

ORDINANCE 2015-13

AN ORDINANCE REPEALING CHAPTER 11, DISCHARGE OF FIREARMS PROHIBITED, OF TITLE 6, PUBLIC SAFETY, OF THE TOOEELE COUNTY CODE

WHEREAS, the Tooele County Commission finds it necessary to repeal the County's firearm restrictions to comply with State law. Pursuant to UCA § 53-5a-102, authority to regulate firearms is reserved to the state. The County may not enact, establish, or enforce any ordinance, regulation, rule, or policy pertaining to firearms that in any way inhibits or restricts the possession or use of firearms on either public or private property. Therefore, Tooele County Code Title 6, Chapter 11, *Discharge of Firearms Prohibited*, exceeds the County's authority.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOEELE COUNTY, UTAH AS FOLLOWS:

SECTION I – CHAPTER REPEALED. Chapter 11, *Discharge of Firearms Prohibited*, of Title 6, *Public Safety*, of the Tooele County Code is hereby repealed.


SECTION II - REPEALER. Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

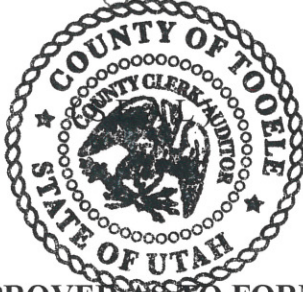
SECTION III - EFFECTIVE DATE. This ordinance shall become effective 15 days after its passage provided it has been published, or at such publication date if more than 15 days after passage.

IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved, and enacted this ordinance this 2nd day of June 2015.


Ord. 2015-13

ATTEST:


MARILYN K. GILLETTE, Clerk/Auditor



APPROVED AS TO FORM:


SCOTT A. BROADHEAD
Tooele County Attorney

TOOELE COUNTY COMMISSION:


WADE B. BITNER, Chairman

Commissioner Bateman voted aye

Commissioner Bitner voted aye

Commissioner Milne voted aye

TOOELE COUNTY CODE
TITLE 6
PUBLIC SAFETY

CHAPTER 11

DISCHARGE OF FIREARMS PROHIBITED

(REPEALED)

(Ord. 2015-13, 5/19/15; Ord. 95-19, 9/12/95; Ord. 92-8, 10/20/92)

Section

~~6-11-1. Purpose.~~

~~6-11-2. Definitions~~

~~6-11-3. Discharge of firearms in subdivisions prohibited.~~

~~6-11-4. Discharge of rifles and pistols in certain residential districts prohibited.~~

~~6-11-1. Purpose.~~

~~—It is the purpose of this chapter to protect the citizenry and their property by prohibiting the discharge of firearms in subdivisions and regulating the discharge of certain firearms in designated residential zoning districts of Tooele County, Utah.~~

~~6-11-2. Definitions.~~

~~—(1) “Firearm” means pistols, rifles, shotguns, revolvers, air guns, BB guns or any other device which could be used as a weapon from which is expelled a projectile by any force.~~

~~—(2) “Pistol” means a short firearm intended to be aimed and fired from one hand.~~

~~—(3) “Residential” means all of the unincorporated areas of Tooele County that have been classified in the official zoning map(s) as one of the following:~~

~~—(a) Rural Residential Zoning Districts, RR-1 and RR-5.~~

~~—(b) Residential and Multiple Use Residential Zoning Districts, R-1-40, R-1-20, R-1-12, R-1-10, R-1-8, R-1-6, R-M-7, R-M-15 and R-M-30.~~

~~—(4) “Rifle” means a firearm designed to be fired from the shoulder that expels a single projectile by any force.~~

~~—(5) “Subdivision” means a subdivision of land as defined by the Tooele County Subdivision Ordinance for which a final plat map has been filed with the Tooele County Recorder.~~

~~6-11-3. Discharge of firearms in subdivisions prohibited.~~

~~—No person except law enforcement officers in the lawful performance of their duties shall, under any circumstances, discharge a firearm while within any subdivision located within the unincorporated areas of Tooele County, Utah.~~

~~6-11-4. Discharge of rifles and pistols in certain residential districts prohibited.~~

~~—No person except law enforcement officers in the lawful performance of their duties shall, under any circumstances, discharge a rifle or pistol while within any area of Tooele County that has been zoned residential pursuant to the official Tooele County Zoning Map(s).~~