

**ERDA, UTAH**  
**ORDINANCE NO. 26-03**

**AN ORDINANCE AUTHORIZING ERDA CITY TO JOIN EXISTING LITIGATION  
AS A NAMED PLAINTIFF FOR THE LIMITED PURPOSE OF CHALLENGING  
THE CONSTITUTIONALITY AND APPLICATION OF CERTAIN UTAH  
ANNEXATION STATUTES, AND EXPRESSLY LIMITING THE SCOPE OF  
PARTICIPATION AND PARTIES AGAINST WHOM CLAIMS ARE ASSERTED.**

**WHEREAS**, on January 12, 2026, the Erda City Council (the “*Council*”) met in a special emergency meeting to consider participation in an existing lawsuit challenging the constitutionality and application of Utah’s annexation statutes; and

**WHEREAS**, the Council finds that Erda City has a direct interest in the interpretation and application of such annexation statutes as applied by Grantsville City; and

**WHEREAS**, the Council desires to authorize Erda City to join such lawsuit **only for the limited purpose** of pursuing claims challenging the constitutionality of the annexation statutes and their application by Grantsville City, and **only those allegations supporting such claims**; and

**WHEREAS**, the Council expressly finds that Erda City is **not taking any action against Tooele County or Jerry Houghton**, and does not join in any claims or allegations asserted against them; and

**WHEREAS**, based upon the representation that the City will not incur or be responsible for any financial obligations for such action and all costs, fees, and expenses of such action will not be the responsibility of the City.

**NOW, THEREFORE, BE IT ORDAINED** by the Council that Erda City is authorized to join the existing lawsuit as a **named plaintiff**, solely for the purpose of pursuing claims challenging the constitutionality of Utah’s annexation statutes and their application by **Grantsville City**, and to join only in those allegations supporting such claims, including claims asserted against **Grantsville City and the Lieutenant Governor of the State of Utah** relating to the annexation statutes, provided that the City will not incur or be responsible for any financial obligations for such action and all cost, fees, and expenses of any action that is associated with this ordinance will not be the responsibility of the City.

The City Attorney is directed to take such actions as he deems necessary to implement this ordinance, consistent with the limitations set forth herein.

This Ordinance shall take effect immediately.

**PASSED AND APPROVED** this 12th day of January 2026.

**ERDA COUNCIL**

By: \_\_\_\_\_  
**Sheldon B. Birch, Council Chair**

**ATTEST:**

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**Jennifer Poole, City Recorder**