

CITY OF MONTICELLO

ORDINANCE 2026-03

**AN ORDINANCE PROHIBITING THE UNAUTHORIZED FEEDING OF
PROTECTED WILDLIFE**

WHEREAS, the attracting and feeding of protective wildlife within the City limits results in the deposit of refuse, debris, fecal matter, and other offensive substance; attraction of predatory wildlife; and creates traffic hazards and property damage;

WHEREAS, Monticello City has within its limits protected wildlife population in such numbers that they are a threat to the health, safety, and wellbeing of its citizens;

WHEREAS, adoption of this ordinance is required by the Division of Wildlife Resources in order to initiate an urban deer management program; and

WHEREAS, the City Council has determined that the following ordinance is in the City's best interest.

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF MONTICELLO, UTAH, AS FOLLOWS:

SECTION 1: Title 4 is hereby amended to include Chapter 9 as follows:

4-9-1 DEFINITIONS

For the purpose of this title, unless it is evident from the context that a different meaning is intended, certain terms used in this chapter are defined as follows:

PROTECTED WILDLIFE: includes all protected wildlife as defined by Utah State Code.

PERSON: includes any individual, partnership, corporation, association, other legal entity.

PROPERTY OWNER: The actual owner, agent or custodian of the residence or business building, whether individual, partnership or corporation. The lessee shall also be construed as an "owner" for the purpose of this chapter.

4-9-2 UNAUTHORIZED FEEDING OF PROTECTED WILDLIFE

A. Unless otherwise expressly permitted by law, no person shall deposit, place, or distribute any fruit, grain, hay, vegetable, salt, or other food or material, of any kind of nature, with the intent to attract or feed deer on public or private lands.

B. It shall be presumed that the placement of fruit, grain, hay, vegetable, minerals, salt, or other food or material in aggregate volume of more than one-half gallon and

at height of less than six feet (6') off the ground, or in any drop feeder, automatic feed, or similar device regardless of height, is for the purpose of feeding protected wildlife in violation of this section. This presumption may be overcome through the presentation of reasonable evidence that the placement of such materials is for a purpose other than the feeding of protected wildlife. Naturally growing plants, gardens, residue maintained as a mulch pile, and bird feeders designed or placed to limit access to protected wildlife are not prohibited under this section.

C. The provisions of this Ordinance shall not apply to any resident or agent of the City authorized to implement a wildlife management program and who possesses the necessary permits from the State of Utah, nor shall it apply to any public officer or public employee in the performance of their duties.

D. An agent of Monticello City may authorize temporary feeding of protected wildlife for the purpose of counting the wildlife population, baiting traps, or other public purposes.

4-9-3 VIOLATION AND PENALTY

City officials shall issue a written warning for the first offense under this section. Thereafter, further violation of this ordinance shall be \$100.00 fine for each infraction.

SECTION 2. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

SECTION 3. This ordinance shall become effective immediately upon passage and approval.

PASSED, ADOPTED, AND APPROVED by the Monticello City Council, Monticello, Utah, this 24th day of March 2026.

Kevin Dunn, Mayor

ATTEST:

Melissa Gill, CMC, UCC