

PUBLIC HEALTH EMERGENCY ORDER No. 20-04

**ADDITIONAL MEASURES SUPPLEMENTING IDAHO DEPARTMENT OF HEALTH
AND WELFARE ORDER TO SELF-ISOLATE DATED MARCH 25, 2020**

April 9, 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WHEREAS, on March 17, 2020, and repealed and replaced in full on April 7, 2020, the Council for Boise City adopted an ordinance enacting a new Chapter 15 to Title 1, setting forth the authority,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 25, 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, 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 the person-to-person transmission of COVID-19 is necessary to combat the spread of the disease; and

WHEREAS, after consultation with medical and healthcare professionals in the medical community, community spread is occurring in Boise City. Healthcare providers indicate they do not have the personal protection equipment resources necessary to respond to the anticipated surge in patients. As healthcare providers do not currently have the testing capacity necessary, and there is a delay in receiving test results in order to respond appropriately, it is necessary for the protection of public health and safety that individuals remain at home unless essential needs and activities require them to leave.

WHEREAS, as of April 9, 2020, there are 1,232 confirmed cases of COVID-19 within Idaho, 470 of which are within Ada County, 18 deaths within Idaho, six (6) of which are within Ada County, including multiple confirmed case of community spread within Ada County; and

WHEREAS, Section 11 of the Order to Self-Isolate allows cities to enact more stringent public health orders than those set out in the Order to Self-Isolate; and

WHEREAS, the Mayor of Boise City, Lauren McLean, finds it necessary to implement additional measures to build on and strengthen the requirements set forth in the Order to Self-Isolate to protect the health, safety and welfare of the citizens of Boise City by slowing the community spread of COVID-19.

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, Idaho Code Title 50, Chapters 3 and 6, and Article XII, Section 2 of the Idaho Constitution, to protect the public and set forth quarantine measures in the event of an emergency hereby order the following:

Section 1. Additional Measures- Authority. As outlined in Section 11 of the Order to Self-Isolate, cities, counties and public health districts of the State of Idaho may enact more stringent public health orders than those set out in the Order to Self-Isolate. The requirements of this Public Health Emergency Order No. 20-04 (“Emergency Order No. 20-04”) supplement the Order to Self-Isolate and provide more stringent measures necessary to protect the public health and slow the spread of COVID-19 in Boise City. All requirements of the Order to Self-Isolate remain in full force and effect and these additional measures only supplement the Order to Self-Isolate. This Emergency Order No. 20-04 shall be applicable to all citizens, those residing, and those currently present within Boise City. To the extent this Emergency Order No. 20-04 applies a more stringent requirement than the Order to Self-Isolate the provisions of this Emergency Order No. 20-04 shall govern.

Section 2. Business Operations. The following Essential Business, Infrastructure, and Activities, as designated by the Order to Self-Isolate, shall comply with these additional measures:

- a. Golf Courses – To the extent golfing is permitted as an allowable outdoor activity under the Order to Self-Isolate, golf courses shall comply with the following:
 - i. People shall not congregate and must follow Social Distancing Requirements, as described and set forth below. Chairs and tables shall be removed to discourage congregation.
 - ii. Golf courses shall sign and warn of the need for social distancing and public health precautions related to COVID-19.
 - iii. Indoor and outdoor clubhouse, restaurant, and bar seating shall be closed.
 - iv. Courses, facilities, equipment, and golf carts must be thoroughly

cleaned before and after each use as provided by the Department of Health and Human Services Centers for Disease Control and Prevention (“CDC”).

- v. No more than one person per golf cart, with the exception of household members.
- b. Supermarkets, Grocery, Food and Household Goods Stores, and all other Essential Businesses – To the extent a supermarket, grocer, or household goods store is deemed essential under the Order to Self-Isolate, the business shall comply with the following:
 - i. All Social Distancing requirements shall be implemented and enforced.
 - ii. Self-pay stations shall be thoroughly cleaned before and after each use pursuant to CDC guidelines.
 - iii. All CDC recommended protections for cash register attendants shall be implemented.
 - iv. Online and prepayment options shall be made available when practical.
 - v. Pick-up and delivery options shall be made available when practical.
- c. Parks, Open Spaces, and Greenbelt – To the extent an individual is engaged in permitted outdoor activity pursuant to the Order to Self-Isolate, the individual shall comply with the following:
 - i. All Social Distancing requirements.
 - ii. All individuals using trails or paths must yield to other users, pass in a single file line, and maintain six-feet (6’) distance while passing.
 - iii. Even while following Social Distancing requirements and maintaining six (6) feet separation, people shall not gather in groups larger than ten.

Section 3. Social Distancing Requirements. Under the Order to Self-Isolate, all individuals in Idaho are ordered to self-isolate at home with the exception of essential activities or business operations. To the extent individuals are outside their residence for specifically exempted activities, the Order to Self-Isolate requires all individuals to follow social distancing practices when practicable. As specified in this Emergency Order No. 20-04, individuals shall abide by the following Social Distancing requirements, good hygiene and public health precautions, including but not limited to:

- a. Maintain at least six-foot (6’) physical distancing from other individuals;
- b. Wash hands with soap and water for at least twenty seconds as frequently as possible or use hand sanitizer when hand-sinks are not available;
- c. Cover coughs or sneezes (into the sleeve or elbow, not hands);
- d. Regularly cleaning high-touch surfaces;
- e. Do not shake hands; and

- f. Following all other all public health guidelines provided by the CDC.

Section 4. Additional Closures and Limitations. In addition to the Order to Self-Isolate's required business and activity closures, the following additional closures and limitations apply within Boise City:

- a. All facility rentals including pavilion and wedding reservations.
- b. All playground equipment, skate parks, basketball courts, tennis courts, soccer fields, baseball fields, and football fields, public and private, shall be closed, with the exception of individually owned facilities used for household use only.
- c. No City special event permits shall be issued until further notice.
- d. No city or neighborhood in person gatherings.
- e. 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:
 - i. Ticketed airline passengers;
 - ii. An individual accompanying a ticketed airline passenger, provided the passenger needs assistance with arrival or departure;
 - iii. Individuals whose employment requires access to public areas;
 - iv. Individuals who have been authorized by airport officials or have a business need to access the public areas;
 - v. Individuals in vehicles who are at the passenger pick up and drop-off locations waiting for or dropping off ticketed passengers; and
 - vi. Individuals in rental vehicles at the airport pick up and/ or drop off rental car locations.


Section 5. Penalty and Enforcement. Individuals and Businesses within Boise City are urged to voluntarily comply with the Order to Self-Isolate and this Emergency Order No. 20-04. Boise City will make efforts to educate individuals and businesses to achieve compliance. However, pursuant to Section 9 of the Order to Self-Isolate and Idaho Code § 56-1003(7)(c), Boise City shall enforce compliance with the requirements of the Order to Self-Isolate. Failure to comply with the Order of the Director shall be a misdemeanor punishable by fine, imprisonment, or both. In accordance with Boise City Code Section 1-15-10, any person who knowingly violates the provisions of this Emergency Order No. 20-04 shall be guilty of a misdemeanor, punishable by fine, imprisonment, or both.

Section 6. Governing Language. To the extent this Emergency Order No. 20-04 is more stringent than the Order to Self-Isolate, the language of this Emergency Order No. 20-04 shall govern.

Section 7. Severability. To the extent any provision of this Emergency Order No. 20-04 or its application to any person or business is held to be invalid, the remainder of this Emergency Order No. 20-04, including any application thereof, shall remain in full force and effect. To this end, provisions of this Emergency Order No. 20-04 are severable.

Section 8. Other Public Health Emergency Orders. Public Health Emergency Order 20-01, Suspension of Public Meetings, shall still remain in full force and effect.

Section 9. Effective Date. This Emergency Order shall take effect at 12:01 a.m. on April 11, 2020. This Public Health Emergency Order shall remain in effect for 30 days unless it is terminated, modified or extended at an earlier date.

 4/10/2020

Lauren McLean, Mayor