

EMERGENCY ORDER WAIVING CERTAIN ORDINANCES IN CONNECTION WITH
SALT LAKE CITY DECLARATION OF LOCAL EMERGENCY NO. 1 of 2022

Order No. B of 2023

LEGAL FRAMEWORK AND FACTS

Under Utah Code 53-2a-208(1), Mayor Erin Mendenhall, as the chief executive of Salt Lake City Corporation, may declare by proclamation a local emergency if she finds that (a) a disaster has occurred or the occurrence or threat of a disaster is imminent in an area of the municipality; and (b) the municipality requires additional assistance to supplement the response and recovery efforts of the municipality.

On December 20, 2022, Mayor Mendenhall declared a local emergency related to arctic winter temperatures and the public safety concerns primarily related to the lack of available overflow shelter beds to house unsheltered individuals during freezing nights (the “**Arctic Temperatures Emergency**”).

Under Utah Code 53-2a-205 and City Code 22.03.010, any declaration of local emergency and related orders to mitigate the emergency will be in effect for 30 days, unless extended by the Salt Lake City Council.

Upon declaring local emergency, the Mayor may issue orders to immediately address and mitigate the emergency, including orders that waive City ordinances. On December 20, 2022, the Mayor issued an order waiving certain City ordinances in order to increase the overnight overflow shelter bed caps in homeless shelters in Salt Lake City.

On January 17, 2023, pursuant to Resolution No. 1 of 2023, the Salt Lake City Council extended the Arctic Temperatures Emergency until April 30, 2023. This extended the declaration of local emergency and any of the Mayor’s orders related to the emergency.

On January 30, 2023, the Mayor issued a second emergency order to allow emergency overflow shelter beds in County-owned facilities in certain circumstances.

The Arctic Temperatures Emergency has also created other emergencies and threats to public safety in Salt Lake City. Specifically, Salt Lake City and the surrounding foothills have received more than average amounts of snowfall and this has caused wildlife, including large herds of elk, to migrate down from the foothills into the City’s urban areas.

One large herd of elk is residing in Parley’s Historic Nature Park, which is a City park that operates under City Code as an off-leash dog park.

The interaction between off-leash dogs and this herd of elk is creating imminent threats to the safety of the elk, the dogs, and the owners of the dogs.

Specifically, this herd of elk is actively wintering within Parley’s Historic Nature Park, and the presence of off-leash dogs is disturbing the herd, creating safety and health concerns for the animals and people.

For that reason, pursuant to the Mayor’s emergency powers under both Utah Code 53-2a-205 and Salt Lake City Code 22.02.010, the Mayor desires to issue a third emergency order related to the Arctic Temperatures Emergency, to immediately address and mitigate the emergency of arctic temperatures and above-average snowfall and the imminent safety concerns related to the interactions of elk in Parley’s Historic Nature Park and off-leash dogs.

**EMERGENCY ORDER:
PROHIBITING OFF-LEASH DOGS IN PARLEY’S HISTORIC NATURE PARK**

Pursuant to Utah Code Section 53-2a-205 and City Code 22.03.010, Mayor Erin Mendenhall issues the following emergency order related to the Arctic Temperatures Local Emergency:

1. **Prohibiting Off Leash Dogs in Parley’s Historic Nature Park.** In order to protect the herd of elk in Parley’s Historic Nature Park, this order hereby prohibits off-leash dogs in Parley’s Historic Nature Park by suspending all provisions of City Code 15.10.010 – 15.10.100 related to off-leash dogs in Parley’s Historic Nature Park.
2. **Term.** This emergency order No. B of 2023 will become effective as of March 2, 2023 and will remain in effect as long as the Arctic Temperatures Emergency remains in effect.
3. **Filing and Dissemination.** This emergency order No. B of 2023 will be filed with the Salt Lake City Recorder and will be delivered to the State of Utah and Salt Lake County and will be disseminated to local media.

Dated this 2nd day of March, 2023.


rachel.otto (Mar 2, 2023 17:03 MST)

Rachel Otto
Acting Salt Lake City Mayor

ATTEST:


Thais Stewart (Mar 2, 2023 17:09 MST)

Thais Stewart, Deputy City Recorder



Approved as to Form:


Katherine Lewis (Mar 2, 2023 15:57 PST)

Katherine Lewis, Salt Lake City Attorney