

**KANE COUNTY EXECUTIVE ORDER NO. E 2020 – 08**

AN EXECUTIVE ORDER SUSPENDING ENFORCEMENT OF ORDINANCE NO. O 2020-10 REGARDING NON-COUNTY RESIDENTS USING PUBLIC LANDS SO LONG AS THERE IS DAY USE ONLY IN HIGH DENSITY RECREATION AREAS.

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

**WHEREAS**, on March 18, Lamont Smith issued an Executive Order declaring a local state of emergency due to infectious disease COVID-19 Novel Coronavirus; and

**WHEREAS**, on April 7, the Kane County Commission through Kane County Resolution No. R 2020-09, extended the declaration of a local emergency through May 1; and

**WHEREAS**, Kane County has seen three cases of COVID-19 which all appear to be travel related; Kane County remains vigilant of the threat that COVID-19 poses to the health and safety of the residents of Kane County; and

**WHEREAS**, on April 7 the Kane County Commission adopted Kane County Ordinance No. O 2020-10 (Ordinance) which, among other things, prohibits non-county residents from recreating on public lands; and

**WHEREAS**, the Kane County Hospital has limited resources that are strained due to recreational travel under normal circumstances; and

**WHEREAS**, a significant increase in demand on the medical services of the Kane County Hospital would cause a significantly increased risk of harm over the next few weeks and months as they anticipate the number of COVID-19 cases in Kane County continuing to increase; and

**WHEREAS**, now that the Easter holiday has passed it appears that a total restriction on non-residents may no longer be necessary and instead limiting high density recreational areas on public lands to “day use only” will be sufficient to limit the number of travelers and will discourage many high risk recreational activities, effectively protecting the medical services at the hospital; and

**WHEREAS**, the most common high-density recreational areas are the Wirepass Trailhead, Dry Fork Trailhead and its associated slot canyons, Elephant Cove Trailhead, Hog Canyon, Dry Lake Bed Trailhead, and Peekaboo slot canyon; and

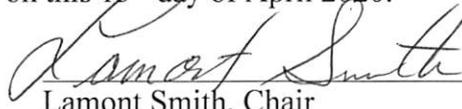
**WHEREAS**, the authorization for this executive order is found in Utah Code §53-2a-209 and Kane County Resolution No. R 2020-09.

**NOW THEREFORE, I, LAMONT SMITH, CHAIR OF THE KANE COUNTY COMMISSION, STATE OF UTAH, HEREBY ORDER AS FOLLOWS:**

1. Definitions.

- a. Day Use: use of a facility or area for recreational purposes only during the time beginning thirty minutes before sunrise until thirty minutes after sunset, specifically no camping or other similar type of overnight usage.
  - b. High-Density Recreation Area: any unincorporated area, other than private property, where camping and other recreational activities occur, where it is common to have groups larger than ten individuals that are located closer than within fifty yards of each other.
2. Enforcement for the provisions of Section 2 of Kane County Ordinance No. O 2020-10 are suspended regarding non county residents so long as the other sections of this Order are complied with. This Executive Order allows non-residents to use public lands but restricts certain High-Density Recreation Areas to day use only, as set forth below and retains the distancing requirements for primitive camping.
3. Day Use Only Recreation Areas.
  - a. The following areas of Kane County are open for Day Use only: Wirepass Trailhead, Dry Fork Trailhead and its associated slot canyons, Elephant Cove Trailhead, Hog Canyon, Dry Lake Bed Trailhead, and Peekaboo slot canyon.
  - b. All other known High-Density Recreation Areas are open for Day Use only.
  - c. This order may be updated, after consultation with the BLM Paria River District Manager, to designate other areas of Kane County as High-Density Recreation Areas, which are open for Day Use only.
4. Primitive Camping. Over-night camping that is otherwise allowed in other areas of Kane County is allowed so long as any single group is limited to ten people or a single household and each group is located at least 50 yards away from any other group.

**IN WITNESS WHEREOF**, I execute this order on this 13<sup>th</sup> day of April 2020.

  
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Lamont Smith, Chair  
Board of Commissioners  
Kane County

ATTEST

  
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KARLA JOHNSON  
Kane County Clerk

*Deputy*