

PUBLIC HEALTH EMERGENCY ORDER No. 20-03

SOCIAL DISTANCING

March 23, 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, the Council for Boise City adopted an ordinance enacting a new Chapter 15 to Title 1, setting forth the authority, purpose, and intent of providing the Mayor emergency powers to address the threat of COVID-19; and

WHEREAS, the risk of community spread throughout Boise City impacts the life and health of the public and public health is imperiled by the person-to-person spread of COVID-19, and the reduction of opportunities for person-to-person transmission of COVID-19 is necessary to combat the spread of the disease.

WHEREAS, both the Department of Health and Human Services Centers for Disease Control and Prevention ("CDC") and the White House have recommended practices to prevent the rapid spread of COVID-19, including social distancing and on March 18, 2020, Governor Brad Little adopted these recommendations in Idaho.

WHEREAS, CDC recommendations include that individuals practice social distancing by not gathering in groups of more than ten (10) people; that individuals maintain six feet (6') of separation; and that organizations identify operations which might be limited or temporarily discontinued during the outbreak, and to find alternative solutions that will ensure continuity of service, especially for vulnerable populations. These policies, along with other information, are available on the CDC's official COVID-19 website. (<https://www.cdc.gov/coronavirus/2019-ncov/index.html>).

WHEREAS, as of March 23, 2020 there are 47 confirmed cases of COVID-19 within Idaho, thirteen (13) which are within Ada County, and COVID-19 is therefore an imminent public health hazard to the citizens of Boise.

NOW, THEREFORE, I, Lauren McLean, Mayor of the City of Boise, Idaho, by virtue of the authority vested in me by Boise City Code Title 1-15-05(B), and the common law authority to protect the public in the event of an emergency hereby order as follows:

1. **Social Distancing – Required**. That the proprietor, manager, or organizer of any indoor or outdoor venue, business, or event where ten (10) or more people are present, including, but not limited to, movie theaters, personal service facilities (e.g., gyms, salons, spas), and stores must comply with the following social distancing requirements:
 - a. Persons may be invited into the venue, so long as such persons may be accommodated, whether seated or standing, in groups of no larger than ten (10) people.
 - b. Each group, and each member thereof, must be accommodated at least six (6) feet away from each and every other group or individuals, whether seated or standing; provided that immediate household members may sit or stand together.
 - c. Carry-out, drive-through, and delivery services shall be allowed, and personnel and employees are encouraged to take measures to maintain a distance of at least six (6) feet from the customer to whom they are delivering, and to practice all other CDC recommended measures.
 - d. Proprietors, managers or organizers must follow heightened cleanliness practices by disinfecting all frequently touched surfaces after human contact; and all staff must wash their hands frequently and in accordance with CDC guidelines, particularly after contact with potentially pathogenic sources.
 - e. Commercial and public transportation providers must follow heightened cleanliness practices by disinfecting all frequently touched surfaces after human contact; all drivers must wash their hands frequently and in accordance with CDC guidelines, particularly after contact with potentially pathogenic sources; and take measures to ensure social distancing requirements in their vehicles as practical.
2. **Closure of Venue**. That if the proprietor, manager, or organizer of a venue is unable to comply with the social distancing requirements set forth in Section 1 of this Order, **the venue shall close to the public** for the duration of this Order, and any subsequent extension thereof.
3. **Exemptions**.
 - a. That the social distancing requirements set forth in Section 1 of this Order shall

not apply to grocery stores, farmers markets, vegetable and fruit stands, sites providing social services, daycares, medical facilities, or governmental agencies.

- b. Executive Order 20-02, Restaurants and Bars, shall apply to restaurants and bars.
4. **No Costs.** That no person shall be entitled to recover from Boise City any costs incurred or profits lost as may be alleged to be attributed to the enactment of this Order.
 5. **Penalty.** In accordance with Boise City Code Section 1-15-10, any person who knowingly violates the provisions of Sections 1 or 2 of this order shall be guilty of a misdemeanor.
 6. **Effective Date.** This Emergency Order shall take effect at 12:00 a.m. on March 24, 2020, and shall remain in effect for 30 days unless it is terminated or modified at an earlier date.


Lauren McLean, Mayor