

CITY OF DRIGGS
PUBLIC HEALTH EMERGENCY DECLARATION AND ORDER No. 2021-02

WHEREAS, on September 16, 2021, the Idaho Department of Health and Welfare (DHW) activated Crisis Standards of Care for hospitals throughout the State of Idaho in accordance with IDAPA 16.02.09, citing “the massive increase of COVID-19 patients requiring hospitalization in all areas of the state [which] has exhausted existing resources”, and DHW Director Dave Jeppesen stated in announcing this action that “The situation is dire – we don’t have enough resources to adequately treat the patients in our hospitals, whether you are there for COVID-19 or a heart attack or because of a car accident”; and

WHEREAS, Director Jeppesen further stated, “Our hospitals and healthcare systems need our help. The best way to end crisis standards of care is for more people to get vaccinated. It dramatically reduces your chances of having to go to the hospital if you do get sick from COVID-19. In addition, please wear a mask indoors in public and outdoors when it’s crowded to help slow the spread”; and

WHEREAS, COVID-19, a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, including various evolutionary variants which have arisen, which is a new strain of coronavirus that had not been previously identified in humans prior to 2019, but since its introduction to humans has been observed to being easily spread from person to person through respiratory droplets; and

WHEREAS, as of September 16, 2021, COVID-19 Disease had claimed the lives of more than 4.5 million individuals worldwide, 630,000 of which were United States Residents, 2600 of which were Idaho Residents, and 4 of which were Teton County Residents; and

WHEREAS, as of this day multiple FDA approved COVID-19 vaccines are now available to all adults and youth ages 12 and above within the State of Idaho, and local supplies are proving sufficient to meet the ongoing local demand for vaccination, yet vaccines are not yet approved for children under the age of 12; 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 on and after March 13, 2020, the Idaho Governor issued a series of Orders addressing public health measures to slow the spread of COVID-19 including the current **Stay Healthy Order** signed May 30, 2020, and inclusive of the Idaho Rebounds Plan; and

WHEREAS, on March 18, 2020 the Mayor of the City of Driggs declared a local disaster emergency, and on March 19, 2020 the Driggs City Council affirmed, and adopted the Declaration as per the Disaster Preparedness Act (46-1011 Idaho Code), in the City of Driggs due to the threat that COVID-19 poses to the health and welfare of the residents of Driggs; and

WHEREAS, on September 16, 2021, there were 835 active cases of COVID being tracked by Eastern Idaho Public Health (EIPH) within the Health District, 44 of which are Teton County

residents, a rate of 37.8 cases per 10k residents, and furthermore, DHW released data showing that during the period of May 15 to September 11 of 2021, within the State of Idaho, 90% of all recorded COVID cases within Idaho are among unvaccinated individuals, 91% of hospitalizations for COVID cases within Idaho are for the unvaccinated, and 88% of all COVID related deaths within Idaho were unvaccinated; and

WHEREAS, the United States Centers for Disease Control (CDC), and Idaho DHW recommends that all people, regardless of vaccination status, wear face coverings in indoor public settings, especially when other social distancing measures are difficult to maintain, and the Eastern Idaho Public Health District and Teton Valley Health Care medical staff have likewise recommended the use of face coverings to reduce the spread of COVID-19; and

WHEREAS, the health and safety of all residents and visitors to the City of Driggs is of the greatest priority to the City of Driggs, and is a statutory duty of the city under Idaho Code 50-304 and 46-1011.

NOW, THEREFORE, the Mayor does hereby declare and state that a Public Health Emergency still exists within the City of Driggs due to the Coronavirus Pandemic, and that the city does hereby adopt by emergency declaration the following regulations, which shall supersede and replace all prior Public Health Emergency Orders or Resolutions issued by the Mayor or Council of the City of Driggs, and which shall be in effect for a minimum of seven (7) days, or, upon affirmative action of the City Council, shall otherwise remain in effect until rescinded, superseded or amended by the Mayor or City Council.

SECTION 1: Every person shall, when in any indoor public place, completely cover their nose and mouth with a CDC approved, or similar face covering, when members of the public are physically present for otherwise unprotected social interaction.

1. **DEFINITIONS:** For purposes of this Public Health Emergency Order: “Public place” shall denote any place open to members of public without specific invitation, including but not necessarily limited to, retail business establishments, public restaurants and bars, government offices, facilities, and property, medical facilities, educational facilities, religious facilities, 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. “Social Distance” shall denote a spacing of at least 6 feet/2 meters between non-household individuals.
2. **EXEMPTIONS:**
 - a. Children under the age of 2;
 - 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, pharmacists, or others, for whom wearing a face covering would create a risk, or significant impairment 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, mouth, face, or head for which temporary removal of the face covering is necessary to perform the service.
 - f. Persons who are seated at a table in a restaurant, bar, or any establishment that offers food or beverage service, for the purpose of eating or drinking, so long as the person is able to maintain a distance of 6 feet (2 meters) 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. Any entity or location expressly and specifically exempted from City orders by Idaho or Federal Law.
 - h. Outdoor public place where people can, and consistently do, employ social distancing (6 feet/2 meters) as recommended by CDC.
- 3. REQUIREMENT TO ENFORCE: Every registered business, church, school, or other public gathering place or property owner of the same shall require face coverings on their property, and post notice/signage in a prominent place at the entrance to their property.
 - 4. REQUIREMENT TO NOTIFY GUESTS: Every provider of short-term lodging, including hotels, Airbnb/VRBO, or similar, shall notify incoming guests of this requirement prior to arrival and upon arrival, and advise them that face coverings are required in public indoor settings when social distancing is not possible.
 - 5. REQUIREMENT TO POST: Every business or public location within the city must post this Order, or the approved summary of it in a conspicuous place at all public entrances to their facilities, and must make a reasonable effort to enforce these requirements of all who enter their premises.

SECTION 2 PENALTIES

Any person who violates any provision of this Order, shall be guilty of an infraction, punishable by a fine of \$100 per violation. Any person who knowingly and willfully violates any provision of this Order shall be guilty of misdemeanor disorderly conduct. In addition, any person who refuses to comply and refuses to leave the premises once notified of the violation shall be guilty of trespass.

SECTION 3 EFFECTIVE DATE AND SUNSET DATE

This Emergency Order shall take effect at 12:00 a.m Monday, September 20th, 2021, and shall remain in full force and effect until allowed to expire without Council affirmation within seven (7) days, or rescinded, superseded or amended by the Mayor or City Council.

Approved by:

/s/ Hyrum Johnson

Hyrum F. Johnson, Mayor

ATTEST:

Kreslyn Schuehler, City Clerk

RATIFIED, affirmed, and extended indefinitely by the City Council of the City of Driggs on September 21, 2021 by Resolution #_____.



CITY OF DRIGGS Public Health Order 2021-02
OFFICIAL SUMMARY & NOTICE

September 17, 2021

(This page MUST be posted at all public entrances.)

This is a summary of the Public Health Order, and does not include all information. The complete order should be reviewed to ensure full compliance. This summary may be posted by each business in lieu of posting the full order. The full order may be obtained at Driggs City Hall, at 60 South Main Street, and on Driggs City Website, at www.DriggsIdaho.org.

ORDER: Every person shall, when in any indoor public place, completely cover their nose and mouth with a CDC approved, or similar face covering, when members of the public are physically present for otherwise unprotected social interaction.

WHERE does this order apply: Any publicly accessible indoor location including businesses, government offices, churches, schools.

WHEN does this order apply: Beginning at 12:00 a.m. on Monday, September 20, 2021. Order remains in force until allowed to expire by the City Council or amended or repealed by the Mayor or City Council.

Penalties: Penalties for violation may include: Misdemeanor disorderly conduct, trespass, and/or a civil fine of \$100 per violation.

Noticing & Enforcement Requirements: Every business or publicly accessible location within the city must post this Order, or the approved summary of it in a conspicuous place at all public entrances to their facilities, and must make a reasonable effort to enforce these requirements of all who enter their premises. All locations must have a copy of the full order available, or be able to access it on the city's website at www.DriggsIdaho.org.