

**Provo City Planning Commission Administrative Hearing
Chair's Statement re Open and Public Meetings Act**

In accordance with Utah Code 52-4-207(4)* I have determined that conducting meetings of the Provo City Planning Commission Administrative Hearing with an anchor location, such as the Community Development Conference room, presents a substantial risk to the health and safety of those who may be present there. These are the facts upon which I have made this determination:

- Utah has been in a declared state of emergency due to novel coronavirus disease 2019 (COVID-19) since March 6, 2020, a disease outbreak which the World Health Organization has characterized as a pandemic.
- The Centers for Disease Control and Prevention (CDC) state that COVID-19 is easily spread from person to person between people who are in close contact with one another. The spread is through respiratory droplets when an infected person coughs, sneezes, or talks, and it may be spread by people who are non-symptomatic.
- Federal, state, and local authorities have recommended that individuals limit public gatherings, wear facemasks, and follow social distancing guidelines, that individuals exposed to persons experiencing symptoms of COVID-19 self-quarantine for 14 days, and that individuals experiencing symptoms of COVID-19 self-isolate to prevent and control the continuing spread of COVID-19.
- Notwithstanding that Utah generally, and Utah County specifically, have been moved to the Low Risk (Yellow) Phase, reported COVID-19 cases in Utah County have more than doubled since May 31, 2020.
- Physical distancing measures will be difficult to set up and maintain in the Community Development Conference room.

Therefore, for the next 30 days, all meetings of the Provo City Planning Commission Administrative Hearing will be conducted entirely via electronic means:

- Planning Commission Administrative Hearing meetings are broadcast live and available later on demand at [youtube.com/user/ProvoChannel17](https://www.youtube.com/user/ProvoChannel17).
- Agendas and support materials are available at provo.org/pcadminhearing.
- To make a public comment or to join a meeting via telephone, follow the instructions provided on public notices of each meeting.
- To send comments to the Administrative Hearing members or weigh in on current issues, email the Administrative Hearing members at dspublichearings@provo.org.



Bill Peperone, Director of Development Services

July 7, 2020

* As amended by HB5002, *Open and Public Meetings Act Amendments*, (2020 Fifth Special Session), Utah Code Annotated (UCA) 52-4-207(4) provides that a public body may convene and conduct an electronic meeting without an anchor location if the chair of the public body:

- (a) makes a written determination that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location;

- (b) states in the written determination described in Subsection (4)(a) the facts upon which the determination is based;
- (c) includes in the public notice for the meeting, and reads at the beginning of the meeting, the information described in Subsections (4)(a) and (b); and
- (d) includes in the public notice information on how a member of the public may view or make a comment at the meeting.

UCA 52-4-207(5) states that a written determination described in Subsections (4)(a) and (b) expires 30 days after the day on which the chair of the public body makes the determination.

<https://le.utah.gov/~2020S5/bills/static/HB5002.html>