

PUBLIC HEALTH EMERGENCY ORDER No. 21-001

Social Distancing

January 12, 2021

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person. The virus is spread between individuals who are in close contact with each other through respiratory droplets; and

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak of COVID-19 a public health emergency of international concern; and

WHEREAS, on December 10, 2020 the City Council and Mayor of the City of Stanley, declared a local disaster emergency, as per the Disaster Preparedness Act (Title 46, Chapter 10 of the Idaho Code), in the city of Stanley due to the threat that COVID-19 poses to the health and welfare of the residents of Stanley; and

WHEREAS, on November 12, 2020, the Council for the City of Stanley adopted an ordinance enacting a new Chapter 24 of Title 2, setting forth the authority, purpose, and intent of emergency powers to address the threat of COVID-19; and

WHEREAS, on November 4, 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, the CDC reports that people may be contagious whether they are symptomatic or remain asymptomatic but still are infected with the virus; and

WHEREAS, the State of Idaho, Department of Health and Welfare and the Eastern Idaho Public Health District continue to recommend that people wear face coverings and maintain physical distancing of at least 6 feet (2 meters) when in public places; and,

WHEREAS, as of January 12, 2021, Idaho was reporting 150,239 total cases of COVID-19, including 572 new cases on January 11, 2021 and 1,544 deaths to date; and

WHEREAS, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus. Because even people without symptoms can transmit the disease, and because evidence shows the disease is easily spread, gatherings and contact between seemingly healthy individuals can result in transmission of the virus.

WHEREAS, the City of Stanley, Custer County, and the Eastern Idaho Public Health District are experiencing a significant increase in known COVID-19 infections in recent weeks; and

WHEREAS, the increase in infections is likely to result in an increase in hospitalizations and usage of ICU beds and ventilators; and

WHEREAS, there are no ICU beds or ventilators in Custer County and the City of Stanley and there is concern among health care providers that a spike in COVID-19 cases will result in a need to divert critically ill patients, which need will not be met due to a lack of available ICU beds and ventilators statewide; and

WHEREAS, the Centers for Disease Control and Prevention advises that people who are not infected with the virus can significantly reduce their risk of contracting it by wearing face coverings, and that people who are infected can significantly reduce the risk of spreading it to others by wearing face coverings; and

WHEREAS, the Centers for Disease Control and Prevention advises that maintaining a physical distance of at least 6 feet (2 meters) is effective at significantly reducing the transmission of COVID-19; and

WHEREAS, there is a continuing and urgent need to protect all residents, employees and visitors in the City of Stanley from the risks relating to the COVID-19 pandemic through the protection provided by wearing facial coverings;

NOW, THEREFORE, I, Steve Botti, Mayor of the City of Stanley, Idaho, by virtue of the authority vested in me by Stanley City Code Title 2, Chapter 24, and the common law authority to protect the public in the event of an emergency order as follows:

Section 1. Social Distancing.

1. Gatherings: a gathering is a planned or spontaneous event, indoors or outdoors, regardless of the number of people participating, such as a community event or concert, festival, conference or parade, wedding Or sporting event.
 - a. Gatherings of more than 10 people are prohibited. People attending such gatherings must adhere to the social distancing requirements in this order,
 - b. Exemptions: Gatherings for political expression, including polling places, and religious gatherings are not subject to the provisions of this order, provided, however, that gatherings for the purposes of political expression and religious activities must adhere to social distancing requirements of this order.
 - c. Gatherings as defined in this order do not include "educational activities. The term "educational activities" means activities involving students taught by an educator in a school or equivalent setting.
2. Physical (social) Distancing: Individuals not residing the same household shall maintain at least a six (6) foot (2 meter) separation from all other individuals whenever possible.
3. No person who is sick may go to a workplace.

Section 2. Face Coverings.

1. Every person shall wear a face covering that completely covers the person's nose and mouth when the person is in a public place and other non-household members are present and physical distancing of 6 feet cannot be or is not being maintained.
2. "Face Covering" means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers the nose and mouth and surrounding areas of the lower face in compliance with the Center for Disease Control and Prevention's guidance on

wearing Face Coverings. A Face Covering may be factory-made or may be handmade and improvised from ordinary household materials.


3. "Public Place" shall mean any place, indoor or outdoor, that is open to all members of the public without specific invitation, including but not necessarily limited to retail business establishments, government offices, medical, educational, arts and recreational institutions, outdoor public areas, including but not limited to public parks, trails, streets, sidewalks, lines for entry, exit, or service, when a distance of at least 6 feet cannot be maintained from any non-household member.

1. Facial coverings are not required to be worn under the following circumstances:
 - a. Children under the age of 2.
 - b. Persons with a medical condition, mental health condition, or disability that prevents them from wearing a face covering. A person is not required to provide documentation demonstrating that the person cannot tolerate wearing a face covering.
 - c. Persons who are hearing impaired or are communicating with a person who is hearing impaired where the ability to see the mouth is essential for communication.
 - d. Persons, including on-duty law-enforcement officers, for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.
 - e. Persons who are obtaining a service involving the nose, face, or head for which temporary removal of the face covering is necessary to perform the service.
 - f. Persons who are eating or drinking at a restaurant or other establishment that offers food or beverage service, so long as they are seated at a table and able to maintain a distance of 6 feet from persons who are not members of the same household or party as the person.
This exemption does NOT apply to entry, exit, or other movement through the facility.

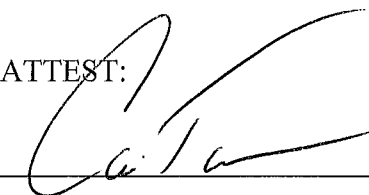
- g. Persons actively engaged in competition, training, or practice that involves strenuous physical activity when wearing a face covering is not feasible. Physical distancing should be maintained to the extent possible.

Section 3. In accordance with Stanley City Code Section 2-24, any person who knowingly violates the provisions of Section 1 or 2 of this order shall be guilty of a misdemeanor.

Section 4. This Emergency Order shall take effect at 12:00 am on January 13, 2021 and shall remain in effect for thirty (30) days unless it is terminated or modified at an earlier date.



The Honorable Mayor, Steve Botti

ATTEST:


City Clerk

