

RESOLUTION NO. _____

DATE: _____

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL TERMINATING
AN ORDER OF CONSTRAINT ISSUED BY THE SALT LAKE COUNTY
HEALTH DEPARTMENT ON OR ABOUT JANUARY 7, 2022 IN RESPONSE
TO A DECLARED PUBLIC HEALTH EMERGENCY

WHEREAS, Utah Code Ann. § 26A-1-102(9) defines “order of constraint” as meaning “an order, rule, or regulation issued by a local health department in response to a declared public health emergency . . . that applies to all or substantially all . . . individuals or a certain group of individuals . . . and . . . requires an individual to perform a certain action or engage in certain behavior”; and

WHEREAS, the Salt Lake County Health Department is the duly established local health department for Salt Lake County; and

WHEREAS, Salt Lake County is currently in a declared state of public health emergency related to the COVID-19 pandemic; and

WHEREAS, on or about January 7, 2022, the Salt Lake County Health Department, through its Executive Director, issued a public health order requiring that every individual living within or visiting Salt Lake County, Utah, wear a respirator or well-fitting mask or face covering in public spaces while indoors or queueing outdoors, a copy of which is attached to this resolution as Attachment 1; and

WHEREAS, this public health order is an order of constraint as defined by Utah law; and

WHEREAS, the Salt Lake County Health Department provided notice to the Salt Lake County Mayor of the order of constraint no later than 24 hours before issuing the order of constraint, as is required by Utah law, and the Salt Lake County Mayor approved the issuance of the order of constraint, as is required by Utah law; and

WHEREAS, pursuant to Utah Code Ann. §§ 26A-1-114(7)(d) and (9)(a)(iii), and Utah Code Ann. § 26A-1-121(1)(g)(C), the Salt Lake County Council, acting in its capacity as legislative body for Salt Lake County, may at any time terminate by majority vote of the Council an order of constraint issued by the Salt Lake County Health Department in response to a declared public health emergency; and

WHEREAS, a majority of the County Council now intends to exercise its legislative prerogative to terminate the order of constraint issued by the Salt Lake County Health Department on or about January 7, 2022, in response to a declared public health emergency.

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

The Council, by a majority vote, hereby terminates an order of constraint issued by the Salt Lake County Health Department on or about January 7, 2022, in response to a declared public health emergency. The order of constraint is terminated effective upon approval of this resolution. A copy of the terminated order of constraint has been attached to this resolution as Attachment 1.

APPROVED and ADOPTED this 13th day of January, 2022.

SALT LAKE COUNTY COUNCIL

By: _____
Laurie Stringham, Chair

ATTEST:

Sherrie Swensen

Salt Lake County Clerk

APPROVED AS TO FORM

Deputy District Attorney

Date

Council Member Alvord voting	_____
Council Member Bradley voting	_____
Council Member Bradshaw voting	_____
Council Member DeBry voting	_____
Council Member Granato voting	_____
Council Member Snelgrove voting	_____
Council Member Stringham voting	_____
Council Member Theodore voting	_____
Council Member Winder Newton voting	_____