

RESOLUTION NO. _____

DATE: _____

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL
DESIGNATING RECREATIONAL AREAS IN THE WASATCH CANYONS,
INCLUDING AREAS PREVIOUSLY APPROVED BY THE COUNCIL, AS
WELL AS PARLEY’S CANYON AND THE UNINCORPORATED AREAS OF
EMIGRATION CANYON, FOR THE POTENTIAL FUNDING OF PUBLIC
SAFETY SERVICES; PROVIDING FOR THE USE OF COUNTY GENERAL
FUNDS TO SUPPORT SUCH PUBLIC SAFETY SERVICES; REPEALING
SALT LAKE COUNTY COUNCIL RESOLUTION NO. 5644 TO REMOVE
THE TOWN OF BRIGHTON FROM THE RECREATIONAL AREA
EFFECTIVE JANUARY 1, 2025; ESTABLISHING THE BOUNDARIES OF
THE AREAS; AND ADOPTING RELATED MATTERS

WHEREAS, the Salt Lake County Council, as the legislative body for Salt Lake County,
is responsible for allocation of funds within the County budget; and

WHEREAS, providing and funding County services outside municipalities is governed
by Utah Code Ann. § 17-34-1, which mandates that, for most purposes, county services in
unincorporated areas must be funded from moneys derived from those unincorporated areas; and

WHEREAS, an exception to this requirement permits a county legislative body to elect to
decide (at its sole discretion) to provide fire, paramedic, and police patrol services (“public safety
services”) and fund those services from the county general fund, in any area of the county
designated as a “recreational area” in accordance with the requirements of Utah Code Ann. § 17-
34-1(5); and

WHEREAS, such funding is permissive and not mandatory, subject to budgetary
availability, and dependent upon annual appropriations; and

WHEREAS, in order to use county general funds for public safety services as described,
the Salt Lake County Council (“Council”), acting as the county legislative body, may designate a
Recreational Area in a location upon a finding that the area meets certain specified conditions;
and

WHEREAS, on October 8, 2019, the Council approved Resolution No. 5644, designating certain areas of the Wasatch Canyons as a recreational area for the purposes established by Utah Code Ann. § 17-34-1(5), as more fully described and adopted therein; and

WHEREAS, on October 10, 2023, the Council approved Resolution No. 6148, which designated additional western, unincorporated canyon areas of Salt Lake County as a recreational area for the purposes established by Utah Code Ann. § 17-34-1(5), as more fully described and adopted therein; and

WHEREAS, Utah Code Ann. § 17-34-1(5)(d) provides that “a county legislative body may determine that fire, paramedic, and police protection services within a municipality that is located in an area designated as a recreational area . . . may be funded with county general funds if the county legislative body makes a finding that a disproportionate share of public safety service needs within the municipality are generated by residents of the county who live both inside and outside the limits of cities and towns,” and

WHEREAS, the Council now desires to designate additional unincorporated areas of Salt Lake County’s eastern Wasatch Canyons as a recreational areas for the purposes established by Utah Code Ann. § 17-34-1(5), as more fully described below and in the accompanying map; and

WHEREAS, the Council finds these areas to be statutorily eligible for designation as recreational areas for the reasons more fully described below; and

WHEREAS, the Council finds that designating these additional portions of Salt Lake County as recreational areas, as described in this resolution, is in the best interests of all residents of Salt Lake County; and

WHEREAS, Council Resolution No. 5644 designated the future Town of Brighton as a part of the initial recreation area defined and designated for budgetary purposes in accordance

with the requirements of Utah Code Ann. § 17-34-1(5)(d), thereby allowing Salt Lake County to lawfully budget general fund moneys for the purpose of providing certain and defined public safety services within the boundaries of Brighton; and

WHEREAS, on May 23, 2023, the Council approved Resolution No. 6105, which resolution provided, in part, that “the Council hereby provides notice that it intends to continue providing county general funds to the Unified Fire Authority for the purpose of mitigating public safety service needs within the Town of Brighton in a manner consistent with Utah Code Ann. § 17-34-1(5)(d). The Council intends to provide such funding for the remainder of Salt Lake County’s 2023 fiscal year, as well as for Salt Lake County’s 2024 fiscal year, but may cease providing such funds after December 31, 2024,” and

WHEREAS, the Council now finds it expedient to communicate its intent to cease providing county general funds to the Unified Fire Authority for the purpose of mitigating public safety service needs within the Town of Brighton after December 31, 2024, and to formally withdraw the Town of Brighton as a recreational area designated for budgetary purposes under Utah Code § 17-34-1(5)(d); and

WHEREAS, the Council also now finds it expedient to formally restate and readopt the complete boundaries of the recreational areas that shall be recognized by Salt Lake County for budgetary purposes effective as of January 1, 2025;

NOW THEREFORE, be it resolved by the Salt Lake County Council, acting as the legislative body for Salt Lake County:

- 1) Salt Lake County Council Resolution No. 5644, approved October 8, 2019, is hereby repealed, effective December 31, 2024.
- 2) The Council hereby designates certain recreational areas for the purpose of having the

ability to fund public safety services with general fund moneys, as described herein.

- 3) The recreational areas designated by this resolution shall include the following unincorporated areas of Salt Lake County's eastern Wasatch Canyons: portions of Little Cottonwood Canyon, Big Cottonwood Canyon, Millcreek Canyon, Parley's Canyon, and Emigration Canyon. It is expressly understood that the Town of Alta, the Town of Brighton, and the municipality of Emigration Canyon (which is currently incorporated as a metro township, but which will become a city on or after May 1, 2024) are all excluded from the boundaries of the recreational area.
- 4) The Council hereby makes the following findings with respect to the areas designated as a recreational area subject to this resolution:
 - a. The area is outside the limits of cities and towns;
 - b. The area designated has fewer than 1,500 residents;
 - c. The area is primarily used for recreational purposes, including canyons, ski resorts, wilderness areas, lakes and reservoirs, campgrounds, or picnic areas;
 - d. The area is used by residents of the county who live both inside and outside the limits of cities and towns; and
 - e. A disproportionately large share of public safety service needs within the area is generated by residents of the county who live both inside and outside the boundaries of cities and towns.
- 5) The recreational area is not a governmental entity and has no governing body nor any powers related to such status. The recreational area is a geographic location defined solely for budgetary purposes, as described in Utah Code Ann. § 17-34-

1(5).

- 6) Any funding of public safety services within the recreational area with respect to the budgeting, accounting for and disbursing of funds to furnish the services and functions described herein, shall be in accordance with applicable law including Utah Code Ann.§ 17-34-1(5), the Uniform Fiscal Procedures Act for Counties, and Salt Lake County's budget ordinances and applicable countywide policies. The decision as to fund and the exact amount of funding shall be determined by the Council annually during the County's budget process and pursuant to countywide policy, based on budget presentations and requests provided to the Council by the appropriate stakeholders, including public safety service providers. Funds may be transferred to those providers semi-annually. The Council reserves the sole discretion to not provide funding or to provide less than full funding.
- 7) The recreational area described and adopted herein is designated effective as of January 1, 2025.
- 8) The Council requests that all County offices, departments, and agencies provide such services and advice as will permit the timely creation and functioning of the recreational area and potential budgeting processes described herein.
- 9) The areas of the county previously designated as recreational areas in western Salt Lake County in Resolution No. 6148 on October 10, 2023, shall continue to be designated as recreational areas for the same purposes and are not affected by this resolution.
- 10) Complete boundaries of all Salt Lake County recreational areas designed by the Council in Resolution No. 6148 and this resolution, as they shall be effective on

January 1, 2025, are depicted on the map attached as Attachment A, which map is incorporated herein by reference.

APPROVED and ADOPTED this _____ day of _____ 2024.

SALT LAKE COUNTY COUNCIL

By: _____
Laurie Stringham, Chair

ATTEST:

Lannie Chapman
Salt Lake County Clerk

REVIEWED AS TO FORM

Deputy District Attorney Date

Council Member Alvord voting _____
Council Member Bradley voting _____
Council Member Bradshaw voting _____
Council Member Granato voting _____
Council Member Harrison voting _____
Council Member Stewart voting _____
Council Member Stringham voting _____
Council Member Theodore voting _____
Council Member Winder Newton voting _____

Attachment A:

Map of Salt Lake County Recreational Areas Designated by the Salt Lake County Council
Pursuant to Utah Code Ann. § 17-34-1(5)

Prepared by the Salt Lake County Surveyor