

## **ORDER OF THE DISTRICT BOARD OF HEALTH CENTRAL DISTRICT HEALTH, STATE OF IDAHO - Draft**

Order regarding quarantine and restriction

**PLACE OF QUARANTINE:**

Bars and Nightclubs Located in Ada County, Idaho

**RESTRICTION:**

Employers, Businesses, and Individuals in Ada County, Idaho

THE DISTRICT BOARD OF CENTRAL DISTRICT HEALTH HEREBY FINDS AND DECLARES AS FOLLOWS:

1. The virus that causes Coronavirus 2019 Disease (“COVID-19”) is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety.

2. The number of COVID-19 infections reported to Central District Health since June 24, 2020, has on most days exceeded 100.

3. The two largest health systems in Ada County are reporting a significant increase in hospital admissions for patients diagnosed with COVID-19, and they state serious concern for their ability to provide appropriate levels of care for all patients if the upward trend continues at the current rate.

4. Protection of the public health and prevention of transmission of COVID-19 disease requires, during the effective period of the Order, that all bars and nightclubs in the place of quarantine are closed to the public for on-site consumption of beverages and to non-essential employees, except with specific permission of the Board of Health or its authorized representative, Russell A. Duke, District Director. This Order does not include the closure of restaurants, as defined in IDAPA 11.05.01.010.06, which have re-opening plans approved by Central District Health, but does include closure of the bar portion of the restaurant.

5. An immediate danger to the public health, safety and welfare of the people of the Central District Health, requires the imposition of this emergency quarantine Order,

which is authorized by Idaho Code § 56-1003(7), IDAPA 16.02.10.065.09, Idaho Code § 39-415, and Idaho Code § 67-5247.

## QUARANTINE

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. All bars and nightclubs open to the public for on-site consumption of beverages are hereby declared under quarantine and must remain closed as to on-site consumption and no person is permitted to enter said place for on-site consumption, except with specific permission of the Board of Health or its authorized representative, Russell A. Duke, District Director, except to perform Minimum Basic Operations, defined as:

A. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions;

B. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences;

C. The minimum necessary activities to prepare the business to reopen at such time as deemed appropriate, including but not limited to, sanitization, obtaining personal protective equipment, and setting up procedures to ensure compliance with social distancing and sanitation.

## RESTRICTIONS

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Large venue gatherings (concert venues, sporting venues, parades, festivals, etc.) are hereby prohibited.

2. Gatherings of 50 or more, both public and private, are hereby prohibited.

3. Individuals not residing within the same household shall maintain at least six-foot physical distancing from other individuals whenever possible.

4. Every person is required to wear a face covering that completely covers the person's nose and mouth when the person is in a public place, or on the property of a public or private or charter school, or technical school or college or university, or childcare facility, and others are present and physical distancing of 6 feet cannot be maintained. However, when any person is inside a primary or secondary school facility,

facial coverings as described above shall be worn irrespective of whether physical distancing can be maintained unless a person is alone in a private office with doors closed or for educators when providing instruction to students and a distance of 10 feet can be maintained.

A. "Public place" shall mean any place open to all members of the public without specific invitation, including but not necessarily limited to, retail business establishments, government offices, medical, arts, educational and recreational institutions, public transportation, including taxi cabs and ridesharing vehicles, 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 six feet cannot be maintained from any non-household member.

B. Facial coverings are not required to be worn under the following circumstances:

a. Children under the age of 2.

b. Persons with medical conditions, mental health condition, or disability that prevent 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 deaf and hard of hearing, or communicating with a person who is deaf and hard of hearing, 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 engage in physical distancing.

g. Students actively engaged in athletic competition, training or practice when wearing a face covering is not feasible.

5. All employers shall:

A. Ensure measures are in place so that employees and customers maintain at least six-foot physical distancing from other individuals whenever possible.

B. Provide adequate sanitation and personal hygiene for employees, vendors, and patrons; and

C. Frequently disinfect commonly touched and high-traffic areas and regularly clean those areas.

6. Visits to senior living facilities, the Ada County Jail and state correctional facilities are prohibited and those employees and providers who do interact with residents, patients and inmates must adhere to strict protocols regarding hygiene and infection prevention.

7. This Order shall become effective immediately, and will continue to be in effect until rescinded, superseded, or amended in writing by the authorized representative of the Board of Health, Russell A. Duke, District Director.

8. Please read this Order carefully. Violation of or failure to comply with this Order could constitute a misdemeanor punishable by fine, imprisonment, or both. Idaho Code § 56-1003(7)(c).

9. To decrease the spread of COVID-19, the cities of Ada County may enact more stringent public health orders than those set out in this Order.

10. If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

11. Ada County and each city within must promptly provide copies of the Order as follows: (1) by posting the Order on its website, (2) by posting the Order at the county courthouse and each city hall, and (3) by providing a copy to any member of the public requesting it. The Order will also be posted on the website of Central District Health.

DATED this 28th day of July 20 20.

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Russell A. Duke, District Director

