Gary Richard Herbert

Governor

EXECUTIVE ORDER
2020-51

Declaring a State of Emergency Due to the Ongoing COVID-19 Pandemic

WHEREAS, on March 6, 2020, I issued Executive Order 2020-1, declaring a state of emergency to facilitate the State's response to the novel coronavirus disease 2019 (COVID-19) pandemic;

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States, issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak;

WHEREAS, the state of emergency declared in Executive Order 2020-1 expires on this day, August 20, 2020;

WHEREAS, COVID-19 has been characterized by the World Health Organization as a worldwide pandemic caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), a virus that spreads easily from person to person and can cause serious illness or death;

WHEREAS, the Utah Department of Health has reported 47,157 cases of COVID-19 and 2,804 COVID-19-related hospitalizations as of August 19, 2020;

WHEREAS, the Utah Department of Health has reported 369 COVID-19-related deaths as of August 19, 2020;

WHEREAS, due to the valiant efforts of state and local officials and health authorities and of the public in responding to the COVID-19 pandemic, COVID-19-related cases are declining, and Utah has experienced a seven-day average of 341 COVID-19 cases and a seven-day rolling average of 7.3% testing positivity as of August 19, 2020;

WHEREAS, despite improving conditions in Utah, COVID-19 continues to spread and threaten public health and safety throughout the state;

WHEREAS, it is imperative that state and local officials and health authorities implement measures to protect the health and safety of students, educators, and families throughout the state as schools and institutions of higher education resume classes;

WHEREAS, the negative economic and social impacts of the COVID-19 pandemic continue to be felt throughout the state;

WHEREAS, COVID-19 is a new disease caused by a virus for which there is no existing vaccine;

WHEREAS, the COVID-19 pandemic requires cooperation by public health authorities, hospitals, and the general population to avoid overwhelming hospitals and causing the higher case fatality rates experienced by other countries and regions of the United States;

WHEREAS, scientific and medical knowledge concerning COVID-19 is incomplete and continues to evolve, requiring constant adaptation by elected officials and public health authorities to address the pandemic based on new information;

WHEREAS, Utah Code § 53-2a-206(1) provides that a state of emergency may be declared by executive order of the governor if the governor finds a "disaster" has occurred or the occurrence or threat of a disaster is imminent in any area of the state in which state government assistance is required to supplement the response and recovery efforts of the affected political subdivision or political subdivisions;

WHEREAS, Utah Code § 53-2a-102(5) provides that a "disaster" is an event that causes, or threatens to cause, loss of life, human suffering, public or private property damage, or economic or social disruption resulting from "natural phenomena," among other things;

WHEREAS, Utah Code § 53-2a-102(13) provides that "natural phenomena" include an "epidemic," among other things;

WHEREAS, I find that the effects of the COVID-19 pandemic and its continuing threat to public health and economic and social stability are emergency conditions sufficient to constitute a disaster within the intent of the Utah Code Title 53, Chapter 2a, Disaster Response and Recovery Act;

NOW, THEREFORE, I, Gary R. Herbert, Governor of the State of Utah, declare a "State of Emergency" due to the aforesaid circumstances requiring aid, assistance, and relief available from State resources and hereby order:

1. the continued execution of the State Emergency Operations Plan;
2. assistance from State government to political subdivisions as needed and coordinated by the Utah Department of Health, the Utah Department of Public Safety, and other state agencies as necessary;
3. the continued dissemination of timely and accurate information by state agencies to the public that will mitigate the spread of COVID-19, prevent unnecessary confusion and alarm, and mitigate impacts to the economy;
4. the continued outreach and assistance to the populations most vulnerable to COVID-19; and
5. coordination with local authorities and the private sector to maximize access to appropriate medical care while preserving critical services for those most in need.

This Order shall take effect immediately upon the expiration or termination of Executive Order 2020-1 and shall remain in effect until September 19, 2020, unless extended by the Utah State Legislature, or earlier if I find the threat of danger has passed or reduced to the extent that emergency conditions no longer exist.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 20th day of August, 2020.

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/051/EO