

GARFIELD COUNTY, UTAH
ORDINANCE NO. 2020-12
RECREATIONAL USE OF FEDERAL LANDS

AN ORDINANCE TO REDUCE DAMAGE TO NATURAL RESOURCES AND CONFLICT BETWEEN RECREATIONAL USERS, ASSIST LAW ENFORCEMENT OFFICERS AND PROVIDE FOR PUBLIC SAFETY ON FEDERAL AND STATE LANDS WITHIN GARFIELD COUNTY, UTAH.

WHEREAS, Utah Code § 17-50-304 permits Garfield County (the "County") to adopt and enforce "all such local, police, building and sanitary regulations as are not in conflict with general laws";

WHEREAS, Garfield County experiences millions of recreational users each year;

WHEREAS, said users seek a high-quality recreational experience On Federal, State or local lands in Garfield County maintained by the National Park Service, United States Forest Service, Bureau of Land Management, State of Utah, Garfield County and other entities;

WHEREAS, the high number of recreational users utilizing public campgrounds and free dispersed camping areas may a) create stress On Federal, State or local lands in Garfield County within the County, including potential impacts to wildlife, vegetation, soil and cultural resources; b) increase conflict among recreational users; and c) pose a threat to safety and enjoyment of said lands;

WHEREAS, Garfield County has an increased concern regarding the impacts of recreational users in the County, especially associated with sanitation, fire safety, noise, animals and general preservation of the environment; and

WHEREAS, to reduce damage to natural and cultural resources and to provide for public safety, it is in the best interest of Garfield County and its citizens to establish regulations governing the use of recreational lands within the County.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Garfield County, Utah as follows:

Section 1 SHORT TITLE

This Ordinance shall be known as the "Recreational Use of Federal Lands Ordinance."

Section 2 PURPOSE

This Ordinance establishes minimum standards to:

- A. Reduce damage and stress on natural resources located On Federal, State or local lands in Garfield County in Garfield County, including impacts to local wildlife, vegetation, soil and cultural resources;
- B. Reduce potential conflict between recreational users and increase the enjoyment of lands in Garfield County;
- C. Assist authorized law enforcement officers to make and enforce regulations that protect and promote Lands in Garfield County;
- D. Provide for public safety and secure and promote the public health, comfort, convenience, safety, welfare and the peace and quiet of all users of Lands within Garfield County.

Section 3 DEFINITIONS

Definitions for recreational activities shall be consistent with Federal, State and local definitions for lands on which the recreational activity takes place. Visitors shall inform themselves of site-specific requirements.

Section 4 CAMPING AND PARKING

Campfires.

Consistent with rules and regulations promulgated by the Federal Government, State of Utah or Garfield County, or unless authorized by permit, no person shall:

- A. Ignite or maintain a wood-burning fire outside of a firepan, fireplace, grill or ring that is either established or provided for that purpose;
- B. Ignite or maintain a wood-burning fire in an area where appropriate signage prohibits campfires;
- C. Leave a fire unattended or fail to completely extinguish a fire not in use, except to report it if it has spread beyond control;
- D. Resist or interfere with the efforts of firefighter(s) to extinguish a fire;
- E. Enter an area which is closed by a fire prevention order; or

F. Perform any act restricted by a fire prevention order.

Camping.

Consistent with rules and regulations promulgated by the Federal Government, State of Utah or Garfield County, or unless authorized by permit, no person shall:

- A. Camp outside of authorized areas in designated campgrounds;
- B. Camp in areas where dispersed camping is prohibited;
- C. Build, install or otherwise create, new campsites On Federal, State or local lands in Garfield County not authorized for that use;
- D. Occupy or otherwise use a campsite occupied by or reserved for another person;
- E. Camp in areas posted as closed to camping (including “No Camping” signs), including archaeological sites and historic sites;
- F. Occupy a campsite in:
 - 1. Designated Campgrounds:
 - a. With more people or vehicles than permitted or posted;
 - b. Without payment of required fees; or
 - c. For a longer period of time than permitted by applicable Federal, State or local law.
 - 2. Dispersed Camping Areas:
 - a. With more people or vehicles than authorized; or
 - b. For a longer period of time than permitted by applicable Federal, State or local law.
- G. Interfere with a lawful occupant or use.

Section 5 SANITATION

Human Waste.

In areas so designated by Federal, State or local rules, permits and regulations, no person shall dump or otherwise deposit human waste, or wastewater contaminated by fecal matter, On Federal, State or local lands in Garfield County except in an authorized facility. In said areas, all persons are required to carry out solid human waste and must possess and utilize an authorized facility that allows for proper disposal.

Trailer Refuse or Waste.

No person shall drain, dump or otherwise deposit refuse or waste, including greywater and oil, from any trailer or other vehicle on Federal, State or local lands in Garfield County, except in receptacles provided for such use.

Cleaning and Washing.

No person shall clean fish, game, clothing or household articles at any outdoor hydrant, pump, faucet, fountain or restroom water faucet not authorized for that use.

Section 6 ROADWAYS AND VEHICLES

General Regulation.

Utah Statute § 41-22-1 et seq. (Off-Highway Vehicles) and § 41-6a-101 et seq. (Traffic Code), as amended, shall govern the general operation, use and parking of vehicles on Federal, State or local lands in Garfield County. In the event of conflict, Utah Statute shall control.

Section 7 ANIMALS

Restraint and Care, Generally.

Garfield County Ordinance No. 1995-4, Garfield County Ordinance No. 2015-1 and Utah Statute § 76-9-3 et seq., as amended, shall govern the restraint and care of animals on Federal, State or local lands in Garfield County. In the event of conflict, Utah Statute shall control.

Hitching or Tying Animals.

No person shall hitch or tie an animal to any tree, shrub, vehicle or improvement, including structures, on Federal, State or local lands in Garfield County that causes unauthorized damage or blocks or restricts foot or vehicular traffic.

Nuisance Animals.

- A. Nuisance Animal means any animal(s) that: molests passersby or passing vehicles; attacks other animals; trespasses on private property; is repeatedly at large or not under restraint, damages private or public property; or barks, whines or howls in an excessive, continuous or untimely manner.
- B. Vicious dogs and wolves, as defined by Garfield County Ordinance No. 2015-1, are hereby considered Nuisance Animals.
- C. On Federal, State or local lands in Garfield County, no person shall:
 - 1. Maintain a Nuisance Animal without proper confinement or muzzling; or
 - 2. Fail to restrain a Nuisance Animal.

Section 8 GENERAL USE

If prohibited by rules and regulations promulgated by the Federal Government, State of Utah or Garfield County, or unless authorized by permit, no person shall:

- A. Cut wood for any purpose;
- B. Gather firewood in an area where appropriate signage prohibits such activity.
- C. Collect, for commercial purposes, any of the following:
 - a. Commonly available renewable resources such as flowers, berries, nuts, seeds, cones and leaves;
 - b. Nonrenewable resources such as rock and mineral specimens, common invertebrate and plant fossils, and semiprecious stones;
 - c. Petrified wood; or
 - d. Mineral materials; or
- D. Gather petrified wood in areas prohibited by Federal, State or local rule.

Protection of Property and Resources.

On Federal, State or local lands in Garfield County, no person shall willfully deface, disturb, remove or destroy:

- A. Any personal property or structures, or any scientific, cultural, archeological or historic resource, natural object or area; or
- B. Plants or their parts, soil, rocks or minerals or cave resources, except as otherwise authorized by rule, regulation, permit or written agreement.

Noise.

On Federal, State or local lands in Garfield County, except as otherwise posted or permitted, no person shall:

- A. Operate or use any audio device such as a radio, television, musical instrument, generator, motorized equipment or other noise producing device in a manner that makes unreasonable noise that disturbs other visitors.

Trails.

On Federal, State or local lands in Garfield County, no person shall:

- A. Bicycle, rollerblade, roller skate, skateboard or operate a vehicle or electric assisted bicycle on any trail prohibited or posted for that purpose;

- B. Block, restrict or otherwise interfere with the normal use of any trail;
- C. Operate a vehicle or bicycle off designated trails, unless lands are authorized for that purpose; or
- D. Operate an electric assisted bicycle on a trail posted or designated for non-motorized use unless specifically permitted by Federal, State or local regulation.

Nuisance.

On Federal, State or local lands in Garfield County, and as determined by an authorized officer, no person shall cause a public disturbance or create a risk to other persons by engaging in activities including but not limited to the following:

- A. Making noise that exceeds the requirements of this Ordinance;
- B. Creating a hazard or nuisance as otherwise defined by the requirements of this Ordinance;
- C. Refusing to disperse when directed to do so by an authorized law enforcement officer;

Abandonment of Property.

Unless authorized by Federal, State or local rule, regulation, permit or written agreement, no person shall leave personal property unattended for more than 48 hours on Federal, State or local lands in Garfield County. Personal property left unattended for more than 48 hours shall be subject to disposition under Federal, State and local law.

Vandalism

No person shall interfere, tamper with or otherwise vandalize any improvements on Federal, State or local lands in Garfield County, including sewage facilities, fee deposit tubes, signage, fencing, landscaping, structures and accessory improvements.

Section 9 ENFORCEMENT

Violation.

Except where Utah Statute punishes a violation hereunder as an infraction, any person who is found guilty of violating this Ordinance, either by failing to do those acts required herein or by doing a prohibited act, is guilty of a Class B misdemeanor punishable by a maximum sentence of up to six (6) months in jail and a maximum fine of \$1,000. Each day such violation is committed or permitted to continue shall constitute a separate violation.

Enforcement.

The County Attorney may initiate legal action, civil or criminal, requested by the County Commission or Sheriff to abate any condition that exists in violation of this Ordinance. In addition to other penalties imposed by a court of competent jurisdiction, any person(s) found guilty of violating this Ordinance shall be liable for all expenses incurred by the County in

Section 10 ADOPTION

Passed and adopted by the Board of County Commissioners of Garfield County, Utah, this 13th day of July, 2020.



Garfield County Commission, Chair
Leland F. Pollock

ATTEST:



Garfield County Auditor/Clerk
Camille A. Moore

County Seal:

