

**TOOELE COUNTY  
ORDINANCE 2023-12**

**AN ORDINANCE ENACTING CHAPTER 23, BATTERY, OF TITLE 6,  
PUBLIC SAFETY, OF THE TOOELE COUNTY CODE**

**WHEREAS**, the County Attorney’s Office is responsible for enforcing state and county laws and ordinances; and

**WHEREAS**, there is certain offensive, insulting, or provoking conduct that is less severe than the conduct made illegal by the State’s assault and disorderly conduct offenses; and

**WHEREAS**, the County Attorney’s Office has recognized the need for a criminal battery offense to address such conduct; and

**WHEREAS**, it is determined that adopting a criminal battery offense is in the best interests of the health, safety, and welfare of County citizens;

**NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF TOOELE COUNTY ORDAINS AS FOLLOWS:**

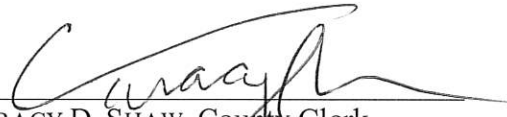
**SECTION I – CHAPTER ENACTED.** Chapter 23, *Battery*, of Title 6, *Public Safety*, of the Tooele County Code is hereby enacted to read as attached hereto, which attachment is, by this reference, made a part hereof.

**SECTION II – REPEALER.** Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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

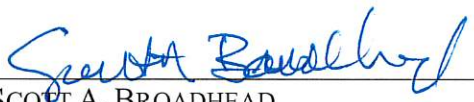
**IN WITNESS WHEREOF** the Tooele County Council, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 21<sup>st</sup> day of March, 2023.

**ATTEST:**

  
\_\_\_\_\_  
TRACY D. SHAW, County Clerk



**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
SCOTT A. BROADHEAD  
Tooele County Attorney

**TOOELE COUNTY COUNCIL:**

  
\_\_\_\_\_  
JARED S. HAMNER, Chair

Council Member Hamner voted aye  
Council Member Hoffmann voted aye  
Council Member Stromberg voted aye  
Council Member Thomas voted aye  
Council Member Wardle voted aye

**TOOELE COUNTY CODE  
TITLE 6  
PUBLIC SAFETY**

**Chapter 23: Battery**

**Section**

**6-23-1. Battery.**

**6-23-1. Battery.**

(1) A person commits battery if they, intentionally or knowingly, without legal justification and by any means:

(a) cause bodily injury to a person; or

(b) make or cause physical contact of an offensive, insulting or provoking nature with a person.

(2) Physical contact in Subsection (1)(b) shall include, but is not limited to, spitting, kissing, pinching, poking, shoving or intimidating touching.

(3) Any person who violates this section shall be guilty of a class B misdemeanor.