

**GRAND COUNTY, UTAH
ORDINANCE 604 (2019)**

**AN ORDINANCE AMENDING THE GRAND COUNTY ORDINANCES TO INCLUDE
TITLE 17 - USE OF PUBLIC LANDS**

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

WHEREAS, Grand County experiences millions of recreational user visits each year, according to visitor use statistics maintained by the National Park Service;

WHEREAS, said recreational users seek a high-quality recreational experience on our public lands maintained by the National Park Service, United States Forest Service, Bureau of Land Management, State of Utah, and the County;

WHEREAS, the high number of recreational users utilizing public campgrounds and free dispersed camping areas creates undue stress on public lands within the County, including adverse impact to local wildlife, vegetation, soil, and visual and cultural resources; increases conflict among recreational users; and poses a threat to public safety and enjoyment of public lands;

WHEREAS, Grand County has received an increase in the number of complaints regarding the impacts of recreational users in the County, especially with regards to sanitation, fire safety, noise, animals, and general preservation of the environment;

WHEREAS, to reduce damage to natural and cultural resources and to provide for public safety, it is in the best interest of Grand County and its citizens if the County establishes regulations to govern use of public lands within the County; and

WHEREAS, the Grand County Council held a public hearing on this Ordinance to solicit input from local residents and public lands users on December 3, 2019.

NOW, THEREFORE, BE IT ORDAINED by the County Council that it does hereby amend the Grand County Ordinances to include Title 17 – Use of Public Lands, which law shall govern camping and use of public lands in Grand County:

See Exhibit A

PASSED, ADOPTED, AND APPROVED by the Grand County Council in a public meeting on December 17, 2019 by the following vote:

Those voting aye: Clapper, Paxman, Woytek, McGann, Halliday

Those voting nay: _____

Those absent: Wells, Hawks

Grand County Council

ATTEST:



Evan Clapper, Chair



Chris Baird, Clerk/Auditor

EXHIBIT A

Title 17

USE OF PUBLIC LANDS

Chapters:

- 17.01 Purpose
- 17.02 Definitions
- 17.03 Camping and Parking
- 17.04 Sanitation
- 17.05 Roadways and Vehicles
- 17.06 Animals
- 17.07 General Use
- 17.08 Enforcement

Chapter 17.01

PURPOSE

17.01.010 Purpose.

These regulations establish minimum standards to:

- A. Reduce damage to and undue stress on natural resources located on Public Lands in Grand County, including local wildlife, vegetation, soil, and visual and cultural resources;
- B. Reduce conflict between recreational users and increase the enjoyment of Public Lands in Grand County;
- C. Assist law enforcement officers, including Authorized Officers, to make and enforce regulations that protect and promote Public Lands in Grand 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 Public Lands within Grand County.

Chapter 17.02

DEFINITIONS

Sections:

17.02.010 Definitions

17.02.010 Definitions.

A. "Authorized Officer" means any elected, appointed, or employed officer of a federal, state, or local law enforcement agency who is commissioned to enforce the criminal laws of the United States of America or State of Utah generally.

B. "Bicycle" means a wheeled vehicle propelled by human power by feet or hands acting upon pedals or cranks, as defined in Utah Code § 41-1a-102.

C. "Camping", or to camp, means the temporary use of Public Lands for the purpose of overnight occupancy without a permanently fixed structure, including pitching a tent, parking a trailer, erecting any shelter, or placing any other camping equipment for overnight occupancy.

D. "Designated Campground" means a designated and signed area that has been improved and developed for camping with facilities such as toilets, tables, and fire pits.

E. "Developed Recreation Site" means a fee and non-fee area which has been designated, improved or developed for recreation, including Designated Campgrounds, picnic areas, day use areas, trails, and roads, which may be managed by the United States, State of Utah, or Grand County.

F. "Dispersed Camping Area" means a non-fee area used for camping outside of a Developed Campground with no services, such as trash removal, and few or no facilities such as toilets, tables, and fire pits.

G. "Electric Assisted Bicycle" means a bicycle with an electric motor, as defined in Utah Code § 41-1a-102.

H. "Greywater" means wastewater generated from baths, sinks, basins, and other appliances that has not been contaminated by fecal matter.

I. "Motor Vehicle" means a self-propelled vehicle intended primarily for use and operation on the highways, as defined in Utah Code § 41-1a-102.

J. "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.

K. "Off-Highway Vehicle" means every snowmobile, all-terrain type I vehicle, all-terrain type II vehicle, all-terrain type III vehicle, or motorcycle as defined in Utah Code § 41-22-2.

L. "Public Lands" means land owned by the United States, State of Utah, or Grand County.

M. "Sewage Facility" means any wet or dry toilet or temporary waste kit that may be legally deposited into a refuse container, or other appropriate wastewater system provided for the purpose of treating waste or sewage.

N. "Vehicle" means all Motor Vehicles and Off-Highway Vehicles.

Chapter 17.03

CAMPING AND PARKING

Sections:

17.03.010 Campfires

17.03.020 Camping

17.03.010 Campfires.

On Public Lands, 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 fire using propane, gasoline, or similar fuel except in a stove or lantern;

C. Build or install, or otherwise create new fireplaces, fire grills, or campfire rings;

D. Burn wood pallets;

E. Fire a tracer or incendiary device;

F. Leave a fire unattended or fail to completely extinguish a fire not in use, except to report it if it has spread beyond control,

G. Resist or interfere with the efforts of firefighter(s) to extinguish a fire;

H. Enter an area which is closed by a fire prevention order; or

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

17.03.020 Camping.

On Public Lands, unless otherwise authorized by permit, no person shall:

A. Camp outside of developed campsites in Designated Campgrounds or existing campsites in Dispersed Camping Areas;

B. Build or install, or otherwise create, new campsites;

C. Occupy or otherwise use a campsite occupied by or reserved for another person;

D. Camp in areas posted as closed to camping (including No Camping signs), including archaeological sites and historic sites;

E. Occupy a campsite:

1. In 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. In Dispersed Camping Areas:

a. With more than ten (10) people and two (2) vehicles; or

- b. For more than fourteen (14) consecutive days within a thirty (30) day period within a thirty (30) mile radius; or
- F. Interfere with a lawful occupant or user of a campsite.

Chapter 17.04

SANITATION

Sections:

- 17.04.010 Human Waste
- 17.04.020 Trailer Refuse or Waste
- 17.04.030 Cleaning and Washing

17.04.010 Human Waste.

No person shall dump or otherwise deposit human waste, or wastewater contaminated by fecal matter, on Public Lands except in a Sewage Facility. All persons are required to carry out solid human body waste and must possess and utilize a Sewage Facility that allows for the disposal of solid human waste through authorized refuse container or sewage systems;

17.04.020 Trailer Refuse or Waste.

No person shall drain, dump, or otherwise deposit refuse or waste from any trailer or other vehicle on to Public Lands, including Greywater and oil, except in receptacles provided for such use.

17.04.030 Cleaning and Washing.

No person shall clean fish, game, clothing, or household articles at any outdoor hydrant, pump, faucet, or fountain or restroom water faucet on Public Lands.

Chapter 17.05

ROADWAYS AND VEHICLES

- 17.05.010 General Regulation
- 17.05.020 Fins and Things

17.05.010 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 Public Lands. In the event of conflict, Utah Statute shall control.

17.05.020 Fins and Things.

Grand County Ordinance at Section 12.12.060 shall control travel on Fins and Things, which entire roadway is designated for one direction of vehicle travel and which southern side, that portion south of Sand Flats Road, is limited to daytime hours only defined as one half hour after sunrise to one half hour prior to sunset.

Chapter 17.06

ANIMALS

Sections:

- 17.06.010 Restraint and Care, Generally
- 17.06.020 Hitching or Tying Animals
- 17.06.030 Nuisance Animals

17.06.010 Restraint and Care, Generally.

Title 6 of the Grand County Ordinances, and Utah Statute §§ 76-9-301 *et seq.*, as amended, shall govern the restraint and care of animals on Public Lands. In the event of conflict, Utah Statute shall control; in the event of conflict between Title 6 and Chapter 17.06 of the Grand County Ordinances, Title 6 shall control.

17.06.020 Hitching or Tying Animals.

No person shall hitch or tie an animal to any tree, shrub, vehicle, or improvement, including structures, on Public Lands that causes damage or blocks or restricts foot or vehicular traffic.

17.06.030 Nuisance Animals.

On Public Lands, and as determined by an Authorized Officer, no person shall:

- A. Maintain a Nuisance Animal without proper confinement or muzzling; or
- B. Fail to restrain a Nuisance Animal.

Chapter 17.07

GENERAL USE

Sections:

- 17.07.010 Resource Collection
- 17.07.020 Protection of Property and Resources
- 17.07.030 Noise
- 17.07.040 Trails
- 17.07.050 Nuisance
- 17.07.060 Abandonment of Property
- 17.07.070 Vandalism

17.07.010 Resource Collection.

On Public Lands, unless authorized by permit, no person shall:

- A. Collect, gather, or cut wood for any purpose;
- B. Collect for commercial purposes or in commercial quantities any of the following:
 - 1. Commonly available renewable resources such as flowers, berries, nuts, seeds, cones and leaves;
 - 2. Nonrenewable resources such as rock and mineral specimens, common invertebrate and plant fossils, and semiprecious stones;

- 3. Petrified wood; or
- 4. Mineral materials; or
- C. Gather petrified wood in the following areas:
 - 1. The Colorado River SRMA;
 - 2. High visitation sites within the Labyrinth Rim/Gemini Bridges SRMA; and
 - 3. Any other areas in which petrified wood gathering is prohibited by federal, state, or local law;

17.07.020 Protection of Property and Resources.

On Public Lands, 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 permit or written agreement.

17.07.030 Noise.

- A. Title 11 of the Grand County Ordinances, as amended, shall govern noise on public lands. In the event of conflict between Title 11 and this Chapter 17.07.030, Title 11 shall control.
- B. On Public Lands, except as otherwise posted or permitted, no person shall:
 - a. Operate or use any audio device such as a radio, television, musical instrument, generator, or other noise producing device or motorized equipment:
 - 1. In a manner that makes unreasonable noise that disturbs other visitors; or
 - 2. Between the hours of 10 pm and 6 am.

17.07.040 Trails.

On Public Lands, no person shall:

- A. Bicycle, rollerblade, roller skate, skateboard, or operate a Vehicle or Electric Assisted Bicycle on any trail unless specifically designated 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; or
- D. Operate an Electric Assisted Bicycle on a trail posted or designated for non-motorized use unless specifically permitted by state or federal regulation.

17.07.050 Nuisance.

On Public Lands, 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 which include, but are not limited to, the following:

- A. Making noise that exceeds that permitted by Title 11 - Noise of the Grand County Ordinances;
- B. Creating a hazard or nuisance as otherwise defined by the Grand County Ordinances, including Chapter 8.08 – Nuisances and the Grand County Land Use Code, as amended;
- C. Refusing to disperse when directed to do so by an Authorized Officer;

D. Maintaining or failing to restrain a Nuisance Animal of any kind without proper confinement or muzzling, as determining by an Authorized Officer.

17.07.060 Abandonment of Property.

Except as otherwise authorized by permit or written agreement, no person shall leave personal property unattended for more than 48 hours on Public Lands. Personal property left unattended for more than 48 hours shall be subject to disposition under federal, state, and local law.

17.07.070 Vandalism

No person shall interfere or tamper with or otherwise vandalize any improvements at Developed Recreation Sites or on any Public Lands, including Sewage Facilities, fee deposit tubes, signage, fencing, landscaping, structures, and accessory improvements.

Chapter 17.08

ENFORCEMENT

Sections:

17.08.010 Violation

17.08.020 Enforcement

17.08.010 Violation.

Except where Utah Statute punishes a violation hereunder as an infraction, any person who is found guilty of violating any of this Title 17, 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 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.

17.08.020 Enforcement.

The County Attorney may initiate legal action, civil or criminal, requested by the County Executive or Sheriff to abate any condition that exists in violation of this Title 17. In addition to other penalties imposed by a court of competent jurisdiction, any person(s) found guilty of violating this Title 17 shall be liable for all expenses incurred by the County in removing or abating any nuisance or other noise disturbance.