PUBLIC HEALTH EMERGENCY ORDER No. 20-08

REOPENING BOISE CITY: STAGE FOUR

June 11, 2020

WHEREAS, on March 11, 2020, the World Health Organization declared the worldwide outbreak of COVID-19 (coronavirus) a pandemic, and on March 13, 2020, the President of the United States issued an emergency declaration for the country in response to the increasing number of COVID-19 cases within the U.S.; and

WHEREAS, on March 13, 2020, Idaho Governor Brad Little signed a declaration of emergency for the State of Idaho in response to concerns that cases of COVID-19 are imminent in Idaho; and

WHEREAS, on March 16, 2020, the Mayor of the city of Boise City ("Boise City"), Lauren McLean, declared a local disaster emergency, as per the Disaster Preparedness Act (Title 46, Chapter 10 of the Idaho Code), in Boise City due to the threat that COVID-19 poses to the health and welfare of the residents of Boise City, and on March 17, 2020, the Boise City Council ratified and extended the Declaration of Emergency; and

WHEREAS, on March 17, 2020, and repealed and replaced in full on April 7, 2020, the Council for Boise City adopted an ordinance enacting a new Chapter 15 to Title 1, setting forth the authority, purpose, and intent of emergency powers to address the threat of COVID-19; and

WHEREAS, on March 18, 2020, Governor Little issued a proclamation suspending certain public meetings laws, which permitted all public meetings to be held virtually ("Governor's Order Suspending Meetings"); and

WHEREAS, on March 25, 2020, and amended on April 15, 2020, Governor Little, by way of the Idaho Department of Health and Welfare Order of the Director, issued an Order to Self-Isolate ("Order to Self-Isolate"), requiring all individuals living in the State of Idaho to self-isolate at their place of residence; and

WHEREAS, on April 30, 2020, Governor Little entered, in conjunction with the Idaho Department of Health and Welfare Order of the Director, an order titled, State of Idaho, Idaho Department of Health and Welfare Stay Healthy Order, dated May 1, 2020, providing requirements for reopening certain businesses and permitting certain activities in Stage 1 of the State's reopening plan ("Stay Healthy Order – Stage One"); and

WHEREAS, on May 14, 2020, Governor Little entered, in conjunction with the Idaho Department of Health and Welfare Order of the Director, an order titled, State of Idaho, Idaho Department of Health and Welfare Stay Healthy Order, with an effective date of May 16, 2020, at 12:00 a.m., providing requirements for reopening certain businesses and permitting certain activities in Stage 2 of the State's reopening plan ("Stay Healthy Order- Stage Two"); and

WHEREAS, on May 28, 2020, Governor Little entered, in conjunction with the Idaho

Department of Health and Welfare Order of the Director, an order titled, State of Idaho, Idaho Department of Health and Welfare Stay Healthy Order, with an effective date of May 30, 2020, at 12:00 a.m., providing requirements for reopening certain businesses and permitting certain activities in Stage 3 of the State's reopening plan ("Stay Healthy Order- Stage Three"); and

WHEREAS, on June 11, 2020, Governor Little entered, in conjunction with the Idaho Department of Health and Welfare Guidelines of the Director, guidelines titled, State of Idaho, Idaho Department of Health and Welfare Stay Healthy Guidelines, with an effective date of June 13, 2020, providing guidelines for reopening certain businesses and permitting certain activities in Stage 4 of the State's reopening plan ("Stay Healthy Guidelines - Stage Four"); and

WHEREAS, the Mayor of Boise City, Lauren McLean, finds it necessary to implement certain requirements to build on and strengthen the strategy set forth in the Stay Healthy Guidelines – Stage Four to protect the health, safety, and welfare of the citizens of Boise City by mitigating any negative repercussions of reopening the community due to Boise City's large population, size, and scope of Boise City services offered, and status as the State of Idaho's business and transportation hub.

NOW, THEREFORE, I, Lauren McLean, Mayor of Boise City, Idaho, by virtue of the authority vested in me by Boise City Code 1-15-05, 1-15-08, Idaho Code Title 50, Chapters 3 and 6, and Article XII, Section 2 of the Idaho Constitution, to protect the public hereby issue this Public Health Emergency Order 20-08 – Reopening Boise City: Stage Four ("Emergency Order 20-08"):

Section 1. Stay Healthy Guidelines - Stage Four – Incorporated Herein. The Stay Healthy Guidelines – Stage Four is hereby incorporated in its entirety in this Emergency Order 20-08 except as otherwise specifically set forth herein.

Section 2. Businesses - Required Compliance. All businesses that are eligible to reopen pursuant to the Stay Healthy Guidelines – Stage Four must comply with all social distancing and sanitation recommendations and requirements as provided the Stay Healthy Guidelines – Stage Four and Section 3 of this Emergency Order 20-08. Additionally, all businesses that are eligible to reopen pursuant to the Stay Healthy Guidelines – Stage Four must comply with all relevant business protocol recommendations and requirements for Stage 4 business reopening as provided for by Central District Health ("CDH") and as found at https://rebound.idaho.gov/.

Section 3. Individuals - Social Distancing and Sanitation Requirements- Required Compliance. To the extent individuals are outside of their residence, individuals must comply with Section 4 of Stay Healthy Guidelines – Stage Four, including, but not limited to:

A. Individuals shall maintain at least six (6) feet minimum physical distancing from other individuals, whenever possible.

B. Individuals shall:

i. Wash hands with soap and water for at least 20 seconds as frequently as possible or use hand sanitizer;

ii. Cover coughs or sneezes (into the sleeve or elbow, not hands);

iii. Regularly clean high- touch surfaces; not shake hands;

iv. Stay home if sick; and

v. Strongly consider the use of face coverings while in public.

Section 4. Group Gatherings. Public and private gatherings of individuals in groups of more than 250 are prohibited. All group gatherings must be held in accordance with the provisions of the Stay Health Guidelines - Stage Four.

Section 5. Airport Public Area Access. Access to the public areas of the Boise Airport terminal is restricted to individuals who can demonstrate they fall within one of the following categories:

A. Ticketed airline passengers;

B. An individual accompanying a ticketed airline passenger, provided the passenger needs assistance with arrival or departure;

C. Individuals whose employment requires access to public areas;

D. Individuals who have been authorized by airport officials or have a business need to access the public areas;

E. Individuals in vehicles who are at the passenger pick up and drop- off locations waiting for or dropping off ticketed passengers; and

F. Individuals in rental vehicles at the airport pick up and/ or drop off rental car locations.

Section 6. Public Meetings. All meetings of Boise City commissions, committees, and boards are suspended except as provided in this Section 6. The following commissions, committees, and boards shall meet, but personal attendance at such meetings shall be waived as set forth in the Governor's Order Suspending Meetings:

A. Boise City Council (B.C.C. Title 1, Chapter 6);

B. Planning and Zoning Commission (B.C.C. Title 2, Chapter 4);

C. Design Review Committee (B.C.C, Title 11, Chapter 2);

D. Historic Preservation Commission (B.C.C. Title 11, Chapter 2); and

E. Other commissions, committees, and boards as deemed necessary in the Mayor and Department Director's discretion or as otherwise legally required.

Section 7. Penalty and Enforcement. Individuals and businesses within Boise City are urged to voluntarily comply with the Stay Healthy Guidelines - Stage Four and this Emergency Order No. 20-08. Boise City will make efforts to educate individuals and businesses to achieve

compliance. In accordance with Boise City Code Section 1-15-10, any person who knowingly violates the provisions of this Emergency Order No. 20-08 shall be guilty of a misdemeanor, punishable by fine, imprisonment, or both.

Section 8. Governing Language. To the extent this Emergency Order No. 20-08 is more stringent than the Stay Healthy Guidelines – Stage Four, the language of this Emergency Order No. 20-08 shall govern.

Section 9. Costs. No person shall be entitled to recover from Boise City any costs incurred or profits lost, as may be attributed to the enactment of this Emergency Order No. 20-08.

Section 10. Severability. To the extent any provision of this Emergency Order No. 20-08 or its application to any person or business is held to be invalid, the remainder of this Emergency Order No. 20-08, including any application thereof, shall remain in full force and effect. To this end, provisions of this Emergency Order No. 20-08 are severable.

Section 11. Other Public Health Emergency Orders. This Emergency Order No. 20-08 supersedes and replaces Public Health Emergency Order 20-07, Reopening Boise City: Stage Three.

Section 12. Effective Date. This Emergency Order No. 20-08 shall take effect at 12:00 a.m. on June 13, 2020, and remain in full force and effect pursuant to the provisions of Boise City Code Section 1-15-6 (E) unless it is terminated, modified or extended at an earlier date. In anticipation of the Governor issuing future Stay Healthy Guidelines, the Mayor, in consultation with CDH and local healthcare providers, will monitor the state of Boise City pursuant to the gating criteria outlined at https://rebound.idaho.gov/, specifically the syndromic, epidemiologic, and healthcare indicators to determine whether this Emergency Order No. 20-08 should be amended, modified or terminated.

Lauren McLean, Mayor