotlight coyote, red fox, striped skunk, or raccoon shall be carried by the hunter;
 - (b) a motor vehicle headlight or light attached to or powered by a motor vehicle may not be used to spotlight the animal; and
 - (c) while hunting with the use of an artificial light, the hunter may not occupy or operate any motor vehicle.
- (3) For purposes of the county ordinance, "motor vehicle" shall have the meaning as defined in Section 41-6a-102.
- (4) The ordinance may specify:
 - (a) the time of day and seasons when spotlighting is permitted;
 - (b) areas closed or open to spotlighting within the unincorporated area of the county;
 - (c) safety zones within which spotlighting is prohibited;
 - (d) the weapons permitted; and
 - (e) penalties for violation of the ordinance.
- (5)
 - (a) A county may restrict the number of hunters engaging in spotlighting by requiring a permit to spotlight and issuing a limited number of permits.
 - (b)
 - (i) A fee may be charged for a spotlighting permit.
 - (ii) Any permit fee shall be established by the county ordinance.
 - (iii) Revenues generated by the permit fee shall be remitted to the Division of Wildlife Resources for deposit into the Wildlife Resources Account, except the Wildlife Board may allow any county that enacts an ordinance pursuant to this section to retain a reasonable amount to pay for the costs of administering and enforcing the ordinance, provided this use of the permit revenues does not affect federal funds received by the state under 16 U.S.C. Sec. 669 et seq., Wildlife Restoration Act and 16 U.S.C. Sec. 777 et seq., Sport Fish Restoration Act.
- (6) A county may require hunters to notify the county sheriff of the time and place they will be engaged in spotlighting.
- (7) The requirement that a county ordinance shall be enacted before a person may use spotlighting to hunt coyote, red fox, striped skunk, or raccoon does not apply to:
 - (a) a person or the person's agent who is lawfully acting to protect the person's crops or domestic animals from predation by those animals; or
 - (b) an animal damage control agent acting in the agent's official capacity under a memorandum of agreement with the division.

Amended by Chapter 297, 2011 General Session