

ORDINANCE NO: 2023-53

**AN ORDINANCE AMENDING TITLE 13 OF THE FARMINGTON MUNICIPAL CODE  
RELATED TO CRIMINAL OFFENSES AND FIREARM RESTRICTIONS**

**WHEREAS**, the City Council has conducted a review of Title 13 and identified provisions that are outdated, unnecessary or in conflict with state code: and

**WHEREAS**, the City Council retains police power to provide for the safety and comfort of its residents and visitors, including the discharge of firearms, unless restricted by the Utah Legislature; and

**WHEREAS**, the City Council finds that the amendments in this ordinance will bring the City Code into conformance with conflicting laws and provide clear descriptions of behavior that is prohibited within the city;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
FARMINGTON CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1: Amendment.** Title 13 of the Farmington Municipal Code is amended, as provided in Exhibit A, which is attached to this Ordinance and incorporated by this reference.

**Section 2: Severability.** If any section, clause, or provision of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

**Section 3: Effective Date.** This Ordinance shall become effective immediately upon its publication.

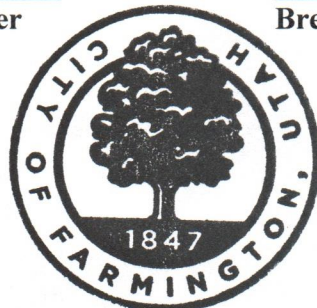
**PASSED AND ADOPTED BY THE CITY COUNCIL OF FARMINGTON CITY,  
STATE OF UTAH, THIS 5TH DAY OF SEPTEMBER 2023.**

ATTEST:

FARMINGTON CITY

DeAnn Carlile  
DeAnn Carlile, City Recorder

Brett Anderson  
Brett Anderson, Mayor



**8-4-090: FIREWORKS AND EXPLOSIVES:**

No person shall carry or discharge any firecrackers, rockets, or any other explosives within a city park, except persons who have obtained a special permit from the city to put on a fireworks show.

**TITLE 13  
CRIMINAL CODE**

**CHAPTER 1  
ADOPTION OF STATE CODES**

**SECTION:**

**13-1-010: Utah State Code Criminal Violations**

**13-1-020: Utah Code Of Criminal Procedure**

**13-1-030: Reserved**

**13-1-040: Reserved13-1-050: Reserved**

**13-1-060: Reserved**

**13-1-070: Limitations**

**13-1-080: Omission Not A Waiver**

**13-1-090: Reserved**

**13-1-100: Rules Of Construction**

**13-1-110: Reserved**

**13-1-120: Penalties**

**13-1-130: Fine Schedule**

**13-1-010: UTAH STATE CODE CRIMINAL VIOLATIONS:**

All class "B" and "C" misdemeanors and infractions in the Utah Code, as they exist now and as amended or enacted in the future, are hereby adopted and incorporated by this reference as violation of City ordinances. Public officials, including peace officers, are hereby authorized to cite violations of the Utah Code by citing the appropriate section number.

**13-1-020: UTAH CODE OF CRIMINAL PROCEDURE:**

The Utah code of criminal procedure as set forth at Utah Code Annotated section 77-1-1 et seq., as amended, is hereby adopted as the code of criminal procedure of Farmington City.

13-1-030: RESERVED13-1-040: RESERVED13-1-050: RESERVED13-1-060: RESERVED

13-1-070: LIMITATIONS:

Each of the codes and acts adopted herein are hereby adopted as if fully set forth at length; provided, however, that any provision which is classified as a felony or a class A misdemeanor or which is not enforceable by Farmington City under the laws of the state of Utah, is excluded as a violation of city ordinance.

13-1-080: OMISSION NOT A WAIVER:

The omission to specify or enumerate in this title those provisions of general criminal law and offenses applicable throughout the state of Utah shall not be construed as a waiver of the benefits and enforcement of any such provisions.

13-1-090: RESERVED

13-1-100: RULES OF CONSTRUCTION:

Insofar as possible, the provisions of this title and the codes and acts adopted herein shall be construed in a manner to ensure the enforcement of the criminal laws of the state of Utah. In the event any provisions are inconsistent, the inconsistency shall be resolved as follows:

A. Any provision of law that directly conflicts with Utah state law is not enforceable and shall be controlled by the laws of the State of Utah.

B. Any provision of this title which deals with the particular local needs and policies of Farmington City and is otherwise lawful shall control.

13-1-110: RESERVED:

13-1-120: PENALTIES:



Except as otherwise provided, any violation of this title shall be a class B misdemeanor. This section shall not limit the authority of the court to impose any other sanction or order any other relief as may be appropriate and lawful under the laws of the state of Utah.

#### 13-1-130: FINE SCHEDULE:

Fines for violations of this title shall be assessed in accordance with the uniform fine schedule as adopted and amended by the judicial council.

### CHAPTER 2 OFFENSES RELATING TO MINORS

#### SECTION:

13-2-010: Curfew

13-2-020: Aiding Minor To Violate Curfew

13-2-030: Reserved

13-2-040: Reserved 13-2-050: Reserved 13-2-060: Reserved 13-2-070:  
Reserved

#### 13-2-010: CURFEW:

A. Hours: It is unlawful for any person under the age of eighteen (18) years to be in any public place or on any public street, sidewalk or alley within Farmington City between the hours of twelve o'clock (12:00) midnight and five o'clock (5:00) A.M.

B. Exceptions: The foregoing prohibition shall not apply to situations:

1. Where the minor is accompanied by a parent, legal guardian or other adult having the legal care and custody of said minor; or
2. Where the presence of the minor is connected with or required by some legitimate employment or business of the minor; or
3. Where the presence of the minor is connected with a bona fide meeting, dance, party, sporting event or practice sponsored by a church, school, league, youth club or theater; or
4. Where the presence of the minor is connected with an emergency.

C. Penalty: Any violation of this section shall be a class C misdemeanor.



### 13-2-020: AIDING MINOR TO VIOLATE CURFEW:

A. Generally: It is unlawful for any person to intentionally or knowingly assist, aid, abet or encourage any minor to violate the provisions of section 13-2-010 of this chapter.

B. Parent Or Guardian: It is unlawful for any parent, guardian or other person having legal care of any minor, to intentionally or knowingly allow or permit such minor to be in any public place or public street, sidewalk, or alley within Farmington City in violation of section 13-2-010 of this chapter.

C. Owner Or Operator Of Business: It is unlawful for any person owning or operating a business to intentionally or knowingly permit any minor to be or remain on the premises where such business is conducted between the hours of twelve o'clock (12:00) midnight and five o'clock (5:00) A.M. in violation of section 13-2-010 of this chapter.

D. Penalty: Any violation of this section shall be a class C misdemeanor.

13-2-030: RESERVED

13-2-040: RESERVED

13-2-050: RESERVED

13-2-060: RESERVED

13-2-070: RESERVED

CHAPTER 3: RESERVED

CHAPTER 4

OFFENSES AGAINST THE ADMINISTRATION OF GOVERNMENT

SECTION:

13-4-010: Manufacture Or Use Of Official Badges

13-4-020: Interfering With Officer In Discharge Of Duty

13-4-030: Concealing Identity Or Furnishing False Information

**13-4-010: MANUFACTURE OR USE OF OFFICIAL BADGES:**

It is unlawful to manufacture, sell, issue, possess or display any badge or identification card or other insignia of the design prescribed by the Farmington City police department or an officer or employee thereof, except by authorized personnel in the lawful performance of their duties.

**13-4-020: INTERFERING WITH OFFICER IN DISCHARGE OF DUTY:**

A. Interference: It is unlawful for any person to deter, interfere with or prevent a police officer, firefighter, code enforcement official or any other city employee from performing any official duty imposed upon such officer, firefighter or employee.

B. Obstruction: It is unlawful to physically delay or physically obstruct a police officer, firefighter, code enforcement official or any other city employee in the discharge or attempt to discharge their official duties.

**13-4-030: CONCEALING IDENTITY OR FURNISHING FALSE INFORMATION:**

It is unlawful for any person to knowingly and intentionally conceal or attempt to conceal his or her identity, to falsely identify himself or herself, or to furnish or give false or misleading information to any person charged with the enforcement or administration of any Farmington City ordinance.

**CHAPTER 5: RESERVED  
RESERVED**

**CHAPTER 6  
WEAPONS AND FIREARMS**

**SECTION:**

**13-6-010: Definitions**

13-6-020: Discharge Of Firearm Prohibited

13-6-030: Hunting Prohibited

13-6-040: Reserved

13-6-050: Incendiary Weapons Prohibited

13-6-060: Tear Gas Weapons Prohibited

13-6-070: Spring Guns Prohibited

13-6-080: Reserved

13-6-010: DEFINITIONS:

The definitions contained within Part 5 of Chapter 76-10 of the Utah State Code, as amended by the Utah Legislature in the future, are hereby adopted for purposes of this chapter.

13-6-020: DISCHARGE OF FIREARM PROHIBITED:

Except as otherwise provided by law, it is unlawful for any person to discharge any firearm within the limits of Farmington City.

13-6-030: HUNTING PROHIBITED:

A. Definitions: As used herein, the following words shall have the meaning described below:

HUNT: To pursue, chase, harass, capture, possess, injure or kill any wildlife, big game, upland game, waterfowl or small game using any kind of firearm, handgun, rifle, muzzleloader gun or rifle, pellet gun, BB gun, dart gun, blow gun, bow and arrow, crossbow, slingshot, or any other device designed and used or used to propel a projectile.

WILDLIFE: Vertebrate animals living in nature and captive vertebrate animals, including hybrids, belonging to a species that naturally occurs in the wild. Wildlife includes big game, upland game, waterfowl and small game as designated by the Utah wildlife board.

B. Hunting Restrictions: It is unlawful for any person to hunt big game, upland game, waterfowl, small game or wildlife within the limits of Farmington City.



13-6-040: RESERVED

13-6-050: INCENDIARY WEAPONS PROHIBITED:

It is unlawful for any person to use, make, carry or possess any type of "molotov cocktail", gasoline or petroleum base firebomb, or other incendiary weapon, within the limits of Farmington City. "Molotov cocktail" means a bottle or other container containing gasoline or other flammable liquid with a fuse type wick inserted therein.

13-6-060: TEAR GAS WEAPONS PROHIBITED:

It is unlawful for any person to carry on his person or in any vehicle a tear gas gun, projector or bomb, or any object containing noxious liquid gas or substance. This provision shall not prohibit persons from carrying a small amount of CS, CN or a similar type gas in aerosol containers for self-defense purposes.

13-6-070: SPRING GUNS PROHIBITED:

It is unlawful for any person to set a spring gun. "Spring gun" means a firearm that is rigged to fire when a line or other triggering device is tripped by contact or sufficient force to pull the firearm trigger and thus discharge the firearm.

13-6-080: RESERVED

CHAPTER 7  
MISCELLANEOUS OFFENSES

SECTION:

13-7-010: RESERVED

13-7-020: RESERVED

13-7-030: Trespass By Persons And Motor Vehicles

13-7-040: RESERVED

13-7-050: RESERVED

13-7-060: RESERVED

13-7-010: RESERVED

13-7-020: RESERVED

**13-7-030: TRESPASS BY PERSONS AND MOTOR VEHICLES:**

A. Exposing Enclosed Premises: It is unlawful for any person to open any gate, take down any fence, or let down any barrier so as to expose any enclosed premises of another without the permission of the owner or occupant thereof.

B. Presence On Premises: It is unlawful for any person to drive or park any motor vehicle, motorcycle or other contrivance, or to walk, lodge, camp or sleep upon the premises of another without the permission of the owner or occupant thereof.

C. Presence On City Premises: It is unlawful for any person to drive or park any motor vehicle, motorcycle or other contrivance upon any city owned property which is not designated for vehicular traffic or parking.

13-7-040: RESERVED

13-7-050: RESERVED

13-7-060: RESERVED

8-4-090: ~~FIREARMS FIREWORKS~~ AND EXPLOSIVES:

No person shall carry or discharge any ~~firearms~~, firecrackers, rockets, or any other ~~fireworks or~~ explosives within a city park, except persons who have obtained a special permit from the city to put on a fireworks show.

TITLE 13  
CRIMINAL CODE

CHAPTER 1  
ADOPTION OF STATE CODES

SECTION:

13-1-010: Utah ~~State Code Criminal Violations~~~~Criminal Code~~

13-1-020: Utah Code Of Criminal Procedure

13-1-030: ~~Utah Controlled Substances Act~~~~Reserved~~

13-1-040: ~~Utah Drug Paraphernalia Act~~~~Reserved~~

13-1-050: ~~Imitation Controlled Substances Act~~~~Reserved~~

13-1-060: ~~Alcoholic Beverage Control Act~~~~Reserved~~

13-1-070: Limitations

13-1-080: Omission Not A Waiver

13-1-090: ~~Citation~~~~Reserved~~

13-1-100: Rules Of Construction

13-1-110: Reserved

13-1-120: Penalties

13-1-130: Fine Schedule

13-1-010: ~~UTAH CRIMINAL CODE~~UTAH STATE CODE CRIMINAL VIOLATIONS:

The All class "B" and "C" misdemeanors and infractions in the Utah Code, as they exist now and as amended or enacted in the future, are hereby adopted and incorporated by this reference as violation of City ordinances. Public officials, including peace officers, are hereby authorized to cite violations of the Utah Code by citing the appropriate section number. Utah criminal code



~~set forth at Utah Code Annotated section 76-1-101 et seq., as amended, is hereby adopted as the criminal code of Farmington City.~~

**13-1-020: UTAH CODE OF CRIMINAL PROCEDURE:**

The Utah code of criminal procedure as set forth at Utah Code Annotated section 77-1-1 et seq., as amended, is hereby adopted as the code of criminal procedure of Farmington City.

**13-1-030: ~~UTAH CONTROLLED SUBSTANCES ACT:RESERVED~~**

~~The Utah controlled substances act as set forth at Utah Code Annotated section 58-37-1 et seq., as amended, is hereby adopted as the controlled substances act of Farmington City.~~

**13-1-040: ~~UTAH DRUG PARAPHERNALIA ACT:RESERVED~~**

~~The Utah drug paraphernalia act as set forth at Utah Code Annotated section 58-37a-1 et seq., as amended, is hereby adopted as the drug paraphernalia act of Farmington City. (Ord.~~

**13-1-050: ~~IMITATION CONTROLLED SUBSTANCES ACT:RESERVED~~**

~~The imitation controlled substances act as set forth at Utah Code Annotated section 58-37b-1 et seq., as amended, is hereby adopted as the imitation controlled substances act of Farmington City.~~

**13-1-060: ~~ALCOHOLIC BEVERAGE CONTROL ACT:RESERVED~~**

~~The alcoholic beverage control act as set forth at Utah Code Annotated section 32B-1-101 et seq., as amended, is hereby adopted as the alcoholic beverage control act of Farmington City.~~

**13-1-070: LIMITATIONS:**

Each of the codes and acts adopted herein are hereby adopted as if fully set forth at length; provided, however, that any provision which is classified as a felony or a class A misdemeanor or which is not enforceable by Farmington

City under the laws of the state of Utah, is excluded as a violation of city ordinance.

#### 13-1-080: OMISSION NOT A WAIVER:

The omission to specify or enumerate in this title those provisions of general criminal law and offenses applicable to all cities throughout the state of Utah shall not be construed as a waiver of the benefits and enforcement of any such provisions.

#### 13-1-090: CITATION: RESERVED

For purposes of referring or citing to provisions of the codes and acts adopted herein, the specific provision of the code or act shall be cited by number preceded by this title, e.g., 13/76-1-101.

#### 13-1-100: RULES OF CONSTRUCTION:

Insofar as possible, the provisions of this title and the codes and acts adopted herein shall be construed in a manner to ensure the enforcement of the criminal laws of the state of Utah. In the event any provisions are inconsistent, the inconsistency shall be resolved as follows:

A. ~~A. Any provision of this title which was at one time, but is not now, consistent with the codes and acts adopted herein shall be controlled by the law as it is reflected in the most recent version of the code or act, as amended. Any provision of law that directly conflicts with Utah state law is not enforceable and shall be controlled by the laws of the State of Utah.~~

B. Any provision of this title which deals with the particular local needs and policies of Farmington City and is otherwise lawful shall control.

#### 13-1-110: RESERVED:

#### 13-1-120: PENALTIES:

Except as otherwise provided, any violation of this title shall be a class B misdemeanor. This section shall not limit the authority of the court to impose any other sanction or order any other relief as may be appropriate and lawful under the laws of the state of Utah.



### 13-1-130: FINE SCHEDULE:

Fines for violations of this title shall be assessed in accordance with the uniform fine schedule as adopted and amended by the judicial council.

## CHAPTER 2 OFFENSES RELATING TO MINORS

### SECTION:

#### 13-2-010: Curfew

#### 13-2-020: Aiding Minor To Violate Curfew

#### 13-2-030: ~~Minors Not Allowed In Taverns~~Reserved

#### 13-2-040: ~~Aiding Minor To Violate Tavern Restriction~~Reserved

#### 13-2-050: ~~Contributing To The Delinquency Of A Minor~~Reserved

#### 13-2-060: ~~Soliciting The Service Of Others~~Reserved

#### 13-2-070: ~~Procuring Prohibited Admission Or Articles For Minors~~Reserved

### 13-2-010: CURFEW:

A. Hours: It is unlawful for any person under the age of eighteen (18) years to be in any public place or on any public street, sidewalk or alley within Farmington City between the hours of twelve o'clock (12:00) midnight and five o'clock (5:00) A.M.

B. Exceptions: The foregoing prohibition shall not apply to situations:

1. Where the minor is accompanied by a parent, legal guardian or other ~~person~~adult having the legal care and custody of said minor; or
2. Where the presence of the minor is connected with or required by some legitimate employment or business of the minor; or
3. Where the presence of the minor is connected with a bona fide meeting, dance, party, sporting event or practice sponsored by a church, school, league, youth club or theater; or
4. Where the presence of the minor is connected with an emergency.

C. Penalty: Any violation of this section shall be a class C misdemeanor.



### 13-2-020: AIDING MINOR TO VIOLATE CURFEW:

A. Generally: It is unlawful for any person to intentionally or knowingly assist, aid, abet or encourage any minor to violate the provisions of section 13-2-010 of this chapter.

B. Parent Or Guardian: It is unlawful for any parent, guardian or other person having legal care of any minor, to intentionally or knowingly allow or permit such minor to be in any public place or public street, sidewalk, or alley within Farmington City ~~between the hours of twelve o'clock (12:00) midnight and five o'clock (5:00) A.M.~~ in violation of section 13-2-010 of this chapter.

C. Owner Or Operator Of Business: It is unlawful for any person owning or operating a business to intentionally or knowingly permit any minor to be or remain on the premises where such business is conducted between the hours of twelve o'clock (12:00) midnight and five o'clock (5:00) A.M. in violation of section 13-2-010 of this chapter.

D. Penalty: Any violation of this section shall be a class C misdemeanor.

### 13-2-030: ~~MINORS NOT ALLOWED IN TAVERNS: RESERVED~~

~~It is unlawful for any person under the age of twenty one (21) years to be in any establishment within Farmington City which sells beer or other alcoholic beverages for on premises consumption.~~

### 13-2-040: ~~AIDING MINOR TO VIOLATE TAVERN RESTRICTION: RESERVED~~

~~—A. Presence Prohibited: It shall be unlawful for any person in charge of or employed in an establishment within Farmington City which sells beer or other alcoholic beverages for on premises consumption to permit any person under the age of twenty one (21) years to enter upon, visit or remain in said premises for any purpose except to make deliveries or carry messages to the proprietor thereof and depart therefrom immediately.~~

~~—B. Notice Required: It shall be unlawful for any person to operate any establishment within Farmington City which sells beer or other alcoholic beverages for on premises consumption without first establishing, enforcing and posting in a conspicuous place a notice which shall read:~~

~~No person under 21 years of age permitted in these premises.~~

### **13-2-050: CONTRIBUTING TO THE DELINQUENCY OF A MINOR: RESERVED**

~~—A. Offenses Specified: The following shall be offenses when committed by adults against minors:~~

~~—1. Any person eighteen (18) years of age or older who solicits, requests, commands, encourages or intentionally aids or who acts with a juvenile in the violation of any federal, state or city ordinance, or who tends to cause children to become or remain delinquent, or who aids, contributes to or becomes responsible for the neglect, abuse or delinquency of any child;~~

~~—2. Any person eighteen (18) years or older, having a child in his or her legal custody, or under his or her care, or in his or her employment, who wilfully abuses or ill treats, neglects or abandons the child in any manner likely to cause the child unnecessary suffering or serious injury to his or her health or morals;~~

~~—3. Any person eighteen (18) years or older who forcibly takes away a child from, or wrongfully encourages him or her to leave, the legal or physical custody of any person, agency or institution in which the child lawfully resides or has been legally placed for the purpose of care, support, education or adoption, or any person who knowingly detains or harbors a child whom he or she has reasonable grounds to believe has escaped or fled from the custody of any agency or institution in which the child lawfully resides or has run away from his or her parent, guardian or custodian;~~

~~—4. Any person eighteen (18) years of age or older who provides a child with an alcoholic beverage or a controlled substance or who encourages or permits a child to consume an alcoholic beverage or controlled substance; or~~

~~—5. Any person eighteen (18) years of age or older who fails to report child abuse, as required by Utah Code Annotated section 62A-4a-403, as amended.~~

~~—B. Delinquency Not Necessary: It shall not be necessary in order to obtain a conviction under this statute to establish that the minor had become a delinquent or committed a delinquent act.~~

### **13-2-060: SOLICITING THE SERVICE OF OTHERS: RESERVED**

~~It is unlawful for any person under the age of twenty one (21) to solicit or utilize the services of any other person to procure any prohibited article or admission to any prohibited premises.~~



### ~~13-2-070: PROCURING PROHIBITED ADMISSION OR ARTICLES FOR MINORS: RESERVED~~

~~It is unlawful for any person to procure for any person under the age of twenty one (21) prohibited articles or admission to prohibited premises.~~

## ~~CHAPTER 3: RESERVED OFFENSES RELATING TO PUBLIC SCHOOLS~~

### ~~SECTION:~~

~~13-3-010: Possession Or Consumption Of Alcoholic Beverages~~

~~13-3-020: Dangerous Materials~~

~~13-3-030: Criminal Trespass~~

~~13-3-040: Disturbing The Peace~~

### ~~13-3-010: POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES:~~

~~It is unlawful for any person to possess or drink an alcoholic beverage: a) inside or on the grounds of any building operated by a part of the public education system; or b) in those portions of any building, park or stadium which are being used for an activity sponsored by or through any part of the public education system.~~

### ~~13-3-020: DANGEROUS MATERIALS:~~

~~—A. Prohibitions: It is unlawful for any person to possess a weapon, explosive, flammable material or other material dangerous to persons or property in a public or private elementary or secondary school, on the grounds of the school, or in those parts of a building, park or stadium which are being used for an activity sponsored by or through the school.~~

~~—B. Exceptions: This section does not apply when: 1) possession is approved by the responsible school administrator; or 2) the item or material is present or to be used in connection with a lawful, approved activity and is in the possession or under the control of the person responsible for its possession or use.~~



### ~~13-3-030: CRIMINAL TRESPASS:~~

~~—A. Acts Constituting: A person shall be guilty of criminal trespass upon school property if the person does the following:~~

~~—1. Enters or remains unlawfully upon school property and:~~

~~——a. Intends to cause annoyance or injury to a person or damage to property on the school property;~~

~~——b. Intends to commit a crime; or~~

~~——c. Is reckless as to whether the person's presence will cause fear for the safety of another.~~

~~—2. Enters or remains without authorization unlawfully upon school property if notice against entry or remaining has been given by:~~

~~——a. Personal communication to the person by a school official or an individual with apparent authority to act for a school official;~~

~~——b. The posting of signs reasonably likely to come to the attention of trespassers;~~

~~——c. Fencing or other enclosure obviously designed to exclude trespassers; or~~

~~——d. A current order of suspension or expulsion.~~

~~—B. Definitions: As used in this section:~~

~~—ENTER: Intrusion of the entire body.~~

~~—SCHOOL OFFICIAL: A public or private school administrator or person in charge of a school program or activity.~~

~~—SCHOOL PROPERTY: Real property owned or occupied by a public or regularly organized private school, including real property temporarily occupied for a school activity or program.~~

### ~~13-3-040: DISTURBING THE PEACE:~~

~~A person shall be guilty of disturbing the peace if the person does any of the following:~~

~~—A. Disturbs, interferes with or otherwise prevents the orderly conduct of the activities, administration or carrying on of classes of any school;~~

~~—B. Annoys, disturbs, assaults or molests any student or employee of any school while in the school or on the school grounds;~~

~~—C. Loiters, idles, wanders, strolls or plays in or about any school grounds or buildings, either on foot or in or on any vehicle without having some lawful business therein or thereabouts, or in connection with the school or the employees thereof, or without being engaged in permitted recreational activity;~~

~~—D. Conducts himself or herself in a lewd, wanton or lascivious manner in speech or behavior in, about or on any school building or grounds;~~

~~—E. Parks or moves a motor vehicle within one hundred (100) yards of any school building or grounds for the purpose of annoying or molesting any student or employee of the school or in an effort to induce, entice or invite any student or employee into or on the vehicle for illegal or immoral purposes.~~

## CHAPTER 4

### OFFENSES AGAINST THE ADMINISTRATION OF GOVERNMENT

#### SECTION:

13-4-010: Manufacture Or Use Of Official Badges

13-4-020: Interfering With Officer In Discharge Of Duty

13-4-030: Concealing Identity Or Furnishing False Information

#### 13-4-010: MANUFACTURE OR USE OF OFFICIAL BADGES:

It is unlawful to manufacture, sell, issue, possess or display any badge or identification card or other insignia of the design prescribed by the Farmington City police department or an officer or employee thereof, except by authorized personnel in the lawful performance of their duties.

#### 13-4-020: INTERFERING WITH OFFICER IN DISCHARGE OF DUTY:

A. Interference: It is unlawful for any person to deter, interfere with or prevent a police officer, firefighter, code enforcement official or any other city employee from performing any official duty imposed upon such officer, firefighter or employee.



B. Obstruction: It is unlawful to ~~wilfully resist,~~ physically delay or physically obstruct a police officer, firefighter, code enforcement official or any other city employee, ~~or fail to comply with a lawful command of a police officer, firefighter or any other city employee~~ in the discharge or attempt to discharge ~~his or her~~their official duties.

#### 13-4-030: CONCEALING IDENTITY OR FURNISHING FALSE INFORMATION:

It is unlawful for any person to knowingly and intentionally conceal or attempt to conceal his or her identity, to falsely identify himself or herself, or to furnish or give false or misleading information to any person charged with the enforcement or administration of any Farmington City ordinance.

### CHAPTER 5: RESERVED OFFENSES AGAINST PUBLIC DECENCY

#### SECTION:

~~13-5-010: Lewd Or Obscene Behavior~~

~~13-5-020: Lewd Or Obscene Material~~

#### ~~13-5-010: LEWD OR OBSCENE BEHAVIOR:~~RESERVED

~~—A. Acts Constituting: It is unlawful for any person to engage in any lewd, lascivious or obscene conduct. A person is guilty of lewdness who knowingly or intentionally, in a public place:~~

- ~~—1. Engages in sexual intercourse;~~
- ~~—2. Engages in deviate sexual conduct;~~
- ~~—3. Appears in a state of nudity; or~~
- ~~—4. Fondles the genitals of himself or another person.~~

~~—B. Definitions: As used in this section:~~

~~—NUDITY: The showing of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering or any part of the nipple, or the showing of the covered male genitals in a discernibly turgid state.~~



~~—PRIVATE PARTS: Pubic area, buttocks with less than a fully opaque covering, or a showing of the female breast below a point immediately above the top of the areola.~~

~~—PUBLIC PLACE: Any place to which the public or a substantial group of the public has access. It includes commercial establishments and any place to which admission is gained by payment of a membership or admission fee, however designated, notwithstanding its being designated a private club or by words of like import.~~

#### ~~13-5-020: LEWD OR OBSCENE MATERIAL:~~

~~It is unlawful for a person to knowingly permit or authorize the public display of any obscene performance or materials or to knowingly own, lease or manage any theater, building, structure, room or place for the purpose of presenting such obscene performance or materials.~~

## CHAPTER 6 WEAPONS AND FIREARMS

### SECTION:

13-6-010: Definitions

13-6-020: Discharge Of Firearm Prohibited

13-6-030: Hunting Prohibited

13-6-040: ~~Illegal Weapons Prohibited~~Reserved

13-6-050: Incendiary Weapons Prohibited

13-6-060: Tear Gas Weapons Prohibited

13-6-070: Spring Guns Prohibited

13-6-080: ~~Silencers Prohibited~~Reserved

### 13-6-010: DEFINITIONS:

~~As used herein, the following words shall have the meaning described below:~~

~~**DANGEROUS WEAPON:** Any item that in the manner of its use or intended use is capable of causing death or serious bodily injury. In construing whether an item, object or thing not commonly known as a dangerous~~

~~weapon is a dangerous weapon, the character of the instrument, object or thing; the character of the wound produced, if any; and the manner in which the instrument, object or thing was used are determinative.~~

~~FIREARM: Any pistol, revolver, sawed-off shotgun, sawed-off rifle, or any device that could be used as a weapon from which is expelled a projectile by any force.~~

The definitions contained within Part 5 of Chapter 76-10 of the Utah State Code, as amended by the Utah Legislature in the future, are hereby adopted for purposes of this chapter.

### 13-6-020: DISCHARGE OF FIREARM PROHIBITED:

Except as otherwise provided by law, it is unlawful for any person to discharge any firearm within the limits of Farmington City.

### 13-6-030: HUNTING PROHIBITED:

A. Definitions: As used herein, the following words shall have the meaning described below:

HUNT: To pursue, chase, harass, capture, possess, injure or kill any wildlife, big game, upland game, waterfowl or small game using any kind of firearm, handgun, rifle, muzzleloader gun or rifle, pellet gun, BB gun, dart gun, blow gun, bow and arrow, crossbow, slingshot, or any other device designed and used or used to propel a projectile ~~of any nature~~.

WILDLIFE: Vertebrate animals living in nature and captive vertebrate animals, including hybrids, belonging to a species that naturally occurs in the wild. Wildlife includes big game, upland game, waterfowl and small game as designated by the Utah wildlife board.

B. Hunting Restrictions: It is unlawful for any person to hunt big game, upland game, waterfowl, small game or wildlife within the limits of Farmington City.

### 13-6-040: ~~ILLEGAL WEAPONS PROHIBITED~~:RESERVED

~~It is unlawful for any person to sell, manufacture, purchase or possess any bludgeon, blackjack, slingshot, sand club, shotgun with the barrel less than eighteen inches (18") in length, rifle with the barrel less than sixteen inches (16"), metal knuckles, or any knife that has a blade that opens automatically~~



~~by hand pressure applied to a button, spring or other device in the handle of the knife.~~

#### 13-6-050: INCENDIARY WEAPONS PROHIBITED:

It is unlawful for any person to use, make, carry or possess any type of "molotov cocktail", gasoline or petroleum base firebomb, or other incendiary weapon, within the limits of Farmington City. "Molotov cocktail" means a bottle or other container containing gasoline or other flammable liquid with a fuse type wick inserted therein.

#### 13-6-060: TEAR GAS WEAPONS PROHIBITED:

It is unlawful for any person to carry on his person or in any vehicle a tear gas gun, projector or bomb, or any object containing noxious liquid gas or substance. This provision shall not prohibit persons from carrying a small amount of CS, CN or a similar type gas in aerosol containers for self-defense purposes.

#### 13-6-070: SPRING GUNS PROHIBITED:

It is unlawful for any person to set a spring gun. "Spring gun" means a firearm that is rigged to fire when a line or other triggering device is tripped by contact or sufficient force to pull the firearm trigger and thus discharge the firearm.

#### 13-6-080: ~~SILENCERS PROHIBITED~~RESERVED

~~It is unlawful for any person to possess any device or attachment used or intended for use in silencing the report of any firearm.~~

### CHAPTER 7 MISCELLANEOUS OFFENSES

#### SECTION:

13-7-010: ~~Swimming In Public Waters~~RESERVED

13-7-020: ~~Cheats And Swindlers~~RESERVED

13-7-030: Trespass By Persons And Motor Vehicles



13-7-040: ~~Destruction Of Property~~RESERVED

13-7-050: ~~Mechanized Racing~~RESERVED

13-7-060: ~~Temporary Auto Theft~~RESERVED

13-7-010: ~~SWIMMING IN PUBLIC WATERS:~~RESERVED

~~It shall be unlawful for any person to swim, wade or play in any public waters within Farmington City unless it is specifically posted that such activity is permitted.~~

13-7-020: ~~CHEATS AND SWINDLERS:~~RESERVED

~~It shall be unlawful for any person to use or practice any game, trick or device with intent to defraud, cheat or swindle another.~~

13-7-030: TRESPASS BY PERSONS AND MOTOR VEHICLES:

A. Exposing Enclosed Premises: It is unlawful for any person to open any gate, take down any fence, or let down any barrier so as to expose any enclosed premises of another without the permission of the owner or occupant thereof.

B. Presence On Premises: It is unlawful for any person to drive or park any motor vehicle, motorcycle or other contrivance, or to walk, lodge, camp or sleep upon the premises of another without the permission of the owner or occupant thereof.

C. Presence On City Premises: It is unlawful for any person to drive or park any motor vehicle, motorcycle or other contrivance upon any city owned property which is not designated for vehicular traffic or parking.

13-7-040: ~~DESTRUCTION OF PROPERTY:~~RESERVED

~~A. Wood Or Timber: It shall be unlawful for any person to wilfully cut down, destroy, injure, sever or carry away any kind of wood or timber growing or lying upon the land of another without the permission of the owner or occupant thereof.~~

~~—B. Earth, Soil Or Stone: It shall be unlawful for any person to wilfully dig, sever or carry away any earth, soil or stone from the land of another without the permission of the owner or occupant thereof.~~

~~—C. Affixing Or Painting: It shall be unlawful for any person to put up, affix or paint any sign, notice, advertisement or other item upon the property of another without permission of the owner or occupant thereof.~~

#### **13-7-050: MECHANIZED RACING: RESERVED**

~~It shall be unlawful for any person, firm or corporation to engage in any form of "mechanized racing or competition" within the limits of Farmington City. "Mechanized racing or competition" means any timed, speed or endurance racing or competition by individuals or groups in any motor powered vehicles, but shall not include the use of bumper or dodge-em cars or any other amusement park cars or motor driven vehicles on a fixed track or course which are operated by patrons from the general public through admission by ticket or fee.~~

#### **13-7-060: TEMPORARY AUTO THEFT: RESERVED**

~~It shall be unlawful for any person to drive a vehicle which is not his or her own, without the consent of the owner thereof and with the intent to temporarily deprive the owner of possession of the vehicle, even though he or she may not have the intent to steal the vehicle. The consent of the owner of a vehicle to its taking or driving shall not in any case be presumed or implied because of such owner's consent on a previous occasion to the taking or driving such vehicle by the same or a different person.~~



**FARMINGTON CITY  
CERTIFICATE OF POSTING**

DATED this 6<sup>st</sup> day of September, 2023, I the duly appointed and acting Recorder for the City of Farmington, Utah, hereby certify that copies of the **Farmington City Ordinance 2023-53** was posted at three places.

1. Farmington City Municipal Building, 160 South Main, Farmington.
2. Farmington City Website [farmington.utah.gov](http://farmington.utah.gov).
3. Public Notice Website [utah.gov/pmn/](http://utah.gov/pmn/).

DATED this 6<sup>st</sup> day of September 2023.

**FARMINGTON CITY**

By: /s/ DeAnn Carlile  
DeAnn Carlile  
City Recorder