

KANE COUNTY EXECUTIVE ORDER NO. E 2020 – 07 AMENDED

AN AMENDED EXECUTIVE ORDER SUSPENDING ENFORCEMENT OF KANE COUNTY ORDINANCE NO. O 2020-10 REGARDING CURRENT RESIDENTS OF FREDONIA AND PREVIOUSLY ISSUED BLM PERMIT HOLDERS.

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, residents of Fredonia, although not residents of Kane County, are members of the same community as the majority of Kane County residents and should be treated as Kane County residents for the purposes of the Ordinance; and

WHEREAS, the BLM Paria River District Office has asked for clarification regarding previously issued permits, specifically permits for the Coyote Buttes North and South areas, the North area commonly referred to as the Wave, and is requesting that these small number of permit holders be allowed under the Ordinance; 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. Enforcement for the provisions of Sections 2 and 3 of Kane County Ordinance No. O 2020-10 are suspended regarding current residents of Fredonia, AZ and residents of the areas immediately surrounding Fredonia, AZ. For all intents and purposes of the Ordinance, residents of Fredonia, AZ and the immediate surrounding areas shall be treated as if they were current residents of Kane County.

2. Enforcement for the provision of Section 2 of Kane County Ordinance No. O 2020-10 is suspended regarding non-county residents who hold a permit issued by the BLM for the Coyote Buttes North and South areas and other areas within the Paria Canyon Vermillion Cliffs Wilderness Special Management Areas so long as the permit was issued prior to April 8, 2020, the non-county resident permit holder accesses public lands only for the recreation allowed by the permit, and the non-county resident permit holder engages in all state recommended guidelines for social distancing, specifically including but not limited to the guidelines of staying at home if the person is sick or has any symptoms of COVID-19, has been exposed to a person with COVID-19 within the last fourteen days, or has tested positive for COVID-19.

IN WITNESS WHEREOF, I execute this order on this 8th day of April 2020.



Lamont Smith, Chair
Board of Commissioners
Kane County

ATTEST:



Karla Johnson Deputy
KARLA JOHNSON
Kane County Clerk