

RESOLUTION NO. _____

DATE: _____

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL
DESIGNATING A RECREATIONAL AREA FOR THE POTENTIAL
FUNDING OF PUBLIC SAFETY SERVICES IN CERTAIN AREAS OF
WESTERN SALT LAKE COUNTY; PROVIDING FOR THE USE OF
COUNTY GENERAL FUNDS TO SUPPORT SUCH PUBLIC SAFETY
SERVICES; ESTABLISHING THE BOUNDARIES OF THE AREA; AND
ADOPTING RELATED MATTERS

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 a recreational area encompassing certain areas of the Wasatch Canyons, as more fully described and adopted therein; and

WHEREAS, the Council now desires to designate an additional area of Salt Lake County – located in the western, unincorporated canyon areas of the county – as a recreational area 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 this area to be statutorily eligible for designation as a recreational area for the reasons more fully described below; and

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

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

- 1) The Council hereby designates a recreational area for the purposes of having the ability to fund public safety services with general fund moneys, as described herein. The area of the county previously designated as a recreational area in Resolution No. 5644 shall continue to be designated as recreational area for the same purposes.
- 2) The recreational area designated by this resolution shall include the following areas: the southwest portion of unincorporated Salt Lake County, south and west of Herriman and South Jordan known as Yellow Fork and Rose Canyons, including trails, with boundaries as depicted on the map attached as Attachment A. It is expressly understood that the residential subdivision platted as Hi-Country Estates Phase I, and the additional residential areas commonly referred to as Hi-Country Estates Phase II (consisting of an unrecorded plat including residential properties in an existing HOA) are excluded from the recreational area.

- 3) The Council hereby makes the following findings with respect to the area designated as a recreational area subject to this resolution:
- a. The area designated has fewer than 1,500 residents;
 - b. The area is primarily used for recreational purposes, including canyons, ski resorts, wilderness areas, lakes and reservoirs, campgrounds, or picnic areas;
 - c. The area is used by residents of the county who live both inside and outside the limits of cities and towns; and
 - d. 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.
- 4) 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).
- 5) 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 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, 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.

- 6) The additional recreational areas described herein are designated effective as of the date hereof.
- 7) 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.

APPROVED and ADOPTED this _____ day of _____ 2023.

SIGNATURES ON FOLLOWING PAGE

SALT LAKE COUNTY COUNCIL

By: _____
Aimee Winder Newton, Chair

ATTEST:

Lannie Chapman
Salt Lake County Clerk

REVIEWED AS TO FORM

Bridget K. Romano October 9, 2023

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 Additional Recreational Areas Designated by the Salt Lake County Council