



City of Ketchum

May 17, 2020

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Options for Revised Health Order

Recommendation and Summary

Staff is recommending the council consider the authorization of the Revised Health Order. If the Council chooses to make any changes, they would adopt the following motion:

"I move to approve City of Ketchum Public Health Emergency Order 21-01."

Introduction and History

When Public Health Emergency Order 20-06 was enacted in November 2020, Blaine County was experiencing 76 cases per 100,000 on average. The State of Idaho had mandatory group size and occupancy limitations in place. Impact on hospitals was high and causing secondary health emergencies due to lack of capacity.

Health Order 20-06 had limits on gatherings as well as limitations on certain businesses. With the high case rate, and potential impacts on Ketchum, certain restrictions were added to some businesses and construction sites in Ketchum. Group size limitations included language from the state order, which has now been lifted.

As of May 13, the following situation exists in Blaine County:

- Blaine County has added 3 confirmed and 11 probable cases in May.
- Case rate is currently at 6/100,000. The case rate has remained below 8/100,000 over the past 14 days. This is a significant decrease from April.
- Positivity rate in Blaine County has been around 3%, a 50% decrease from April, which remains in the high category, however testing numbers are also decreasing.
- St. Luke's Wood River is currently at zero COVID admissions. There have been zero COVID 911 ambulance calls in the past two weeks. Cases are still presenting to the hospital.
- 77% of Blaine County residents have had at least one dose of vaccine. 65% have had two doses. Eligibility has expanded to 12-16 year-olds effective May 12.

The following changes have been made to the draft new health order:

- Mask requirements remain in place indoors.
- Masks are recommended outdoors when social distancing cannot be maintained.

- Removing the 10 person group size limitation, and the 64 sq.ft. space limitation.
- Social distancing requirements of 6' between parties remains indoors in public places.
- Fitness centers would not require masks when social distancing can be maintained.
- Specific restrictions on construction sites has been removed.

These are all subject to council decision.

Sustainability

There is no sustainability impact arising from this action.

Financial Impact

There is no financial impact arising from this action.

Attachments: Ketchum Health Order 21-01
Hailey Health Order 2021-03

CITY OF KETCHUM
PUBLIC HEALTH EMERGENCY ORDER 21-01
(REQUIRING FACE COVERINGS)

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death;
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 and after 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 issued a series of Orders addressing public health measures to slow the spread of COVID-19 including the Idaho Rebounds Plan; and

WHEREAS, on March 18, 2020 the Mayor of the City of Ketchum declared a local disaster emergency, and on March 23, 2020 the Ketchum City Council adopted the Declaration as per the Disaster Preparedness Act (Title 46, Chapter 10 of the Idaho Code), due to the threat that COVID-19 poses to the health and welfare of the residents of Ketchum; and

WHEREAS, on March 23, 2020, the Council adopted Ordinance 1207 establishing emergency powers that provide the authority, purpose, and intent of emergency powers to address the threat of COVID-19; and

WHEREAS, on September 29, 2020, the Council adopted Ordinance 1212 renewing the emergency powers and providing for the authority, purpose, and intent of emergency powers to address the threat of COVID-19; and

WHEREAS, infection rates in Idaho have decreased in recent weeks, and Blaine County and the City of Ketchum are experiencing a decrease in the numbers of verified cases of COVID-19; and

WHEREAS, the CDC recommends that people maintain social distancing and wear cloth face coverings in public settings, especially when other social distancing measures are difficult to maintain; and

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

WHEREAS, this Public Health Emergency Order 2021-01 was considered and approved by the City Council in accordance with provisions of Ordinance 1212.

NOW, THEREFORE, the Mayor and City Council do hereby adopt the following regulations, which shall supersede and replace all prior Public Health Emergency Orders issued by the City of Ketchum, and which shall be in effect until rescinded, superseded or amended by the Mayor or City Council.

SECTION 1. FACE COVERINGS

Every person, shall, when in any indoor public place, completely cover their nose and mouth when members of the public are physically present and within six (6) feet. Persons, when in outdoor public places, are recommended to completely cover their nose and mouth when members of the public are present and within six feet.

1. **DEFINITIONS:** For purposes of this Public Health Emergency Order “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, educational, arts and recreational institutions, public transportation, including taxi cabs and ridesharing vehicles. “Members of the public” shall mean persons not therein employed or present without invitation.
2. **EXEMPTIONS:**
 - a. Children under the age of 5.
 - b. Persons who cannot medically tolerate wearing a face covering. A person is not required to provide documentation demonstrating that the person cannot medically tolerate wearing a face covering.
 - c. Persons who are hearing impaired, or 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 the person is able to maintain a distance of 6 feet away

from persons who are not members of the same household or party as the person.

- g. Outdoor public places where people can employ social distancing as recommended by CDC.

SECTION 5. PENALTIES

Any person who violates any provision of this Order, shall be guilty of an infraction, punishable by a fine of \$100.

SECTION 6. EFFECTIVE DATE AND SUNSET DATE

This Emergency Order shall take effect at 12:00 a.m., on May 18th, 2021, and shall remain in effect until rescinded, superseded or amended by the Mayor or City Council.

Passed and approved by the Ketchum City Council on the 17th day of May 2021.

APPROVED:

Neil Bradshaw
Mayor

ATTEST:

Lisa Enourato
Interim City Clerk

CITY OF HAILEY
PUBLIC HEALTH EMERGENCY ORDER NO. 2021-03

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, the CDC reports that people are most COVID-19 contagious when they are most symptomatic (the sickest) however spread is possible before people show symptoms, or by those that are asymptomatic; 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 and after March 13, 2020, the Idaho Governor issued a series Orders addressing public health measures to slow the spread of COVID-19 including the current **Stay Healthy Order** signed May 11, 2021, and inclusive of the Idaho Rebounds Plan; and

WHEREAS, the State of Idaho continues to adhere to the Governor's Stay Healthy Order Guidelines, Stage 4 modified, which Stages are amended periodically, and the COVID-19 response efforts are now localized in accordance with said order; and

WHEREAS, on March 20, 2020 the Mayor of the City of Hailey declared a local disaster emergency, and on March 23, 2020 the Hailey City Council approved and adopted the Declaration as per the Disaster Preparedness Act (Title 46, Chapter 10 of the Idaho Code), in the City of Hailey due to the threat that COVID-19 poses to the health and welfare of the residents of Hailey; and

WHEREAS, on March 24, 2020, the Council for the city of Hailey adopted Ordinance 1260 establishing emergency powers that provide the authority, purpose, and intent of emergency powers to address the threat of COVID-19, which ordinance was extended as Ordinance 1266 on September 14, 2020, and extended as Ordinance 1277 on February 8, 2021, and remains in effect; and

WHEREAS, on September 14, 2020 the City Council, by unanimous consent, determined that future actions relating to exercise of its public health regulatory authority, and for purposes of general guidance, would be based upon the Covid-19 Blaine County Risk Level Plan for the City of Hailey, and

WHEREAS, Blaine County, according to the analytics provided by the adopted COVID-19 Blaine County Risk Level Plan for the City of Hailey, as of entry of this Order, places the City of Hailey within the Yellow Risk Level, being also labeled as the **Moderate Risk Level**, in that the County is reported to have 7-day moving average incidence rate 6.2 per 100,000 residents and an 3.08% positive rate; which, while down from recent high risk level, is trending upward, and

WHEREAS, Blaine County, according to the analytics provided by the adopted COVID-19 Blaine County Risk Level Plan for the City of Hailey, as of entry of this order, declares that approximately sixty-five percent (65%) of County residents have been vaccinated, and

WHEREAS, the emergency services and local healthcare facilities have limited capacity to handle a significant increase in COVID-19 confirmed cases in Blaine County, which risk is, as of the entry of this order, reduced to minimal; and

WHEREAS, the CDC and Governor's Order continue to recommend that people wear face coverings in public settings, especially when other social distancing measures are difficult to maintain; and

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

WHEREAS, the city of Hailey Mayor and City Council find it necessary to enact additional regulations to strengthen the regulations issued by the current Idaho State Department of Health and Welfare Stay Healthy Order to slow the community spread and protect the health, safety, and welfare of individuals living, working and visiting the City of Hailey; and

WHEREAS, this Order was considered and approved by the City Council in accordance with provisions of Emergency Powers Ordinance 1277, and analyzed based on matrix provided by the Harvard Global Health Institute's recommendations as adopted for use by the City of Hailey; and

NOW, THEREFORE, the Mayor and City Council do hereby adopt the following regulations, which shall supersede all prior Public Health Emergency Orders issued by the City of Hailey, and which shall be in effect until rescinded, superseded or amended by the Mayor or City Council.

SECTION 1. FACE COVERINGS

Every person, shall, when in any indoor public place, completely cover their nose and mouth, when members of the public are physically present. While masking is no longer legally required in outdoor public places, it continues to be strongly recommended to completely cover the nose and mouth when social distancing is not possible in any indoor or outdoor space.

1. **DEFINITIONS:** For purposes of this Public Health Emergency Order "public place" shall mean any place open to all members of public without specific invitation, including but not necessarily limited to, retail business establishments, government offices, medical, educational, arts and recreational institutions, public transportation, including taxi cabs and ridesharing vehicles. "Members of the public" shall mean persons not therein employed, present without invitation.
2. **EXEMPTIONS:**
 - a. Persons with a documented disability.
 - b. Children under the age of 5, but parents are strongly encouraged to have children under 5 wear face coverings if they can tolerate same or to avoid bringing younger children to public places otherwise requiring a face covering.

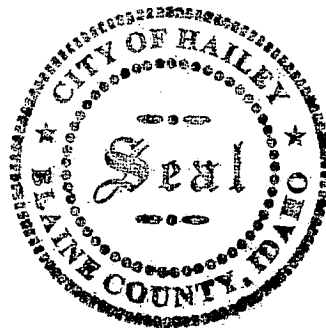
- c. Persons who cannot medically tolerate wearing a cloth face covering must wear a face shield.
 - d. Persons who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication, must wear a face shield.
 - e. Persons, 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.
 - f. 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.
 - g. Persons who are eating or drinking at a restaurant or other establishment that offers food or beverage service, if the person is able to maintain a distance of 6 feet away from persons who are not members of the same party as the person.
3. **MANDATORY COMPLIANCE:** The owner of every public place, as defined by this order, shall require mandatory face covering by members of the public; and shall decline to engage in commerce with any non-exempt individual who refuses to abide by said requirements. Owners of any public place who continue to engage in commerce with non-exempt individuals who refuse to cover their faces are subject to closure orders.
4. **MANDATORY SIGNAGE:** Every public place, as defined by this order, shall post at every entrance thereto, and in conspicuous locations throughout said public place, signage declaring face coverings as mandatory.

SECTION 2. PENALTIES

Any person who violates any provisions of this Order, shall be guilty of an infraction, punishable by a fine of \$100.

SECTION 3. EFFECTIVE DATE AND SUNSET DATE

This Emergency Order shall take effect upon execution as dated below and shall remain in effect until expiration, unless rescinded, superseded or amended by the Mayor or City Council.



APPROVED

May 11, 2021


Mayor, Martha Burke

ATTEST


Mary Cone, City Clerk