

# Laws and Published Ordinances – Utah

Statutes current through 2022 Third Special Session of the 64<sup>TH</sup> Legislature.

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**Title 53 – Public Safety Code**  
**Chapter 5 – Regulation of Firearms**  
**Part 7 – Concealed Firearm Act**

**Section 53-5-702. Definitions.**

In addition to the definitions in § 76-10-501, as used in this part:

- (1) **"Active duty service member"** means a person on active military duty with the United States military and includes full time military active duty, military reserve active duty, and national guard military active duty service members stationed in Utah.
- (2) **"Active duty service member spouse"** means a person recognized by the military as the spouse of an active duty service member and who resides with the active duty service member in Utah.
- (3) **"Board"** means the Concealed Firearm Review Board created in § 53-5-703.
- (4) **"Bureau"** means the Bureau of Criminal Identification created in § 53-10-201 within the Department of Public Safety.
- (5) **"Commissioner"** means the commissioner of the Department of Public Safety.
- (6) **"Conviction"** means criminal conduct where the filing of a criminal charge has resulted in:
  - (a) a finding of guilt based on evidence presented to a judge or jury;
  - (b) a guilty plea;
  - (c) a plea of nolo contendere;
  - (d) a plea of guilty or nolo contendere which is held in abeyance pending the successful completion of probation;
  - (e) a pending diversion agreement; or
  - (f) a conviction which has been reduced pursuant to § 76-3-402.

**Section 53-5-704. Bureau duties – Permit to carry concealed firearm – Certification for concealed firearms instructor – Requirements for issuance – Violation – Denial, suspension, or revocation – Appeal procedure.**

- (1)
  - (a) Except as provided in Subsection (1)(b), the bureau shall issue a permit to carry a concealed firearm for lawful self defense to an applicant who is 21 years old or older within 60 days after receiving an application, unless the bureau finds proof that the applicant is not qualified to hold a permit under Subsection (2) or (3).
  - (b)
    - (i) Within 90 days before the day on which a provisional permit holder under Section 53-5-704.5 reaches 21 years old, the provisional permit holder may apply under this section for a permit to carry a concealed firearm for lawful self defense.
    - (ii) The bureau shall issue a permit for an applicant under Subsection (1)(b)(i) within 60 days after receiving an application, unless the bureau finds proof that the applicant is not qualified to hold a permit under Subsection (2) or (3).
    - (iii) A permit issued under this Subsection (1)(b):
      - (A) is not valid until an applicant is 21 years old; and
      - (B) requires a \$10 application fee.
    - (iv) A person who applies for a permit under this Subsection (1)(b) is not required to retake the firearms training described in Subsection 53-5-704(8).
  - (c) The permit is valid throughout the state for five years, without restriction, except as otherwise provided by Section 53-5-710.
  - (d) The provisions of Subsections 76-10-504(1) and (2), and Section 76-10-505 do not apply to an individual issued a permit under Subsection (1)(a) or (b).
  - (e) Subsection (4)(a) does not apply to a nonresident:
    - (i) active duty service member, who presents to the bureau orders requiring the active duty service member to report for duty in this state; or
    - (ii) active duty service member's spouse, stationed with the active duty service member, who presents to the bureau the active duty service member's orders requiring the service member to report for duty in this state.
- (2)
  - (a) The bureau may deny, suspend, or revoke a concealed firearm permit if the applicant or permit holder:
    - (i) has been or is convicted of a felony;
    - (ii) has been or is convicted of a crime of violence;
    - (iii) has been or is convicted of an offense involving the use of alcohol;
    - (iv) has been or is convicted of an offense involving the unlawful use of narcotics or other controlled substances;
    - (v) has been or is convicted of an offense involving moral turpitude;
    - (vi) has been or is convicted of an offense involving domestic violence;
    - (vii) has been or is adjudicated by a state or federal court as mentally incompetent, unless the adjudication has been withdrawn or reversed; and

(viii) is not qualified to purchase and possess a firearm pursuant to Section 76-10-503 and federal law.

(b) In determining whether an applicant or permit holder is qualified to hold a permit under Subsection (2)(a), the bureau shall consider mitigating circumstances.

(3)

(a) The bureau may deny, suspend, or revoke a concealed firearm permit if it has reasonable cause to believe that the applicant or permit holder has been or is a danger to self or others as demonstrated by evidence, including:

- (i) past pattern of behavior involving unlawful violence or threats of unlawful violence;
- (ii) past participation in incidents involving unlawful violence or threats of unlawful violence; or
- (iii) conviction of an offense in violation of Title 76, Chapter 10, Part 5, Weapons.

(b) The bureau may not deny, suspend, or revoke a concealed firearm permit solely for a single conviction of an infraction violation of Title 76, Chapter 10, Part 5, Weapons.

(c) In determining whether the applicant or permit holder has been or is a danger to self or others, the bureau may inspect:

- (i) expunged records of arrests and convictions of adults as provided in Section 77-40a-403; and
- (ii) juvenile court records as provided in Section 78A-6-209.

(d)

(i) The bureau shall suspend a concealed firearm permit if a permit holder becomes a temporarily restricted person in accordance with Section 53-5c-301.

(ii) Upon removal from the temporary restricted list, the permit holder's permit shall be reinstated unless:

- (A) the permit has been revoked, been suspended for a reason other than the restriction described in Subsection (3)(d)(i), or expired; or
- (B) the permit holder has become a restricted person under Section 76-10-503.

(4)

(a) In addition to meeting the other qualifications for the issuance of a concealed firearm permit under this section, a nonresident applicant who resides in a state that recognizes the validity of the Utah permit or has reciprocity with Utah's concealed firearm permit law shall:

- (i) hold a current concealed firearm or concealed weapon permit issued by the appropriate permitting authority of the nonresident applicant's state of residency; and
- (ii) submit a photocopy or electronic copy of the nonresident applicant's current concealed firearm or concealed weapon permit referred to in Subsection (4)(a)(i).

(b) A nonresident applicant who knowingly and willfully provides false information to the bureau under Subsection (4)(a) is prohibited from holding a Utah concealed firearm permit for a period of 10 years.

(c) Subsection (4)(a) applies to all applications for the issuance of a concealed firearm permit that are received by the bureau after May 10, 2011.

(d) Beginning January 1, 2012, Subsection (4)(a) also applies to an application for renewal of a concealed firearm permit by a nonresident.

(5) The bureau shall issue a concealed firearm permit to a former peace officer who departs full-time employment as a peace officer, in an honorable manner, within five years of that departure if the officer meets the requirements of this section.

(6) Except as provided in Subsection (7), the bureau shall also require the applicant to provide:

- (a) the address of the applicant's permanent residence;
- (b) one recent dated photograph;
- (c) one set of fingerprints; and
- (d) evidence of general familiarity with the types of firearms to be concealed as defined in Subsection (8).

(7) An applicant who is a law enforcement officer under Section 53-13-103 may provide a letter of good standing from the officer's commanding officer in place of the evidence required by Subsection (6)(d).

(8)

(a) General familiarity with the types of firearms to be concealed includes training in:

- (i) the safe loading, unloading, storage, and carrying of the types of firearms to be concealed; and
- (ii) current laws defining lawful use of a firearm by a private citizen, including lawful self-defense, use of force by a private citizen, including use of deadly force, transportation, and concealment.

(b) An applicant may satisfy the general familiarity requirement of Subsection (8)(a) by one of the following:

- (i) completion of a course of instruction conducted by a national, state, or local firearms training organization approved by the bureau;
- (ii) certification of general familiarity by an individual who has been certified by the bureau, which may include a law enforcement officer, military or civilian firearms instructor, or hunter safety instructor; or

(iii) equivalent experience with a firearm through participation in an organized shooting competition, law enforcement, or military service.

(c) Instruction taken by a student under this Subsection (8) shall be in person and not through electronic means.

(d) A person applying for a renewal permit is not required to retake the firearms training described in this Subsection 53-5-704(8) if the person:

(i) has an unexpired permit; or

(ii) has a permit that expired less than one year before the date on which the renewal application was submitted.

(9)

(a) An applicant for certification as a Utah concealed firearms instructor shall:

(i) be at least 21 years old;

(ii) be currently eligible to possess a firearm under Section 76-10-503;

(iii) have:

(A) completed a firearm instruction training course from the National Rifle Association or the Department of Public Safety, Division of Peace Officer Safety Standards and Training; or

(B) received training equivalent to one of the courses referred to in Subsection (9)(a)(iii)(A) as determined by the bureau;

(iv) have taken a course of instruction and passed a certification test as described in Subsection (9)(c); and

(v) possess a Utah concealed firearm permit.

(b) An instructor's certification is valid for three years from the date of issuance, unless revoked by the bureau.

(c)

(i) In order to obtain initial certification or renew a certification, an instructor shall attend an instructional course and pass a test under the direction of the bureau.

(ii)

(A) The bureau shall provide or contract to provide the course referred to in Subsection (9)(c)(i) twice every year.

(B) The course shall include instruction on current Utah law related to firearms, including concealed carry statutes and rules, and the use of deadly force by private citizens.

(d)

(i) Each applicant for certification under this Subsection (9) shall pay a fee of \$50.00 at the time of application for initial certification.

(ii) The renewal fee for the certificate is \$25.

(iii) The bureau may use a fee paid under Subsections (9)(d)(i) and (ii) as a dedicated credit to cover the cost incurred in maintaining and improving the instruction program required for concealed firearm instructors under this Subsection (9).

(10) A certified concealed firearms instructor shall provide each of the instructor's students with the required course of instruction outline approved by the bureau.

(11)

(a)

(i) A concealed firearms instructor shall provide a signed certificate to an individual successfully completing the offered course of instruction.

(ii) The instructor shall sign the certificate with the exact name indicated on the instructor's certification issued by the bureau under Subsection (9).

(iii)

(A) The certificate shall also have affixed to it the instructor's official seal, which is the exclusive property of the instructor and may not be used by any other individual.

(B) The instructor shall destroy the seal upon revocation or expiration of the instructor's certification under Subsection (9).

(C) The bureau shall determine the design and content of the seal to include at least the following:

(I) the instructor's name as it appears on the instructor's certification;

(II) the words "Utah Certified Concealed Firearms Instructor," "state of Utah," and "my certification expires on (the instructor's certification expiration date)"; and

(III) the instructor's business or residence address.

(D) The seal shall be affixed to each student certificate issued by the instructor in a manner that does not obscure or render illegible any information or signatures contained in the document.

(b) The applicant shall provide the certificate to the bureau in compliance with Subsection (6)(d).

(12) The bureau may deny, suspend, or revoke the certification of an applicant or a concealed firearms instructor if it has reason to believe the applicant or the instructor has:

- (a) become ineligible to possess a firearm under Section 76-10-503 or federal law; or
  - (b) knowingly and willfully provided false information to the bureau.
- (13) An applicant for certification or a concealed firearms instructor has the same appeal rights as described in Subsection (16).
- (14) In providing instruction and issuing a permit under this part, the concealed firearms instructor and the bureau are not vicariously liable for damages caused by the permit holder.
- (15) An individual who knowingly and willfully provides false information on an application filed under this part is guilty of a class B misdemeanor, and the application may be denied, or the permit may be suspended or revoked.
- (16)
- (a) In the event of a denial, suspension, or revocation of a permit, the applicant or permit holder may file a petition for review with the board within 60 days from the date the denial, suspension, or revocation is received by the applicant or permit holder by certified mail, return receipt requested.
  - (b) The bureau's denial of a permit shall be in writing and shall include the general reasons for the action.
  - (c) If an applicant or permit holder appeals the denial to the review board, the applicant or permit holder may have access to the evidence upon which the denial is based in accordance with Title 63G, Chapter 2, Government Records Access and Management Act.
  - (d) On appeal to the board, the bureau has the burden of proof by a preponderance of the evidence.
  - (e)
    - (i) Upon a ruling by the board on the appeal of a denial, the board shall issue a final order within 30 days stating the board's decision.
    - (ii) The final order shall be in the form prescribed by Subsection 63G-4-203(1)(i).
    - (iii) The final order is final bureau action for purposes of judicial review under Section 63G-4-402.
- (17) The commissioner may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, necessary to administer this chapter.

**Section 53-5-706. Permit – Fingerprints transmitted to bureau – Report from bureau.**

- (1)
- (a) Except as provided in Subsection (2), the fingerprints of each applicant for a permit under Section 53-5-707 or 53-5-707.5 shall be taken on a form prescribed by the bureau.
  - (b) Upon receipt of the fingerprints, the applicant fingerprint card fee prescribed in Section 53-10-108, and the fee prescribed in Section 53-5-707 or 53-5-707.5, the bureau shall conduct a search of its files for criminal history information pertaining to the applicant, and shall request the Federal Bureau of Investigation to conduct a similar search through its files.
  - (c) If the fingerprints are insufficient for the Federal Bureau of Investigation to conduct a search of its files for criminal history information, the application or concealed firearm permit may be denied, suspended, or revoked until sufficient fingerprints are submitted by the applicant.
- (2)
- (a) If the permit applicant has previously applied to the bureau for a permit to carry concealed firearms, the bureau shall note the previous identification numbers and other data which would provide positive identification in the files of the bureau on the copy of any subsequent permit submitted to the bureau in accordance with this section.
  - (b) No additional application form, fingerprints, or fee are required under this Subsection (2).

**Section 53-5-707. Concealed firearm permit – Fees – Concealed Weapons Account.**

- (1)
- (a) An applicant for a concealed firearm permit shall pay a fee of \$25 at the time of filing an application.
  - (b) A nonresident applicant shall pay an additional \$10 for the additional cost of processing a nonresident application.
  - (c) The bureau shall waive the initial fee for an applicant who is a law enforcement officer under Section 53-13-103.
  - (d) Concealed firearm permit renewal fees for active duty service members and the spouse of an active duty service member shall be waived.
- (2) The renewal fee for the permit is \$20. A nonresident shall pay an additional \$5 for the additional cost of processing a nonresidential renewal.
- (3) The replacement fee for the permit is \$10.
- (4)
- (a) The late fee for the renewal permit is \$7.50.
  - (b) As used in this section, "late fee" means the fee charged by the bureau for a renewal submitted on a permit that has been expired for more than 30 days but less than one year.
- (5)
- (a) There is created a restricted account within the General Fund known as the "Concealed Weapons Account."

- (b) The account shall be funded from fees collected under this section and Section 53-5-707.5.
- (c) Funds in the account may only be used to cover costs relating to:
  - (i) the issuance of concealed firearm permits under this part; or
  - (ii) the programs described in Subsection 62A-15-103(3) and Section 62A-15-1101.
- (d) No later than 90 days after the end of the fiscal year 50% of the fund balance shall be transferred to the Suicide Prevention and Education Fund, created in Section 62A-15-1104.

(6)

- (a) The bureau may collect any fees charged by an outside agency for additional services required by statute as a prerequisite for issuance of a permit.
  - (b) The bureau shall promptly forward any fees collected under Subsection (6)(a) to the appropriate agency.
- (7) The bureau shall make an annual report in writing to the Legislature's Law Enforcement and Criminal Justice Interim Committee on the amount and use of the fees collected under this section and Section 53-5-707.5.

## **Chapter 5c – Firearms Safe Harbor**

### **Part 1 – General Provisions**

#### **Section 53-5c-102. Definitions.**

As used in this part:

- (1) "Bureau" means the Bureau of Criminal Identification created in Section 53-10-201.
- (2) "Cohabitant" means a person who is 21 years of age or older who resides in the same residence as the other party.
- (3) "Firearm" means a pistol, revolver, shotgun, short barrel shotgun, rifle or short barrel rifle, or a device that could be used as a dangerous weapon from which is expelled a projectile by action of an explosive.
- (4) "Illegal firearm" means a firearm the ownership or possession of which is prohibited under state or federal law.
- (5) "Law enforcement agency" means a municipal or county police agency or an officer of that agency.
- (6) "Owner cohabitant" means a cohabitant who owns, in whole or in part, a firearm.
- (7) "Public interest use" means:
  - (a) use by a government agency as determined by the legislative body of the agency's jurisdiction; or
  - (b) donation to a bona fide charity.

### **Part 2 Voluntary Commitment of Firearm**

#### **Section 53-5c-201. Voluntary commitment of a firearm by owner cohabitant – Law enforcement to hold firearm.**

- (1) As used in this section:
  - (a) "Cohabitant" means any individual 18 years old or older residing in the home who:
    - (i) is living as if a spouse of the owner cohabitant;
    - (ii) is related by blood or marriage to the owner cohabitant;
    - (iii) has one or more children in common with the owner cohabitant; or
    - (iv) has an interest in the safety and well-being of the owner cohabitant.
  - (b) "Owner cohabitant" means an individual:
    - (i) in relation to a cohabitant as described in Subsection (1)(a); and
    - (ii) who owns a firearm.
- (2)
  - (a) A cohabitant or owner cohabitant may voluntarily commit a firearm to a law enforcement agency or request that a law enforcement officer receive a firearm for safekeeping if the owner cohabitant or cohabitant believes that the owner cohabitant or another cohabitant with access to the firearm is an immediate threat to:
    - (i) himself or herself;
    - (ii) the owner cohabitant; or
    - (iii) any other person.
  - (b) If the owner of a firearm requests return of the firearm in person at the law enforcement agency's office, the law enforcement agency:
    - (i) may not hold the firearm under this section; and
    - (ii) shall return the firearm to the owner.
- (3) Unless a firearm is an illegal firearm subject to Section 53-5c-202, a law enforcement agency that receives a firearm in accordance with this chapter shall:
  - (a) record:
    - (i) the owner cohabitant's name, address, and phone number;
    - (ii) the firearm serial number and the make and model of each firearm committed; and
    - (iii) the date that the firearm was voluntarily committed;
  - (b) require the cohabitant to sign a document attesting that the cohabitant resides in the home;
  - (c) hold the firearm in safe custody for 60 days after the day on which the firearm is voluntarily committed; and

- (d) upon proof of identification, return the firearm to:
  - (i)
    - (A) the owner cohabitant after the expiration of the 60-day period; or
    - (B) if the owner cohabitant requests return of the firearm before the expiration of the 60-day period, at the time of the request; or
  - (ii) an owner other than the owner cohabitant in accordance with Section 53-5c-202.
- (4) The law enforcement agency shall hold the firearm for an additional 60 days:
  - (a) if the initial 60-day period expires; and
  - (b) the cohabitant or owner cohabitant requests that the law enforcement agency hold the firearm for an additional 60 days.
- (5) A law enforcement agency may not request or require that the owner cohabitant provide the name or other information of the cohabitant who poses an immediate threat or any other cohabitant.
- (6) Notwithstanding an ordinance or policy to the contrary adopted in accordance with Section 63G-2-701, a law enforcement agency shall destroy a record created under Subsection (3), Subsection 53-5c-202(3)(b)(iii), or any other record created in the application of this chapter immediately, if practicable, but no later than five days after immediately upon the:
  - (a) return of a firearm in accordance with Subsection (3)(d); or
  - (b) disposal of the firearm in accordance with Section 53-5c-202.
- (7) Unless otherwise provided, the provisions of Title 77, Chapter 24a, Lost or Mislaid Personal Property, do not apply to a firearm received by a law enforcement agency in accordance with this chapter.
- (8) A law enforcement agency shall adopt a policy for the safekeeping of a firearm held in accordance with this chapter.

**Section 53-5c-202. Illegal firearms confiscated – Disposition of unclaimed firearm.**

- (1) If a law enforcement agency receives a firearm in accordance with Section 53-5c-201, and the firearm is an illegal firearm, the law enforcement agency shall:
  - (a) notify the owner cohabitant attempting to voluntarily commit the firearm that the firearm is an illegal firearm; and
  - (b) confiscate the firearm and dispose of the firearm in accordance with Section 24-3-103.5.
- (2)
  - (a) If a law enforcement agency cannot, after a reasonable attempt, locate an owner cohabitant to return a firearm in accordance with Section 53-5c-201, the law enforcement agency shall dispose of the firearm in accordance with Section 24-3-103.5.
  - (b) A law enforcement agency may not dispose of a firearm under Subsection (2)(a) before one year after the day on which the cohabitant initially voluntarily committed the firearm in accordance with Section 53-5c-201.
- (3)
  - (a) If a person other than an owner cohabitant claims ownership of the firearm, the person may:
    - (i) request that the law enforcement agency return the firearm in accordance with Subsection (3)(b); or
    - (ii) petition the court for the firearm's return in accordance with Subsection (3)(c).
  - (b) Except as provided in Section 53-5c-201, the law enforcement agency shall return a firearm to a person other than an owner cohabitant who claims ownership of the firearm if:
    - (i) the 60-day period described in Section 53-5c-201 has expired;
    - (ii) the person provides identification; and
    - (iii) the person signs a document attesting that the person has an ownership interest in the firearm.
  - (c) After sufficient notice is given to the prosecutor, the court may order that the firearm be:
    - (i) returned to the rightful owner as determined by the court; or
    - (ii) disposed of in accordance with Section 24-3-103.5.
- (d) A law enforcement agency shall return a firearm ordered returned to the rightful owner as expeditiously as possible after a court determination.

**Title 76 – Utah Criminal Code**

**Chapter 10 – Offenses against Public Health, Safety, Welfare, and Morals**

**Part 3 – Explosives**

**Section 76-10-306. Explosive, chemical, or incendiary device and parts — Definitions — Persons exempted — Penalties.**

- (1) As used in this section:
  - (a) “**Explosive, chemical, or incendiary device**” means:
    - (ii) any explosive bomb, grenade, missile, or similar device; and

(iii) any incendiary bomb, grenade, fire bomb, chemical bomb, or similar device, including any device, except kerosene lamps, if criminal intent has not been established, which consists of or includes a breakable container including a flammable liquid or compound and a wick composed of any material which, when ignited, is capable of igniting the flammable liquid or compound or any breakable container which consists of, or includes a chemical mixture that explodes with fire or force and can be carried, thrown, or placed.

(b) "Explosive, chemical, or incendiary device" does not include rifle, pistol, or shotgun ammunition, reloading components, or muzzleloading equipment.

(2) The provisions in Subsections (3) and (6) do not apply to:

(a) any public safety officer while acting in an official capacity transporting or otherwise handling explosives, chemical, or incendiary devices;

(b) any member of the armed forces of the United States or Utah National Guard while acting in an official capacity;

(c) any person possessing a valid permit issued under the provisions of Uniform Fire Code, Article 77, or any employee of the permittee acting within the scope of employment;

(d) any person possessing a valid license as an importer, wholesaler, display operator, special effects operator, or flame effects operator under the provisions of Sections 11-3-3.5 and 53-7-223; and

(e) any person or entity possessing or controlling an explosive, chemical, or incendiary device as part of its lawful business operations.

(3) Any person is guilty of a second degree felony who, under circumstances not amounting to a violation of Part 4, Weapons of Mass Destruction, knowingly, intentionally, or recklessly possesses or controls an explosive, chemical, or incendiary device.

## Part 5 – Weapons

### Section 76-10-500. Uniform law.

(1) As used in this section:

(a) "Directive" means the same as that term is defined in Section 78B-6-2301.

(b) "Firearm" means the same as that term is defined in Section 53-5a-102.

(c) "Local or state governmental entity" means the same as that term is defined in Section 78B-6-2301.

(2) The individual right to keep and bear arms being a constitutionally protected right under Article I, Section 6, of the Utah Constitution and the Second Amendment to the United States Constitution, the Legislature finds the need to provide uniform civil and criminal laws throughout the state and declares that the Legislature occupies the whole field of state regulation of firearms.

(3) Except as specifically provided by state law, a local or state governmental entity may not:

(a) prohibit an individual from owning, possessing, purchasing, selling, transferring, transporting, or keeping any firearm at the individual's place of residence, property, business, or in any vehicle lawfully in the individual's possession or lawfully under the individual's control; or

(b) require an individual to have a permit or license to purchase, own, possess, transport, or keep a firearm.

(4) This part is uniformly applicable throughout this state and in all the state's political subdivisions.

(5) Authority to regulate firearms is reserved to the state except where the Legislature specifically delegates responsibility to local or state governmental entities.

(6) Unless specifically authorized by the Legislature by statute, a local or state governmental entity may not enact or enforce a directive pertaining to firearms that in any way inhibits or restricts the possession, ownership, purchase, sale, transfer, transport, or use of firearms on either public or private property.

(7) This part does not restrict or expand private property rights.

(8) A violation of this section is subject to Title 78B, Chapter 6, Part 23, Firearm Preemption Enforcement Act.

### Section 76-10-501. Definitions.

As used in this part:

(1)

(a) "Antique firearm" means:

(i) any firearm, including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured in or before 1898; or

(ii) a firearm that is a replica of any firearm described in this Subsection (1)(a), if the replica:

(A) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; or

(B) uses rimfire or centerfire fixed ammunition which is:

(I) no longer manufactured in the United States; and

(II) is not readily available in ordinary channels of commercial trade; or

(iii)

(A) that is a muzzle loading rifle, shotgun, or pistol; and

(B) is designed to use black powder, or a black powder substitute, and cannot use fixed ammunition.

- (b) "Antique firearm" does not include:
- (i) a weapon that incorporates a firearm frame or receiver;
  - (ii) a firearm that is converted into a muzzle loading weapon; or
  - (iii) a muzzle loading weapon that can be readily converted to fire fixed ammunition by replacing the:
    - (A) barrel;
    - (B) bolt;
    - (C) breechblock; or
    - (D) any combination of Subsection (1)(b)(iii)(A), (B), or (C).

(2) "Bureau" means the Bureau of Criminal Identification created in § 53-10-201 within the Department of Public Safety.

(4) "Criminal history background check" means a criminal background check conducted by a licensed firearms dealer on every purchaser of a handgun, except a Federal Firearms Licensee, through the bureau or the local law enforcement agency where the firearms dealer conducts business.

(5) "Curio or relic firearm" means a firearm that:

(a) is of special interest to a collector because of a quality that is not associated with firearms intended for:

- (i) sporting use;
- (ii) use as an offensive weapon; or
- (iii) use as a defensive weapon;

(b)

- (i) was manufactured at least 50 years before the current date; and
- (ii) is not a replica of a firearm described in Subsection (5)(b)(i);

(c) is certified by the curator of a municipal, state, or federal museum that exhibits firearms to be a curio or relic of museum interest;

(d) derives a substantial part of its monetary value:

(i) from the fact that the firearm is:

- (A) novel;
- (B) rare; or
- (C) bizarre; or

(ii) because of the firearm's association with an historical:

- (A) figure;
- (B) period; or
- (C) event; and

(e) has been designated as a curio or relic firearm by the director of the United States Treasury Department Bureau of Alcohol, Tobacco, and Firearms under 27 C.F.R. Sec. 478.11.

(6)

(a) "Dangerous weapon" means:

- (i) a firearm; or
- (ii) an object that in the manner of its use or intended use is capable of causing death or serious bodily injury.

(b) The following factors are used in determining whether any object, other than a firearm, is a dangerous weapon:

- (i) the location and circumstances in which the object was used or possessed;
- (ii) the primary purpose for which the object was made;
- (iii) the character of the wound, if any, produced by the object's unlawful use;
- (iv) the manner in which the object was unlawfully used;
- (v) whether the manner in which the object is used or possessed constitutes a potential imminent threat to public safety; and
- (vi) the lawful purposes for which the object may be used.

(c) "Dangerous weapon" does not include an explosive, chemical, or incendiary device as defined by § 76-10-306.

(7) "Dealer" means a person who is:

- (a) licensed under 18 U.S.C. Sec. 923; and
- (b) engaged in the business of selling, leasing, or otherwise transferring a handgun, whether the person is a retail or wholesale dealer, pawnbroker, or otherwise.

(8) "Enter" means intrusion of the entire body.

(9) "Federal Firearms Licensee" means a person who:

- (a) holds a valid Federal Firearms License issued under 18 U.S.C. Sec. 923; and
- (b) is engaged in the activities authorized by the specific category of license held.

(10)

(a) "Firearm" means a pistol, revolver, shotgun, short barreled shotgun, rifle or short barreled rifle, or a device that could be used as a dangerous weapon from which is expelled a projectile by action of an explosive.

(b) As used in §§ 76-10-526 and 76-10-527, "firearm" does not include an antique firearm.

**(11) "Firearms transaction record form"** means a form created by the bureau to be completed by a person purchasing, selling, or transferring a handgun from a dealer in the state.

**(12) "Fully automatic weapon"** means a firearm which fires, is designed to fire, or can be readily restored to fire, automatically more than one shot without manual reloading by a single function of the trigger.

**(13)**

**(a) "Handgun"** means a pistol, revolver, or other firearm of any description, loaded or unloaded, from which a shot, bullet, or other missile can be discharged, the length of which, not including any revolving, detachable, or magazine breech, does not exceed 12 inches.

**(b)** As used in §§ 76-10-520, 76-10-521, and 76-10-522, "handgun" and "pistol or revolver" do not include an antique firearm.

**(19) "Short barreled shotgun" or "short barreled rifle"** means a shotgun having a barrel or barrels of fewer than 18 inches in length, or in the case of a rifle, having a barrel or barrels of fewer than 16 inches in length, or a dangerous weapon made from a rifle or shotgun by alteration, modification, or otherwise, if the weapon as modified has an overall length of fewer than 26 inches.

**(20) "Shotgun"** means a smooth bore firearm designed to fire cartridges containing pellets or a single slug.

**(21) "Shoulder arm"** means a firearm that is designed to be fired while braced against the shoulder.

**(22) "Slug"** means a single projectile discharged from a shotgun shell.

**(24) "Violent felony"** means the same as that term is defined in § 76-3-203.5.

### **Section 76-10-503. Restrictions on possession, purchase, transfer, and ownership of dangerous weapons by certain persons – Exceptions.**

(1) For purposes of this section:

(a) A Category I restricted person is a person who:

(i) has been convicted of any violent felony as defined in Section 76-3-203.5;

(ii) is on probation or parole for any felony;

(iii) is on parole from secure care, as defined in Section 80-1-102;

(iv) within the last 10 years has been adjudicated under Section 80-6-701 for an offense which if committed by an adult would have been a violent felony as defined in Section 76-3-203.5;

(v) is an alien who is illegally or unlawfully in the United States; or

(vi) is on probation for a conviction of possessing:

(A) a substance classified in Section 58-37-4 as a Schedule I or II controlled substance;

(B) a controlled substance analog; or

(C) a substance listed in Section 58-37-4.2.

(b) A Category II restricted person is a person who:

(i) has been convicted of any felony;

(ii) within the last seven years has been adjudicated delinquent for an offense which if committed by an adult would have been a felony;

(iii) is an unlawful user of a controlled substance as defined in Section 58-37-2;

(iv) is in possession of a dangerous weapon and is knowingly and intentionally in unlawful possession of a Schedule I or II controlled substance as defined in Section 58-37-2;

(v) has been found not guilty by reason of insanity for a felony offense;

(vi) has been found mentally incompetent to stand trial for a felony offense;

(vii) has been adjudicated as mentally defective as provided in the Brady Handgun Violence Prevention Act, Pub. L. No. 103-159, 107 Stat. 1536 (1993), or has been committed to a mental institution;

(viii) has been dishonorably discharged from the armed forces;

(ix) has renounced the individual's citizenship after having been a citizen of the United States;

(x) is a respondent or defendant subject to a protective order or child protective order that is issued after a hearing for which the respondent or defendant received actual notice and at which the respondent or defendant has an opportunity to participate, that restrains the respondent or defendant from harassing, stalking, threatening, or engaging in other conduct that would place an intimate partner, as defined in 18 U.S.C. Sec. 921, or a child of the intimate partner, in reasonable fear of bodily injury to the intimate partner or child of the intimate partner, and that:

(A) includes a finding that the respondent or defendant represents a credible threat to the physical safety of an individual who meets the definition of an intimate partner in 18 U.S.C. Sec. 921 or the child of the individual; or

(B) explicitly prohibits the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily harm against an intimate partner or the child of an intimate partner; or

(xi) has been convicted of the commission or attempted commission of assault under Section 76-5-102 or aggravated assault under Section 76-5-103 against a current or former spouse, parent, guardian, individual with

whom the restricted person shares a child in common, individual who is cohabitating or has cohabitated with the restricted person as a spouse, parent, or guardian, or against an individual similarly situated to a spouse, parent, or guardian of the restricted person.

(c) As used in this section, a conviction of a felony or adjudication of delinquency for an offense which would be a felony if committed by an adult does not include:

(i) a conviction or an adjudication under Section 80-6-701 for an offense pertaining to antitrust violations, unfair trade practices, restraint of trade, or other similar offenses relating to the regulation of business practices not involving theft or fraud; or

(ii) a conviction or an adjudication under Section 80-6-701 which, according to the law of the jurisdiction in which it occurred, has been expunged, set aside, reduced to a misdemeanor by court order, pardoned or regarding which the person's civil rights have been restored unless the pardon, reduction, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms.

(d) It is the burden of the defendant in a criminal case to provide evidence that a conviction or an adjudication under Section 80-6-701 is subject to an exception provided in Subsection (1)(c), after which it is the burden of the state to prove beyond a reasonable doubt that the conviction or the adjudication is not subject to that exception.

(2) A Category I restricted person who intentionally or knowingly agrees, consents, offers, or arranges to purchase, transfer, possess, use, or have under the person's custody or control, or who intentionally or knowingly purchases, transfers, possesses, uses, or has under the person's custody or control:

(a) any firearm is guilty of a second degree felony; or

(b) any dangerous weapon other than a firearm is guilty of a third degree felony.

(3) A Category II restricted person who intentionally or knowingly purchases, transfers, possesses, uses, or has under the person's custody or control:

(a) any firearm is guilty of a third degree felony; or

(b) any dangerous weapon other than a firearm is guilty of a class A misdemeanor.

(4) A person may be subject to the restrictions of both categories at the same time.

(5) If a higher penalty than is prescribed in this section is provided in another section for one who purchases, transfers, possesses, uses, or has under this custody or control any dangerous weapon, the penalties of that section control.

(6) It is an affirmative defense to a charge based on the definition in Subsection (1)(b)(iv) that the person was:

(a) in possession of a controlled substance pursuant to a lawful order of a practitioner for use of a member of the person's household or for administration to an animal owned by the person or a member of the person's household; or

(b) otherwise authorized by law to possess the substance.

(7)

(a) It is an affirmative defense to transferring a firearm or other dangerous weapon by a person restricted under Subsection (2) or (3) that the firearm or dangerous weapon:

(i) was possessed by the person or was under the person's custody or control before the person became a restricted person;

(ii) was not used in or possessed during the commission of a crime or subject to disposition under Section 24-3-103;

(iii) is not being held as evidence by a court or law enforcement agency;

(iv) was transferred to a person not legally prohibited from possessing the weapon; and

(v) unless a different time is ordered by the court, was transferred within 10 days of the person becoming a restricted person.

(b) Subsection (7)(a) is not a defense to the use, purchase, or possession on the person of a firearm or other dangerous weapon by a restricted person.

(8)

(a) A person may not sell, transfer, or otherwise dispose of any firearm or dangerous weapon to any person, knowing that the recipient is a person described in Subsection (1)(a) or (b).

(b) A person who violates Subsection (8)(a) when the recipient is:

(i) a person described in Subsection (1)(a) and the transaction involves a firearm, is guilty of a second degree felony;

(ii) a person described in Subsection (1)(a) and the transaction involves any dangerous weapon other than a firearm, and the transferor has knowledge that the recipient intends to use the weapon for any unlawful purpose, is guilty of a third degree felony;

(iii) a person described in Subsection (1)(b) and the transaction involves a firearm, is guilty of a third degree felony; or

(iv) a person described in Subsection (1)(b) and the transaction involves any dangerous weapon other than a firearm, and the transferor has knowledge that the recipient intends to use the weapon for any unlawful purpose, is guilty of a class A misdemeanor.

- (9)
- (a) A person may not knowingly solicit, persuade, encourage or entice a dealer or other person to sell, transfer or otherwise dispose of a firearm or dangerous weapon under circumstances which the person knows would be a violation of the law.
  - (b) A person may not provide to a dealer or other person any information that the person knows to be materially false information with intent to deceive the dealer or other person about the legality of a sale, transfer or other disposition of a firearm or dangerous weapon.
  - (c) "Materially false information" means information that portrays an illegal transaction as legal or a legal transaction as illegal.
  - (d) A person who violates this Subsection (9) is guilty of:
    - (i) a third degree felony if the transaction involved a firearm; or
    - (ii) a class A misdemeanor if the transaction involved a dangerous weapon other than a firearm.

**Section 76-10-505.5. Possession of a dangerous weapon, firearm, or short barreled shotgun on or about school premises – Penalties.**

- (1) As used in this section, "on or about school premises" means:
- (a)
    - (i) in a public or private elementary or secondary school; or
    - (ii) on the grounds of any of those schools;
  - (b)
    - (i) in a public or private institution of higher education; or
    - (ii) on the grounds of a public or private institution of higher education; and
    - (iii)
      - (A) inside the building where a preschool or child care is being held, if the entire building is being used for the operation of the preschool or child care; or
      - (B) if only a portion of a building is being used to operate a preschool or child care, in that room or rooms where the preschool or child care operation is being held.
- (2) A person may not possess any dangerous weapon, firearm, or short barreled shotgun, as those terms are defined in Section 76-10-501, at a place that the person knows, or has reasonable cause to believe, is on or about school premises as defined in this section.
- (3)
- (a) Possession of a dangerous weapon on or about school premises is a class B misdemeanor.
  - (b) Possession of a firearm or short barreled shotgun on or about school premises is a class A misdemeanor.
- (4) This section does not apply if:
- (a) the person is authorized to possess a firearm as provided under Section 53-5-704, 53-5-705, 76-10-511, or 76-10-523, or as otherwise authorized by law;
  - (b) the person is authorized to possess a firearm as provided under Section 53-5-704.5, unless the person is in a location where the person is prohibited from carrying a firearm under Subsection 53-5-710(2);
  - (c) the possession is approved by the responsible school administrator;
  - (d) the item 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; or
  - (e) the possession is:
    - (i) at the person's place of residence or on the person's property; or
    - (ii) in any vehicle lawfully under the person's control, other than a vehicle owned by the school or used by the school to transport students.
- (5) This section does not prohibit prosecution of a more serious weapons offense that may occur on or about school premises..

**Section 76-10-509. Possession of dangerous weapon by minor.**

- (1) A minor under 18 years of age may not possess a dangerous weapon unless he:
- (a) has the permission of his parent or guardian to have the weapon; or
  - (b) is accompanied by a parent or guardian while he has the weapon in his possession.
- (2) Any minor under 14 years of age in possession of a dangerous weapon shall be accompanied by a responsible adult.

**Section 76-10-509.4. Prohibition of possession of certain weapons by minors.**

- (1) A minor under 18 years of age may not possess a handgun.
- (2) Except as provided by federal law, a minor under 18 years of age may not possess the following:
- (a) a short barreled rifle or short barreled shotgun; or

(b) a fully automatic weapon.

**Section 76-10-509.9. Sales of firearms to juveniles.**

(1) A person may not sell any firearm to a minor under 18 years of age unless the minor is accompanied by a parent or guardian.

**Section 76-10-522. Alteration of number or mark on pistol or revolver.**

Any person who changes, alters, removes, or obliterates the name of the maker, the model, manufacturer's number, or other mark of identification, including any distinguishing number or mark assigned by the Department of Public Safety, on any pistol or revolver, without first having secured written permission from the Department of Public Safety to make the change, alteration, or removal, is guilty of a class A misdemeanor.

**Section 76-10-524. Purchase of firearms pursuant to federal law.**

This part will allow purchases of firearms and ammunition pursuant to U.S.C. Title 18 Chapter 44 Sec. 922b(3).

**Section 76-10-526. Criminal background check prior to purchase of a firearm – Fee – Exemption for concealed firearm permit holders and law enforcement officers.**

(1) For purposes of this section, "valid permit to carry a concealed firearm" does not include a temporary permit issued under Section 53-5-705.

(2)

(a) To establish personal identification and residence in this state for purposes of this part, a dealer shall require an individual receiving a firearm to present one photo identification on a form issued by a governmental agency of the state.

(b) A dealer may not accept a driving privilege card issued under Section 53-3-207 as proof of identification for the purpose of establishing personal identification and residence in this state as required under this Subsection (2).

(3)

(a) A criminal history background check is required for the sale of a firearm by a licensed firearm dealer in the state.

(b) Subsection (3)(a) does not apply to the sale of a firearm to a Federal Firearms Licensee.

(4)

(a) An individual purchasing a firearm from a dealer shall consent in writing to a criminal background check, on a form provided by the bureau.

(b) The form shall contain the following information:

(i) the dealer identification number;

(ii) the name and address of the individual receiving the firearm;

(iii) the date of birth, height, weight, eye color, and hair color of the individual receiving the firearm; and

(iv) the social security number or any other identification number of the individual receiving the firearm.

(5)

(a) The dealer shall send the information required by Subsection (4) to the bureau immediately upon its receipt by the dealer.

(b) A dealer may not sell or transfer a firearm to an individual until the dealer has provided the bureau with the information in Subsection (4) and has received approval from the bureau under Subsection (7).

(6) The dealer shall make a request for criminal history background information by telephone or other electronic means to the bureau and shall receive approval or denial of the inquiry by telephone or other electronic means.

(7) When the dealer calls for or requests a criminal history background check, the bureau shall:

(a) review the criminal history files, including juvenile court records, and the temporary restricted file created under Section 53-5c-301, to determine if the individual is prohibited from purchasing, possessing, or transferring a firearm by state or federal law;

(b) inform the dealer that:

(i) the records indicate the individual is prohibited; or

(ii) the individual is approved for purchasing, possessing, or transferring a firearm;

(c) provide the dealer with a unique transaction number for that inquiry; and

(d) provide a response to the requesting dealer during the call for a criminal background check, or by return call, or other electronic means, without delay, except in case of electronic failure or other circumstances beyond the control of the bureau, the bureau shall advise the dealer of the reason for the delay and give the dealer an estimate of the length of the delay.

(8)

(a) The bureau may not maintain any records of the criminal history background check longer than 20 days from the date of the dealer's request, if the bureau determines that the individual receiving the firearm is not prohibited from purchasing, possessing, or transferring the firearm under state or federal law.

(b) However, the bureau shall maintain a log of requests containing the dealer's federal firearms number, the transaction number, and the transaction date for a period of 12 months.

(9)

(a) If the criminal history background check discloses information indicating that the individual attempting to purchase the firearm is prohibited from purchasing, possessing, or transferring a firearm, the bureau shall inform the law enforcement agency in the jurisdiction where the individual resides.

(b) Subsection (9)(a) does not apply to an individual prohibited from purchasing a firearm solely due to placement on the temporary restricted list under Section 53-5c-301.

(c) A law enforcement agency that receives information from the bureau under Subsection (9)(a) shall provide a report before August 1 of each year to the bureau that includes:

(i) based on the information the bureau provides to the law enforcement agency under Subsection (9)(a), the number of cases that involve an individual who is prohibited from purchasing, possessing, or transferring a firearm as a result of a conviction for an offense involving domestic violence; and

(ii) of the cases described in Subsection (9) (c)(i):

(A) the number of cases the law enforcement agency investigates; and

(B) the number of cases the law enforcement agency investigates that result in a criminal charge.

(d) The bureau shall:

(i) compile the information from the reports described in Subsection (9) (c);

(ii) omit or redact any identifying information in the compilation; and

(iii) submit the compilation to the Law Enforcement and Criminal Justice Interim Committee before November 1 of each year.

(10) If an individual is denied the right to purchase a firearm under this section, the individual may review the individual's criminal history information and may challenge or amend the information as provided in Section 53-10-108.

(11) The bureau shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to ensure the identity, confidentiality, and security of all records provided by the bureau under this part are in conformance with the requirements of the Brady Handgun Violence Prevention Act, Pub. L. No. 103-159, 107 Stat. 1536 (1993).

(12)

(a) A dealer shall collect a criminal history background check fee for the sale of a firearm under this section.

(b) The fee described under Subsection (12)(a) remains in effect until changed by the bureau through the process described in Section 63J-1-504.

(c)

(i) The dealer shall forward at one time all fees collected for criminal history background checks performed during the month to the bureau by the last day of the month following the sale of a firearm.

(ii) The bureau shall deposit the fees in the General Fund as dedicated credits to cover the cost of administering and conducting the criminal history background check program.

(13) An individual with a concealed firearm permit issued under Title 53, Chapter 5, Part 7, Concealed Firearm Act, is exempt from the background check and corresponding fee required in this section for the purchase of a firearm if:

(a) the individual presents the individual's concealed firearm permit to the dealer prior to purchase of the firearm; and

(b) the dealer verifies with the bureau that the individual's concealed firearm permit is valid.

(14)

(a) A law enforcement officer, as defined in Section 53-13-103, is exempt from the background check fee required in this section for the purchase of a personal firearm to be carried while off-duty if the law enforcement officer verifies current employment by providing a letter of good standing from the officer's commanding officer and current law enforcement photo identification.

(b) Subsection (14)(a) may only be used by a law enforcement officer to purchase a personal firearm once in a 24-month period.

(15) A dealer engaged in the business of selling, leasing, or otherwise transferring any firearm shall:

(a) make the firearm safety brochure described in Subsection 62A-15-103(3) available to a customer free of charge; and

(b) at the time of purchase, distribute a cable-style gun lock provided to the dealer under Subsection 62A-15-103(3) to a customer purchasing a shotgun, short barreled shotgun, short barreled rifle, rifle, or another firearm that federal law does not require be accompanied by a gun lock at the time of purchase.

**Section 76-10-532. Removal from National Instant Check System database.**

(1) A person who is subject to the restrictions in Subsection 76-10-503(1)(b)(v), (vi), or (vii), or 18 U.S.C. 922(d)(4) and (g)(4) based on a commitment, finding, or adjudication that occurred in this state may petition the district court in the county in which the commitment, finding, or adjudication occurred to remove the disability imposed.

(2) The petition shall be filed in the district court in the county where the commitment, finding, or adjudication occurred.

The petition shall include:

(a) a listing of facilities, with their addresses, where the petitioner has ever received mental health treatment;

(b) a release signed by the petitioner to allow the prosecutor or county attorney to obtain the petitioner's mental health records;

(c) a verified report of a mental health evaluation conducted by a licensed psychiatrist occurring within 30 days prior to the filing of the petition, which shall include a statement regarding:

(i) the nature of the commitment, finding, or adjudication that resulted in the restriction on the petitioner's ability to purchase or possess a dangerous weapon;

(ii) the petitioner's previous and current mental health treatment;

(iii) the petitioner's previous violent behavior, if any;

(iv) the petitioner's current mental health medications and medication management;

(v) the length of time the petitioner has been stable;

(vi) external factors that may influence the petitioner's stability;

(vii) the ability of the petitioner to maintain stability with or without medication; and

(viii) whether the petitioner is dangerous to public safety; and

(d) a copy of the petitioner's state and federal criminal history record.

(3) The petitioner shall serve the petition on the prosecuting entity that prosecuted the case or, if the disability is not based on a criminal case, on the county or district attorney's office having jurisdiction where the petition was filed and the individual who filed the original action which resulted in the disability.

(4) The court shall schedule a hearing as soon as practicable. The petitioner may present evidence and subpoena witnesses to appear at the hearing. The prosecuting, county attorney, or the individual who filed the original action which resulted in the disability may object to the petition and present evidence in support of the objection.

(5) The court shall consider the following evidence:

(a) the facts and circumstances that resulted in the commitment, finding, or adjudication;

(b) the person's mental health and criminal history records ; and

(c) the person's reputation, including the testimony of character witnesses.

(6) The court shall grant the relief if the court finds by clear and convincing evidence that:

(a) the person is not a danger to the person or to others;

(b) the person is not likely to act in a manner dangerous to public safety; and

(c) the requested relief would not be contrary to the public interest.

(7) The court shall issue an order with its findings and send a copy to the bureau.

(8) The bureau, upon receipt of a court order removing a person's disability under Subsection 76-10-503(1)(b)(vii), shall send a copy of the court order to the National Instant Check System requesting removal of the person's name from the database. In addition, if the person is listed in a state database utilized by the bureau to determine eligibility for the purchase or possession of a firearm or to obtain a concealed firearm permit, the bureau shall remove the petitioner's name or send a copy of the court's order to the agency responsible for the database for removal of the petitioner's name.

(9) If the court denies the petition, the petitioner may not petition again for relief until at least 2 years after the date of the court's final order.

(10) The petitioner may appeal a denial of the requested relief. The review on appeal shall be de novo.

**Title 77 – Utah Code of Criminal Procedure  
Chapter 36 – Cohabitant Abuse Procedures Act**

**Section 77-36-5.1. Conditions of probation for person convicted of domestic violence offense — Continuous protective orders.**

(1) Before a perpetrator who is convicted or adjudicated of a domestic violence offense may be placed on probation, the court shall consider the safety and protection of the victim and any member of the victim's family or household.

(2) The court may condition probation or a plea in abeyance on the perpetrator's compliance with one or more orders of the court, which may include:

- (a) a sentencing protective order issued under [Section 78B-7-804](#);
  - (b) prohibiting the perpetrator from possessing or consuming alcohol or controlled substances;
  - (c) prohibiting the perpetrator from purchasing, using, or possessing a firearm or other specified weapon;
  - (d) directing the perpetrator to surrender any weapons the perpetrator owns or possesses;
  - (e) directing the perpetrator to participate in and complete, to the satisfaction of the court, a program of intervention for perpetrators, treatment for alcohol or substance abuse, or psychiatric or psychological treatment;
  - (f) directing the perpetrator to pay restitution to the victim, enforcement of which shall be in accordance with Chapter 38b, Crime Victims Restitution Act; and
  - (g) imposing any other condition necessary to protect the victim and any other designated family or household member or to rehabilitate the perpetrator.
- (3) The perpetrator is responsible for the costs of any condition of probation, according to the perpetrator's ability to pay.
- (4)
- (a) Adult Probation and Parole, or other provider, shall immediately report to the court and notify the victim of any offense involving domestic violence committed by the perpetrator, the perpetrator's failure to comply with any condition imposed by the court, and any violation of a sentencing protective order issued by the court under [Section 78B-7-804](#).
  - (b) Notification of the victim under Subsection (4)(a) shall consist of a good faith reasonable effort to provide prompt notification, including mailing a copy of the notification to the last-known address of the victim.
- (5) In addition to a protective order issued under this section, the court may issue a separate order relating to the transfer of a wireless telephone number in accordance with [Section 78B-7-117](#).

**Title 78B – Judicial Code**  
**Chapter 7 – Protective Orders and Stalking Injunctions**  
**Part 2 – Child Protective Orders**

**Section 78B-7-204. Content of orders — Modification of orders — Penalties.**

(1) A child protective order or an ex parte child protective order may contain the following provisions the violation of which is a class A misdemeanor under Section 76-5-108:

- (d) upon finding that the respondent's use or possession of a weapon may pose a serious threat of harm to the child, prohibit the respondent from purchasing, using, or possessing a firearm or other specified weapon.

**Part 6 – Cohabitant Abuse Protective Orders**

**Section 78B-7-603. Cohabitant abuse protective orders — Ex parte cohabitant abuse protective orders — Modification of orders — Service of process — Duties of the court.**

(2) A court may grant the following relief without notice in protection protective order or a modification issued ex parte:

- (f) upon finding that the respondent's use or possession of a weapon may pose a serious threat of harm to the petitioner, prohibit the respondent from purchasing, using, or possessing a firearm or other weapon specified by the court;

**Part 8 – Criminal Protective Orders**

**Section 78B-7-804. Sentencing and continuous protective orders for a domestic violence offense — Modification.**

(2) The court may condition probation or a plea in abeyance on the perpetrator's compliance with a sentencing protective order that includes:

- (d) an order prohibiting the perpetrator from purchasing, using, or possessing a firearm or other specified weapon;
- (e) an order directing the perpetrator to surrender any weapons the perpetrator owns or possesses;

**Section 78B-7-805. Sentencing protective orders and continuous protective orders for an offense that is not domestic violence — Modification.**

(2) The court may condition probation or a plea in abeyance on the perpetrator's compliance with a sentencing protective order that includes:

- (d) an order prohibiting the perpetrator from purchasing, using, or possessing a firearm or other specified weapon;
- (e) an order directing the perpetrator to surrender any weapons the perpetrator owns or possesses;

**Title 53 – Public Safety Code  
Chapter 5a – Firearm Laws**

**Section 53-5a-102. Uniform firearm laws.**

- (1) As used in this section:
- (a) “Ammunition” means the same as that term is defined in Section 53-5d-102.
  - (b) “Dangerous weapon” means the same as that term is defined in Section 76-10-501.
  - (c) “Firearm” means:
    - (i) a pistol, revolver, shotgun, short barreled shotgun, rifle or short barreled rifle, or a device that could be used as a dangerous weapon from which is expelled a projectile by action of an explosive;
    - (ii) ammunition; and
    - (iii) a firearm accessory.
  - (d) “Firearm accessory” means the same as that term is defined in Section 53-5b-103.
  - (e) “Local or state governmental entity” means the same as that term is defined in Section 78B-6-2301.
  - (f) “Short barreled shotgun” or “short barreled rifle” means the same as that term is defined in Section 76-10-501.
  - (g) “Shotgun” means the same as that term is defined in Section 76-10-501.
- (2) The individual right to keep and bear arms being a constitutionally protected right under Article I, Section 6 of the Utah Constitution and the Second Amendment to the United States Constitution, the Legislature finds the need to provide uniform civil and criminal firearm laws throughout the state and declares that the Legislature occupies the whole field of state regulation of firearms.
- (3) Except as specifically provided by state law, a local or state governmental entity may not:
- (a) prohibit an individual from owning, possessing, purchasing, selling, transferring, transporting, or keeping a firearm at the individual’s place of residence, property, business, or in any vehicle lawfully in the individual’s possession or lawfully under the individual’s control; or
  - (b) require an individual to have a permit or license to purchase, own, possess, transport, or keep a firearm.
- (4) In conjunction with Title 76, Chapter 10, Part 5, Weapons, this section is uniformly applicable throughout this state and in all the state’s political subdivisions.
- (5) Authority to regulate firearms is reserved to the state except where the Legislature specifically delegates responsibility to local or state governmental entities.
- (6) Unless specifically authorized by the Legislature by statute, a local or state governmental entity may not enact, establish, or enforce any ordinance, regulation, rule, or policy pertaining to firearms that in any way inhibits or restricts the possession, ownership, purchase, sale, transfer, transport, or use of firearms on either public or private property.
- (7) This section does not restrict or expand private property rights.
- (8) A violation of this section is subject to Title 78B, Chapter 6, Part 23, Firearm Preemption Enforcement Act.

**Ballard Code of Ordinances**

Current through Ordinance 22-04-001, adopted April 5, 2022.

**5 – Business Licenses and Regulations**

**5.01 – Business Licensing**

**Section 5.01.015. Home Occupations.**

Categories of Permitted and Non-Permitted Uses:

2. Permitted: Permitted home occupations, so long as they meet the conditions of this chapter, include, but are not necessarily limited to the following:

- j. Gun repair; provided, that the licensee holds all required federal and state licenses or permits, there are no more than twenty (20) guns or firearms for repair on site at any one time, submit to a criminal background check by the police department and an on site premises inspection by the fire department.

**15 Land Use**

**15.06 – Zoning Districts Established**

**Section 15.06.130. Commercial Zones (C-1, C-2, C-3).**

Permitted Uses: In the following list of possible uses, those designated as being permitted in a zone will be identified with the letter "P". Uses designated with the letter "C" are allowed on a conditional use basis. Uses designated with the letter "N" will not be allowed in that zone. The following listing is not intended to be all inclusive, but rather, indicative of uses permitted in the zone:

Service businesses, including the following and similar uses:

Table of Uses	C-1	C-2	C-3
Gunsmith	N	P	P

**Clearfield Code of Ordinances**

Current through Ordinance 2022-20, passed 6-28-2022.

**Title 11 Land Use**

**Chapter 13 Supplementary Regulations**

**Section 11-13-33. Swap meets.**

**B.** Restricted Items: No sale of firearms, pyrotechnics, ammunition, explosives, alcoholic beverages, food (except fresh produce), drinks, pornography, illegal substances, or medicines shall be made by daily sellers on the swap meet licensee's premises.

**Farmington Code of Ordinances**

Current through Ordinance 2022-8, passed January 18, 2022.

**Title 13 – Criminal Code**

**Chapter 6 – Weapons and Firearms**

**Section 13-6-040. Illegal weapons prohibited.**

It is unlawful for any person to sell, manufacture, purchase or possess any ... 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.

**Section 13-6-080. Silencers prohibited.**

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

**Grantsville Code of Ordinances**

Current through Ordinance 2022-05, adopted on February 16, 2022.

**Title 11 – Business Licenses**

**Chapter 11-5 – Swap Meets and Flea Markets**

**Section 11-5-5 Items not allowed to be sold or exchanged at swap meet.**

**B.** No sales of firearms, pyrotechnics, ammunition, explosives or alcoholic beverages or medicines shall be made at a swap meet.

**Hildale Code of Ordinances**

Current through Ordinance 2021-011, adopted September 1, 2021.

**Title XIII – General Offenses**

**Chapter 130 – Offenses**

**Article III – Public Peace, Order and Decency**

**Section 130-57. Weapons.**

**(c)** It is unlawful for any person to sell or give to a minor under the age of 18 years, without written consent of the minor's parent or legal guardian, a weapon, ammunition, or toy pistol by which dangerous and explosive substances may be discharged.

**Herriman Code of Ordinances**

Current through Ordinance 2022-36, passed August 24, 2022.

**Title 3 – Business and License Regulations**

**Chapter 6 – Sales and Vending**

**Article D – Secondhand, Coin and Junk Dealers**

**Section 3-6D-1. Definitions.**

For the purpose of this article, the following words shall have the meanings as defined in this section:

**Secondhand Dealer:** Any person who keeps a store, office or place of business for the purchase, barter or exchange or sale of any secondhand merchandise of value, or who engages in the business of dealing in secondhand goods. For the purpose of this definition, a "secondhand dealer" shall not include any persons who deal in the purchase, barter, exchange or sale of used motor vehicles and trailers, but shall include any person who buys or sells five (5) or more firearms per year or buys or sells five (5) or more compact discs or DVDs per year.

**Section 3-6D-2. License required.**

It is unlawful for any person to operate as a secondhand dealer, secondhand precious metal and/or precious gem dealer, junk dealer, junk collector, antique dealer, coin dealer or processor, without first obtaining a license to do so. A separate license shall be required for each location and for the conduct of the business of a dealer.

**Article F – Swap Meets and Flea Markets**

**Section 3-6F-8. Sales subject to law; prohibited sales designated.**

All swap meet sales shall be in accordance with the law. No sales of firearms, pyrotechnics, ammunition, explosives, alcoholic beverages or medicines shall be made by sellers on the swap meet licensee's premises. No seller under the age of eighteen (18) shall be entitled to sell or dispose of goods at the swap meet.

**Title 10 – Land Development Code  
Chapter 22 – Home Occupations**

**Section 10-22-4. Permitted and prohibited uses.**

**B. Prohibited Uses In All Zones:** The uses set forth below involve operations not suited to a residential area and shall be prohibited as home occupations in all zones:

Manufacture or sale of ammunition, explosives, or similar products.

**Holladay Code of Ordinances**

Current through Ordinance 2022-16, passed June 16, 2022.

**Title 5 – Business and License Regulations**

**Chapter 6 – Fire and Damaged Goods Sales, Liquidation Type Sales, Swap Meets and Flea Markets, Secondhand and Junk Dealers**

**Section 5.48.330. Sales subject to law; prohibited sales designated.**

All swap meet sales shall be in accordance with law. No sales of firearms, pyrotechnics, ammunition, explosives, alcoholic beverages or medicines shall be made by sellers on the swap meet licensee's premises. No seller under the age of eighteen (18) shall be entitled to sell or dispose of goods at the swap meet without the written, notarized permission of his parents or legal guardian.

**Layton Code of Ordinances**

Current through not specified.

**5 – Business Licenses and Regulations**

**Chapter – 5.30 Swap Meets**

**Section 5.30.070. Restricted Items.**

No sales of firearms, pyrotechnics, ammunition, explosives, alcoholic beverages, pornography, drug paraphernalia, medicines, drinks or food, or any contraband, shall be made by daily sellers on the swap meet licensee's premises; except the sale of food or drink prepared on the premises where the seller thereof has applied for and obtained the necessary Health Department permits and snack bar or restaurant business license; or where such sale of food and drink only involves packaged or canned goods obtained from another licensed and regulated business. In addition, any animals that are sold at a swap meet shall be sold in accordance with the rules and regulations established by Davis County Animal Control and are subject to their inspection. Animals shall be kept in a shaded area, and shall have food and water immediately available.

**Logan Code of Ordinances**

Current through Ordinance 22-10, passed May 3, 2022.

**Title 9 – Public Peace, Morals and Welfare**  
**Chapter 9.24 – Offenses Involving Minors**

**Section 9.24.100. Revolvers, sale to persons under the age of eighteen years.**

It is unlawful for any person, firm or corporation to exchange with, buy from or sell to any person under the age of eighteen (18) years any gun, pistol or revolver; or to show or display any pistol or revolver in any window or showcase in this city.

**Chapter 9.28 – Weapons**

**Section 9.28.080. Sales to intoxicated persons and minors.**

No person in the city shall purchase from, or sell, loan or furnish any weapon in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, stimulant or depressant or to any person in a condition of agitation and excitability or to a minor under the age of eighteen (18) years of age.

**Mayfield Code of Ordinances**

Current through Ordinance 2022-2, passed February 9, 2022, and Resolution 2021-I, passed August 11, 2021 .

**Title 9 – Public Peace, Morals and Welfare**

**Chapter 9.486 – Offenses Against Health, Safety, Welfare and Morals**

**Article V – Weapons**

**Section 9.48.240. Definitions.**

For the purpose of this article:

“**Dangerous weapon**” means 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 shall be determinative.

“**Firearms**” means pistols, revolvers, sawed-off shotguns, or sawed-off rifles, and/or any device which could be used as a weapon from which is expelled a projectile by any force.

**Section 9.48.260. Possession of dangerous weapon by convicted person, drug addict, or mentally incompetent person prohibited.**

Any person who is not a citizen of the United States or any person who has been convicted of any crime of violence under the laws of the United States, the state of Utah, or any other state, government, or country, or who is addicted to the use of any narcotic drug, or any person who has been declared mentally incompetent shall not own or have in his possession or under his custody or control any dangerous weapon as defined in this article. Any person who violates this section is guilty of a class B misdemeanor.

**Section 9.48.320. Possession of dangerous weapon by minor.**

A minor under the age of 18 may not possess a dangerous weapon as defined herein unless he has the permission by a parent or guardian to have such weapon or is accompanied by a parent or guardian while he has such weapon in his possession. In any event, any minor who is under the age of 14 years must be accompanied by a responsible adult.

**Section 9.48.410. Alteration of number or mark on pistol or revolver.**

Any person who changes, alters, removes, or obliterates the name of the maker, model, manufacturer’s number, or other marks of identification, including any distinguishing number or mark assigned by the bureau, on any pistol or revolver, without first having secured written permission from the bureau to make the change, alteration or removal, shall be guilty of a class B misdemeanor.

**Midvale Code of Ordinances**

Current through Ordinance 2022-12, passed June 21, 2022.

**Title 5 – Business Taxes, Licenses and Regulations**

**Chapter 5.22 – Swap Meets and Flea Markets**

**Section 5.22.090. Sales to be subject to law – Prohibited sales.**

All sales shall be in accordance with law. Sale of firearms, pyrotechnics, ammunition, explosives, alcoholic beverages, medicines, obscene materials, drug paraphernalia or sex paraphernalia will be prohibited. No seller under the age of eighteen shall be entitled to sell or dispose of goods at the swap meet without the written, notarized permission of his parents or legal guardian.

## **Mendon Code of Ordinances**

Current through Ordinance 2021-06, adopted May 13, 2021.

### **Title 6 – Criminal Code**

#### **Chapter 6.16 – Offenses Against Health, Safety, Welfare and Morals**

##### **Section 6.16.050. Weapons.**

**A.** Definitions. For the purpose of this section:

**"Dangerous weapon"** means 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 shall be determinative.

**"Firearms"** means pistols, revolvers, sawed-off shotguns, or sawed-off rifles, and/or any device which could be used as a weapon from which is expelled a projectile by any force.

**C.** Possession of dangerous weapon by convicted person, drug addict, or mentally incompetent person prohibited. Any person who is not a citizen of the United States or any person who has been convicted of any crime of violence under the laws of the United States, the State of Utah, or any other state, government, or country, or who is addicted to the use of any narcotic drug, or any person who has been declared mentally incompetent shall not own or have in his possession or under his custody or control any dangerous weapon as defined in this section. Any person who violates this section is guilty of a class B misdemeanor.

**I.** Possession of dangerous weapon by minor. A minor under the age of eighteen may not possess a dangerous weapon as defined herein unless he has the permission of his parent or guardian to have such weapon or is accompanied by parent or guardian while he has such weapon in his possession. In any event, any minor who is under the age of fourteen years must be accompanied by a responsible adult.

**R.** Alteration of number or mark on pistol or revolver. Any person who changes, alters, removes, or obliterates the name of the maker, model, manufacturer's number, or other marks of identification, including any distinguishing number or mark assigned by the bureau, on any pistol or revolver, without first having secured written permission from the bureau to make the change, alteration or removal, shall be guilty of a class B misdemeanor.

## **Milford Code of Ordinances**

Current through Ordinance 07-2022, enacted April 19, 2022.

### **Title 9 – Public Peace and Safety**

#### **Chapter 9.03 – Weapons**

##### **Section 9.03.040. Minors sale to prohibited.**

It shall be unlawful for any person, firm or corporation to give or to sell or to furnish to any minor under the age of fourteen (14) years, any pistol, gun, target gun or other firearm or air gun.

##### **Section 9.03.050. Sale of firearms to be recorded - Purchaser to register weapon.**

**1.** It shall be unlawful for any firm, business or person who buys or sells more than five (5) guns a year to sell, loan or give away any pistol, revolver, rifle, shotgun or similar weapon, without first making a complete written record containing an account of each and every transaction, which record shall be legible, written in the English language at the time of the transaction and shall set forth the following information:

- a.** The date, time of day.
- b.** The name, date of birth, full description of the person, address, city and state (to be printed)
- c.** An accurate description of the weapon, make, model, barrel length of handguns, serial number and caliber (to be printed).
- d.** The number of the sales ticket.

**2.** The seller shall make out in connection with each weapon sold, loaned or given away a separate serially numbered registration slip.

**3.** Each registration slip shall have three (3) parts; first slip for the police, second to be kept by the firm or business and the third for the person who received the weapon.

**4.** At time of sale, loan or gift of any weapon, the seller shall require identification having a photograph of the receiver (i.e. driver's license with photograph attached).

**5.** All records or register of sales shall be open at all times to the inspection of the chief of police or his representative, and it shall be the duty of any person making such sale, loan or delivery of any such article or thing to deliver to the chief of police or his representative a copy of the register required to be kept, showing the transaction with regard to such articles. Any purchaser of a pistol, revolver, gun or similar weapon must register the same with the police department. (The registration by the purchase will be fulfilled if the weapon is sold or given away by a firm or business and the registration slip is filled out completely).

- 6.** On each registration slip, the seller shall show the firm or business name and also the signature of the salesman. The seller shall also have the receiver or buyer sign the registration slip, along with his or her address, city and state.
- 7.** It shall be unlawful for any person, firm or business hereunder to knowingly sell, loan or give away a weapon or make a transaction with any intoxicated person, person under the influence of drugs, any convicted felon or any insane or incompetent person.
- 8.** A firm, business or the person regulated hereunder is liable for any and all acts of his employees in violation of this chapter.

**Morgan County Code of Ordinances**  
Current through Ordinance 20-15, passed October 20, 2020.

**Title 8 – Land Use Regulations**  
**Chapter 5 – Zoning Districts Established**

**Section 8-5C-3. Use regulations.**

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the commercial and industrial districts, except as provided in this article. Accessory uses and buildings customarily incidental to uses authorized by conditional use permit in any district are also authorized by issuance of a conditional use permit in any such district. "Temporary uses", as defined in section 8-2-1 of this title, are authorized in any district upon issuance of a conditional use permit for the same. All uses prohibited except as stated in the use table.

- C1 - CUP Zoning Administrator
- C2 - CUP Planning Commission
- C3 - CUP County Council
- P – Permitted

	CB	NC	CC	C-S	GC	HC	BP	TPC	MGC	PC	LM	I
Manufacturing												
Ammunition and Mines Manufacturing	-	-	-	-	-	-	-	C2	-	-	C2	C2

**Mt. Pleasant Code of Ordinances**  
Current through Ordinance 2015-02, enacted May 12, 2015.

**Title 5 – Public Safety**  
**Chapter 5.06 – Crimes and Offenses**

**Section 5.06.030. Firearms and weapons.**

Sale To Minor Unlawful: It is unlawful for any person, firm or corporation to give, sell or furnish to any minor under the age of fourteen (14) years, any firearm, air gun, rubber flipper, bow and arrow, or any other such type instrument designed to propel or throw missiles.

**Title 10 – Zoning Regulations**  
**Chapter 10.10 – Commercial Zones**  
**10.10.030 – C-H Historic Commercial Zone**

**Section 10.10.030.5. Conditional uses.**

The following uses and structures are permitted in the C-H zone only after a conditional use permit has been issued by the planning commission, and subject to the terms and conditions thereof:  
Gunsmith.

**Murray City Code of Ordinances**  
Current through Ordinance 22-19, passed April 19, 2022.

**Title 17 – Zoning**  
**Chapter 17.173 – Business Park District B-P**

**Section 17.173.030. Conditional uses.**

A. The following uses and structures are permitted in the B-P Zone only after a conditional use permit has been approved by the Planning Commission and subject to the terms and conditions thereof:

Use No.	Use Classification
3415	Small arms.
3416	Small arms ammunition (30 mm or less).

**North Logan Code of Ordinances**

Current through March 23, 2022.

**Title 15 – Criminal Code**

**Chapter 15-600 – Offenses Against Public Health, Safety, Welfare and Morals**

**Section 15-629. Weapons definitions.**

For the purpose of this section:

**"Dangerous weapon"** means a firearm or any other 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 shall be determinative.

**"Firearms"** means a pistol, revolver, shotgun, sawed-off shotgun, rifle or sawed-off rifle, or any device that could be used as a dangerous weapon from which is expelled a projectile by action of an explosive. Also includes a bow with over 40 pounds draw.

**"Sawed-off shot gun"** means a shotgun having a barrel or barrels of less than eighteen inches in length, or in the case of a rifle, having a barrel or barrels of less than sixteen inches in length, or any weapon made from a rifle or shotgun (whether by alteration, modification or otherwise) if the weapon as modified has an overall length of less than 26 inches.

**Section 15-635. Possession of dangerous weapon by minor.**

A minor under the age of eighteen may not possess a dangerous weapon as defined herein unless he has the permission of his parent or guardian to have such weapon or is accompanied by parent or guardian while he has such weapon in his possession. In any event, any minor who is under the age of fourteen years must be accompanied by a responsible adult.

**Section 15-641. Hand gun dealers' records.**

All dealers who sell hand guns shall cause a record form, provided by the State Bureau of Criminal Identification, to be filled out in triplicate. The dealer shall retain one copy and forward the original and one copy to the Chief of Police of this municipality within ten days of the date of sale. The Chief of Police shall, within ten days of receipt of the original and the copy, forward the original to the State Bureau of Identification. A violation of this section is an infraction.

**Section 15-643. Alteration of number or mark on pistol or revolver.**

Any person who changes, alters, removes, or obliterates the name of the maker, model, manufacturer's number, or other marks of identification, including any distinguishing number or mark assigned by the bureau, on any pistol or revolver, without first having secured written permission from the bureau to make the change, alteration or removal, shall be guilty of a Class B misdemeanor.

**North Ogden Code of Ordinances**

Current through Ordinance 2022-07, enacted March 22, 2022.

**Title 11 – Zoning Regulations**

**Chapter 11-8 – Commercial and Manufacturing Zones**

**Article A – Commercial Zones C-1, C-2**

**Section 11-8A-7. Uses.**

In the following list of uses:

Uses designated with a "P" are permitted uses;

Use designated with a "C" shall be conditional uses, which shall not be established or maintained unless authorized by a conditional use permit as described in CCNO 11-14.

	C-1	C-2
Gunsmith	C	P

**Chapter 11-16 – Home Occupations**

**Section 11-16-2. Permitted home occupations.**

**A. Home Occupations Permitted**

- 8. Firearm Sales provided that the applicant can demonstrate they have a federal firearms license and have secure gun storage.
- 9. Gun repair provided no gun manufacturing is part of this activity.

**North Salt Lake Code of Ordinances**

Current through Ordinance 2022-01, passed April 5, 2022.

**Title 3 – Business and License Regulations  
Chapter 6 – Swap Meets and Flea Markets**

**Section 3-6-3. Sales subject to law.**

All sales shall be in accordance with law. No sales of firearms, pyrotechnics, ammunition, explosives, alcoholic beverages or medicines shall be made by daily sellers on the swap meet licensee's premises. "Firearms" mean pistols, revolvers, sawed off shotguns or sawed off rifles, and/or any device which could be used as a weapon from which is expelled a projectile by any force. No seller under the age of eighteen (18) shall be entitled to sell or dispose of goods at the swap meet without the written notarized permission of his parents or legal guardian.

**Ogden Code of Ordinances**

Current through Ordinance 2022-35, passed July 5, 2022.

**Title 5 – Business Taxes, Licenses and Regulations  
Chapter 13 – Peddlers, Solicitors and Vendors  
Article C – Swap Meets**

**Section 5-13C-7. Rules and regulations.**

**A. Restricted Items:** No sales of firearms, pyrotechnics, ammunition, explosives, alcoholic beverages, pornography, medicines, drinks or food shall be made by daily sellers of the swap meet licensee's premises; except the sale of food and drink prepared on the premises where the seller thereof has applied for and obtained the necessary county health department permits and snack bar or restaurant business license; or where such sale of food and drink only involves packaged or canned goods obtained from another licensed and regulated business.

**Title 15 – Zoning Regulations**

**Chapter 23 – Manufacturing Zones – Special Regulations**

**Section 15-23-5. Special requirements for specific uses in the manufacturing zones.**

**O. Outdoor Gun Ranges:** An outdoor gun range shall meet the conditions of this section in addition to any other conditions that may be required by a conditional use permit.

**1. Operational Standards:**

**c.** No retail sales or repair of firearms shall be permitted as an accessory use to an outdoor gun range, except as part of a special event;

**Perry Code of Ordinances**

Current through Ordinance 22-J, enacted on August 25, 2022.

**Title 15 – Land Use  
Chapter 15.05 – Land Use Authorities and Appeal Authorities  
15.05.070 – Perry City Land Use Charts**

**Section 15.05.070.7. Commercial Uses.**

Commercial Uses	A	AL	R 1 A	RE 1/2	R 1/2	R 1/3	R1	R2*	ES	C	C1	IC	NC2	NC3	MU- C	MU- O	MU- R	M/I L	M/I
Firearms Retail/Repair (See Note #2)*	C	C	C	C	C	C	C	C	~	P*	P*	P*	P*	P*	P*	~	~	~	~

\*Notes-see PMC 15.07.100.4

P\*- Use Permitted by Design Review

C-Conditional Use

P- Use Permitted in Zone

~ Use not Permitted

**Chapter 15.07 – Zoning, Including Procedures, Land Use Chart, Area Requirements, and Zoning Maps**

**15.07.100 – Land Use Chart**

**Section 15.07.100.4. Additional information ("notes") regarding land use chart.**

The following is additional information regarding the land use chart:

**1.** Sale of firearms and alcohol shall not be permitted within 1000 feet of any school or place of worship. A hotel or motel may have an "on premises" consumption of alcohol use that does not require more than seven percent (7%) of the floor space of the hotel or motel. Restaurants with "on premises" consumption of alcohol use are also permitted by conditional use in certain zones, as per the land use chart. Other than for a hotel/motel or a restaurant, as designated on the Land Use Chart, "on premises" consumption of alcohol is not available for any other business in any zone. No "on premises" alcohol business shall be permitted until a specific "on premises" alcohol business license ordinance has been adopted.

**Provo Code of Ordinances**  
Current through December 2020.

**Title 14 Zoning**

**Chapter 14.47. SSC - Specialty Support Commercial Zone**

**Section 14.47.020 Permitted Uses.**

(3) Permitted Principal Uses. The following principal uses and structures, and no others, are permitted in the SSC zone:

Use No.	Use Classification
5950	Sporting goods (excluding firearms and ammunition), bicycles and toys

**Richmond Code of Ordinances**

Current through Ordinance 2022-09, adopted July 12, 2022.

**Title 13-000 – Police Department**

**Chapter 13-1000 – Offenses Against Public Health, Safety, Welfare and Morals**

**Part 13-1015 – Weapons**

**Section 13-1050-3. Possession of dangerous weapon by convicted person, drug addict, or mentally incompetent person prohibited.**

Any person who is not a citizen of the United States or any person who has been convicted of any crime of violence under the laws of the United States, the State of Utah, or any other state, government, or country, or who is addicted to the use of any narcotic drug, or any person who has been declared mentally incompetent shall not own or have in his possession or under his custody or control any dangerous weapon as defined in this part. Any person who violates this section is guilty of a class B misdemeanor.

**Section 13-1050-9. Possession of dangerous weapon by minor.**

A minor under the age of eighteen may not possess a dangerous weapon as defined herein unless he has the permission of his parent or guardian to have such weapon or is accompanied by parent or guardian while he has such weapon in his possession. In any event, any minor who is under the age of fourteen years must be accompanied by a responsible adult.

**Riverdale Code of Ordinances**

Current through Ordinance 942 and Resolution 2022-29, , passed August 16, 2022.

**Title 30 – Business and License Regulations**

**Chapter 6 – Swap Meets**

**Section 3-6-4. Rules, regulations and requirements.**

A. Restricted Items: No sales of firearms, pyrotechnics, ammunition, explosives, alcoholic beverages, food (except fresh produce), drinks, pornography or medicines, shall be made by daily sellers on the swap meet licensee's premises.

**Smithfield Code of Ordinances**

Current through Ordinance 22-18, adopted September 14, 2022.

**Title 17 – Zoning Regulations**

**Chapter 17.120 – Use Matrix Table**

**Section 17.120.010. Use allowance matrix.**

The following uses shall be designated as AC, "administrative conditional"; C, "conditional"; or P, "permitted"; (dash -), "not allowed".

Table 17-1 Use Allowance Matrix

Zoning Districts	CB	CC	GC	M-1	A	RA	R-1	I-1	Gateway Overlay	Mixed-Use Overlay
Retail or related uses:										
Gun shop	C	C	C	-	-	-	-	-	C	C

**South Salt Lake Code of Ordinances**

Current through Ordinance 2022-12, enacted May 25, 2022. (Supp. No. 58)

**Title 5 – Business Licensing**

## Chapter 5.01 – Definitions

### Section 5.01.010. Definitions.

For the purpose of this Title the following terms shall have their prescribed meanings: "**Secondhand dealer**" means any person who keeps a store, office or place of business for the purchase, barter or exchange or sale of any secondhand merchandise of value, or who engages in the business of dealing in secondhand goods. A secondhand dealer does not include any person who deals in the purchase, barter, exchange, or sale of used motor vehicles and trailers, or buys or sells fewer than five (5) firearms per year.

## Chapter 5.09 – Pawnbrokers and Secondhand Dealers

### Section 5.09.020. License required.

It is unlawful for any person to operate as a secondhand dealer, secondhand precious metal and/or precious gem dealer, junk dealer, junk collector, antique dealer, coin dealer, processor or pawnbroker, without first obtaining a license to do so. A separate license shall be required for each location and for the conduct of the business of a dealer.

## Spanish Fork Code of Ordinances

Current through Ordinance 32-22, Adopted September 6, 2022

### Title 5 – Business Licenses

#### Chapter 5.04 – Business Licenses

### Section 5.04.130. Multiple Licenses.

Any person, business, corporation or other entity carrying on business within the City who is required to have any other type of license by local, state, or federal law shall be required to obtain a business license in addition to the other required license(s), including beer or alcohol license, federal firearm license, and/or other similar licenses.

## Chapter 5.20 – Pawnbrokers

### Section 5.20.040. Firearms.

Any pawnbroker accepting and reselling firearms must have a federal firearms permit. Any pawnbroker violating this provision shall have his license revoked. Any pawnbroker accepting or reselling firearms is required to produce the federal firearms permit upon request of any law enforcement officer of the City.

### Section 5.20.100. Protection of minors.

It is unlawful for any pawnbroker to sell or trade any gun, or knife with a blade in excess of four inches long to any person under the age of eighteen years, unless the person is accompanied by their legal guardian or parent.

## Title 15 – Land Use

### Part 3 – Comprehensive Zoning Ordinance

#### Chapter 15.3.16 – Zoning District Regulations

### Section 15.3.16.130. I-2 Medium Industrial.

This district is intended to provide for employment related uses including light manufacturing, assembling, warehousing, and wholesale activities. Associated office and support commercial uses are allowed. Uses that emit moderate amounts of air, water, or noise pollution may be considered as conditional uses. Residential uses are not allowed.

#### A. Permitted Uses:

8. Manufacturing and Assembly of finished products except animal fats and oils, ammunition, and those manufacturing uses listed as conditional uses.

## Taylorsville Code of Ordinances

Current through Ordinance 22-08, passed August 17, 2022.

### Title 5 – Business Licenses and Regulations

#### Chapter 5.79 – Secondhand, Coin and Junk Dealers

### Section 5.79.010. Definitions.

For the purpose of this chapter, the following words shall have the meanings as defined in this section:

**Secondhand Dealer:** Any person who keeps a store, office or place of business for the purchase, barter or exchange or sale of any secondhand merchandise of value, or who engages in the business of dealing in secondhand goods. For the purpose of this section, a "secondhand dealer" shall not include any persons who deal in the purchase, barter, exchange or sale of used motor vehicles and trailers, but shall include any person who buys or sells five (5) or more firearms per year or buys or sells five (5) or more compact discs or DVDs per year.

**Section 5.79.030. License required.**

It is unlawful for any person to operate as a secondhand dealer, secondhand precious metal and/or precious gem dealer, junk dealer, junk collector, antique dealer, coin dealer, or processor, without first obtaining a license to do so. A separate license shall be required for each location and for the conduct of the business of a dealer.

**Wasatch County Code of Ordinances**

Current through Ordinance 22-18, adopted August 17, 2022.

**Title 11 – Business Licenses and Regulations**

**Chapter 11.07 – Secondhand Dealer and Pawnbroker**

**Section 11.07.01. Definitions.**

For purposes of this chapter:

**Secondhand Dealers:** Any person who keeps a store, office or place of business for the purchase, barter or exchange or sale of any secondhand merchandise of value, or who engages in the business of dealing in secondhand goods. A secondhand dealer shall not be meant to include any person who deals in the purchase, barter, exchange or sale of used motor vehicles and trailers, but shall include any person who buys or sells five (5) or more firearms per year.

**Section 11.07.02. License required.**

**A.** It shall be unlawful for any person to operate as a secondhand dealer, secondhand precious metal or precious gem dealer, junk dealer, junk collector, an antique dealer, coin dealer, processor or pawnbroker without first obtaining a license under this chapter.

**B.** A separate license shall be required for each location in or from which business is conducted or transacted.

**C.** No person licensed under this chapter as a secondhand dealer shall purchase, barter, exchange or sell any secondhand merchandise other than that of the same type and character for which he or she is licensed.

**Wellsville Code of Ordinances**

Current through Ordinance 2021-09, passed November 3, 2021.

**Title 5 – Public Safety**

**Chapter 3 – Crimes and Offenses**

**Section 5-3-4. Hunting, firearms discharge, trapping.**

**A.** Definitions: For purposes of this section:

**Dangerous Weapon:** As defined in Utah state code 76-10-501.

**Firearm:** As defined in Utah state code 76-10-501.

**D.** Possession of a Dangerous Weapon by Minor: As defined in Utah state code 76-10.

**West Haven Zoning Code**

Current through Ordinance 13-2022, passed July 6, 2022.

**Chapter 22 – Commercial Zones C-1, C-2, C-3**

**Section 22.10. Uses.**

In the following list of possible uses those designated in any zone as:

"P" - will be a Permitted Use.

"C" - will be allowed only when authorized by a Conditional Use Permit obtained as provided in WHZC Chapter 34.

	C-1	C-2	C-3
G			
Gunsmith	C	P	P

**West Valley Code of Ordinances**

Current through Ordinance 22-32, passed August 23, 2022.

**Title 21 – Criminal code**

**Chapter 21-5 – Miscellaneous Offenses**

**Section 21-5-101. Unlawful acts on or about school premises.**

(1) As used in this Section:

a. **“Dangerous weapon or facsimile thereof”** is defined as provided in Section 76-1-601, Utah Code Annotated 1953, as amended.

b. **“On or about school premises”** means any of the following:

i. In a public or private elementary or secondary school or on the grounds of any of those schools;

ii. In a public or private vocational school or post-secondary institution or on the grounds of any of those schools or institutions;

iii. In those portions of any building, park stadium, or other structure or grounds which are, at the time of the act, being used for an activity sponsored by or through a school or institution under subsections (1)(b)(i) and (ii) above;

iv. In or on the grounds of a preschool or childcare facility; and

v. Within 1,000 feet of any structure, facility, or grounds included in subsections (1)(b)(i), (ii), (iii), and (iv) above.

(2) It shall be unlawful for any person to:

f. Be in possession, on or about school premises, of any dangerous weapon or facsimile thereof and thereby cause alarm, disturbance, annoyance, or injury to any person.