

Renumbered 7/1/2023

23-13-17 Spotighting of coyote, red fox, striped skunk, and raccoon -- County ordinances -- Permits.

- (1) Spotighting may be used to hunt coyote, red fox, striped skunk, or raccoon where allowed by a county ordinance enacted pursuant to this section.
- (2) The ordinance shall provide that:
 - (a) any artificial light used to spotlight coyote, red fox, striped skunk, or raccoon shall be carried by the hunter;
 - (b) a motor vehicle headlight or light attached to or powered by a motor vehicle may not be used to spotlight the animal; and
 - (c) while hunting with the use of an artificial light, the hunter may not occupy or operate any motor vehicle.
- (3) For purposes of the county ordinance, "motor vehicle" shall have the meaning as defined in Section 41-6a-102.
- (4) The ordinance may specify:
 - (a) the time of day and seasons when spotighting is permitted;
 - (b) areas closed or open to spotighting within the unincorporated area of the county;
 - (c) safety zones within which spotighting is prohibited;
 - (d) the weapons permitted; and
 - (e) penalties for violation of the ordinance.
- (5)
 - (a) A county may restrict the number of hunters engaging in spotighting by requiring a permit to spotlight and issuing a limited number of permits.
 - (b)
 - (i) A fee may be charged for a spotighting permit.
 - (ii) Any permit fee shall be established by the county ordinance.
 - (iii) Revenues generated by the permit fee shall be remitted to the Division of Wildlife Resources for deposit into the Wildlife Resources Account, except the Wildlife Board may allow any county that enacts an ordinance pursuant to this section to retain a reasonable amount to pay for the costs of administering and enforcing the ordinance, provided this use of the permit revenues does not affect federal funds received by the state under 16 U.S.C. Sec. 669 et seq., Wildlife Restoration Act and 16 U.S.C. Sec. 777 et seq., Sport Fish Restoration Act.
- (6) A county may require hunters to notify the county sheriff of the time and place they will be engaged in spotighting.
- (7) The requirement that a county ordinance shall be enacted before a person may use spotighting to hunt coyote, red fox, striped skunk, or raccoon does not apply to:
 - (a) a person or the person's agent who is lawfully acting to protect the person's crops or domestic animals from predation by those animals; or
 - (b) an animal damage control agent acting in the agent's official capacity under a memorandum of agreement with the division.