Garfield County, Utah
Emergency Order 2020-1

AN EMERGENCY ORDER AUTHORIZED UNDER U.C.A 17-53-208 (6) IMPOSING TEMPORARY AND EMERGENCY RESTRICTIONS ON RECREATIONAL ACTIVITIES AT HIGH DENSITY RECREATIONAL AREAS ON PUBLIC LANDS IN GARFIELD COUNTY, UTAH DUE TO THE THREAT OF THE CORONAVIRUS DISEASE (COVID-19)

WHEREAS, on January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern; and

WHEREAS, the spread of COVID-19 constitutes an imminent public health hazard that threatens and presently endangers the health, safety and welfare of the residents of all municipalities and counties within the State of Utah; and

WHEREAS, the President of the United States has declared a National Emergency as a result of the COVID-19 pandemic; and

WHEREAS, on March 6, Governor Gary Herbert issued an Executive Order declaring a State of Emergency due to infectious disease COVID-19 Novel Coronavirus, which Executive Order is incorporated fully herein; and;

WHEREAS, the continuing spread of COVID-19 requires the adoption of additional measures to flatten the curve of the disease and protect the health and safety of all residents and visitors of Garfield County; and

WHEREAS, since the declaration of the declaration of a National Emergency and the Utah State of Emergency, the number of COVID-19 cases has continued to grow; and

WHEREAS, confirmed cases of the virus have spread to Garfield and Kane Counties; and

WHEREAS, due to the ongoing COVID-19 health emergency, it is necessary to implement additional measures, including but not limited to those directed at places of public gathering, in order to flatten the curve of the spread of COVID-19; and

WHEREAS, lands in Garfield County are known throughout the world and particularly in Utah as premier recreational destinations; and

WHEREAS, Garfield County experiences a large influx of visitors from northern Utah and out of state, particularly in April and May due to warmer spring weather and school vacations; and

WHEREAS, many of the nearby counties have imposed restrictions on camping and/or travel from outside of the respective county, which will result in an increase in demand for recreational opportunities offered by Garfield County; and

WHEREAS, State Parks are limiting their use to residents from within the same county as the State Park which will further increase the demand for other areas in Garfield County; and

WHEREAS, Garfield Memorial Hospital has limited capacity to respond to a significant viral outbreak which could occur under present circumstances; and

WHEREAS, a significant increase in demand on the medical services at Garfield Memorial Hospital would cause a significantly increased risk of harm to the citizens and visitors of Garfield County as the number of COVID-19 cases in Utah is continuing to increase; and

WHEREAS, limiting the use of high-density recreational areas on public lands will severely limit the number of potentially contagious interactions and is intended to discourage high risk recreational contacts; and

WHEREAS, on March 27, 2020 the Governor issued a "Stay Home, Stay Safe" directive to help protect Utahns during the COVID-19 pandemic, which specifically recommends that all travel be limited to essential travel but has no force of law to limit the travel; and

WHEREAS, the provisions of this Emergency Order have been discussed with the Executive Director of the Southwest Utah Health Department, the Garfield County Sheriff, the Garfield County Attorney, and other federal, state and local officials; and

WHEREAS, concurrence for the need of additional measures contained in this Order has been obtained; and

WHEREAS, County legislative body with the cooperation of the Sheriff have the obligation to take necessary measures to stop the spread of this pandemic, including but not limited to novel measures previously not undertaken, and

WHEREAS, the following measures are deemed necessary to protect the health, safety, welfare and lives of the residents and visitors of Garfield County, Utah, and

WHEREAS, the County Commission finds that this ordinance is necessary for the immediate preservation of the peace, health, safety or well-being of the county and the county's inhabitants and should therefore be effective immediately; and

WHEREAS, the legislative authority for this ordinance is granted in Utah State Code, §17-53-201 et. al. and § 17-53-208(6);

NOW THEREFORE, THE COUNTY LEGISLATIVE BODY OF GARFIELD COUNTY, STATE OF UTAH, ORDAINS AS FOLLOWS:

1. The Garfield County Commission, the County Sheriff and the County Attorney concurring, acting under the provisions of U.C.A 17-53-208 (6), deem this ordinance necessary for the immediate preservation of the peace, health, or safety of the county and the county's inhabitants.
2. No person or group of persons totaling 10 or more shall congregate in a manner that permits the likely transmission of the COVID-19 Virus.
3. The following areas of Garfield County are closed to recreational activity:
    a. Upper and Lower Calf Creek Falls and associated campgrounds;
    b. Deer Creek Campground;
    c. All Escalante River Canyons, including tributaries;
    d. Devil's Rock Garden;

e. Zebra Slot Canyon;
f. Burr Trail Sites (Long Canyon Slots, Big Pine Camp Area, the Gulch, etc.)
g. Irish Canyons, including Sandthrax Camping Areas
h. Hog Springs Canyon
i. Star Springs Campground
j. North Wash
k. Ticaboo/Bullfrog Camping Areas
l. Strike Valley
m. Upper and Lower Muley Twist
n. Halls Creek
o. Any other high-density recreational site where, in the judgement of local law enforcement, proper social distancing cannot be achieved

4. Camping or hiking on public lands in Garfield County may be allowed when:
   a. Lands are otherwise available for the desired recreational activity
   b. Groups are limited to 10 or fewer or immediate family members only, whichever is less
   c. Campsites are grouped no closer than 660 ft. (approximately 1 city block)
   d. Hikers separate themselves at least 12 ft. from persons not in their group and do not engage in social interaction that could risk transmission of COVID-19
5. Recreationists in Garfield County shall comply with the orders of Garfield County law enforcement personnel, when, in the opinion of the law enforcement officer, activities may contribute to the spread of COVID-19.
6. The Garfield County Commission, after consultation with the Garfield County Sheriff, the Garfield County Attorney, and the appropriate land manager, may designate by Executive Order other Recreation Areas for restrictions. Any such Order shall be posted in accordance with U.C.A. 17-53-208(6) and shall be filed with the County Clerk.
7. Any person who knowingly violates this ordinance is guilty of a class B misdemeanor.
8. This Order shall be effective immediately and shall continue until revoked by Executive Order of the Commission Chair.
9. The County Sheriff, where allowed by law, is authorized to place appropriate signage to encourage compliance with this ordinance. The County Sheriff is encouraged to work with the responsible land managers to coordinate appropriate signage on federally managed lands.
10. The County Emergency Manager and the Office of Tourism Director are directed to disseminate this ordinance to the public along with messaging that strongly encourages individuals to delay their travel to Garfield County until state and federal guidelines lift non-essential travel recommendations.
11. This Order shall be deposited in the Office of the County Clerk, and shall take effect immediately upon publication in a newspaper published in and having general circulation in Garfield County or posting on the Courthouse door, whichever occurs first.
12. Nothing in this Order prevents authorized use by livestock operators and miners from acting in accordance with their permits.
13. The County Clerk is directed to publish:

a. For at least one publication in a newspaper of general circulation in the county, or as otherwise permitted and required by Utah State Law
    i. A short summary of this Order with the name of the members voting for and against;
    ii. A statement that a complete copy of the Order is available at the Office of the County Clerk; and
b. A complete copy of the Order on the Garfield County Website.

ADOPTED this 9th day of April 2020.

Leland F. Pollock, Chair
Board of Commissioners
Garfield County

ATTEST:

Camille A. Moore
Garfield County Clerk

Commissioner Pollock voted Aye
Commissioner Tebbs voted Aye
Commissioner Taylor voted Aye