

ORDINANCE NO. 1561

AN ORDINANCE REPEALING AND REENACTING AS AMENDED CHAPTER 8.80 OF THE YUBA COUNTY ORDINANCE CODE RELATING TO SHOOTING RESTRICTIONS IN THE UNINCORPORATED AREA OF THE COUNTY OF YUBA

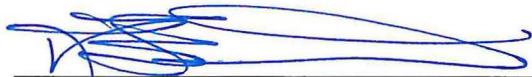
The following ordinance consisting of three (3) sections was duly and regularly passed and adopted by the Board of Supervisors of the County of Yuba, State of California, at a regular meeting of the Board of Supervisors held on 28 th day of February, 2017, by the following vote:

AYES: Supervisors Vasquez, Leahy, Lofton, Bradford, Fletcher

NOES: None

ABSENT: None

ABSTAIN: None

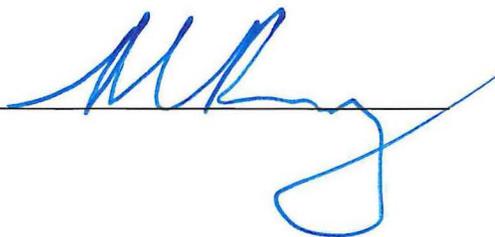


Chairman of the Board of Supervisors
of the County of Yuba, State of California

ATTEST: DONNA STOTTLEMEYER
Clerk of the Board of Supervisors

By: Rachel Morris, Deputy

APPROVED AS TO FORM
ANGIL MORRIS-JONES:

By: 

**THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA, STATE OF CALIFORNIA
DOES ORDAIN AS FOLLOWS:**

SECTION 1.

This ordinance shall take effect thirty (30) days after its passage, and before the expiration of fifteen (15) days after its passage a summary shall be published with the names of the members voting for and against the same, once in a local newspaper of general circulation in the County of Yuba, State of California.

SECTION 2.

Chapter 8.80 of Title VIII of the Yuba County Ordinance Code is hereby repealed and reenacted as amended and set forth herein.

CHAPTER 8.80 - SHOOTING RESTRICTIONS

8.80.010 Prohibition
8.80.015 Definitions
8.80.020 Parks
8.80.030 Urban & Rural Areas
8.80.040 Reserved
8.80.050 Highways
8.80.060 Severability

8.80.010. - Prohibition.

Except in the defense of life or property and except as otherwise provided in this Chapter, it shall be unlawful for any person to discharge any firearm, compressed air or gas operated weapon, bow and arrow, crossbow, or other deadly or dangerous weapon anywhere within or over those unincorporated areas of the County of Yuba described in this Chapter.

8.80.015. - Definitions.

(a) *Designated areas* are defined to refer to those areas designated by a public entity or by a lessee of a public entity on which are allowed certain of the activities provided by this Chapter.

(b) *Rural area* includes the unincorporated area of the County of Yuba, which is not included in urban areas as herein defined.

(c) *Urban area* includes all areas or portions of Yuba County designated by RE, RS, RM, RH, GC, CMX, NMX, DC, EC, IC, IG, IL PF, SP, and PD zoning.

8.80.020. - Parks.

The restrictions of Section 8.80.010 shall apply to all County and Special District owned and/or leased parks and recreation areas under the jurisdiction and control of the County.

8.80.030. - Urban and rural areas.

(a) Except in designated areas, and except that the shooting of a bow and arrow is allowed on private property at a targeted backstop consisting of at least three bales of straw, or the equivalent thereof, with the permission of the owner or tenant and providing that the shooting of an arrow upon, over or across any adjoining property without the permission of the owner or tenant is prohibited, the restrictions of Section 8.80.010 shall apply to urban areas as defined in this chapter.

(b) In rural areas, it is unlawful for any person, other than the owner, person in possession of the premises, or a person having the express permission of the owner or person in possession of the premises, to hunt or to discharge any firearm or other deadly weapon within 150 yards of any occupied dwelling house, residence, or other building or any barn or other outbuilding used in connection therewith. The 150-yard area is a "safety zone."

8.80.040. - Reserved.

8.80.050. - Highways.

Pursuant to the authority of Government Code § 25840, the restrictions of Section 8.80.010 shall apply to the firing and discharge of firearms on or into the following described highways of this County. The term "highways" as used in this Section shall mean a way, street or road of whatever nature within the unincorporated area of the County publicly maintained and opened to the use of the public and which is included in a ten-foot wide strip measuring 50 feet from both sides of the centerline of such highway. "Highway" shall not include any such way under the jurisdiction of the Federal Government.

8.80.060. - Severability.

If any section, subsection, sentence, clause, phrase, provision or portion of this Chapter, or the application thereof to any person or circumstances, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or provisions of this Chapter or their applicability to distinguishable situations or circumstances. In enacting this Chapter, it is the desire of the Board of

Supervisors to validly regulate to the full measure of its legal authority in the public interest, and to that end, the Board of Supervisors declares that it would have adopted this Chapter and each section, subsection, sentence, clause, phrase, provision, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions thereof might be declared invalid or unconstitutional in whole or in part, as applied to any particular situation or circumstances, and to this end the provisions of this Chapter are intended to be severable.

SECTION 3.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.