

BLAINE COUNTY ORDINANCE NO. 2021-13

AN ORDINANCE OF THE BLAINE COUNTY BOARD OF COUNTY COMMISSIONERS ESTABLISHING STANDARDS FOR FACE COVERINGS FOR INDIVIDUALS WHEN THEY ARE IN PUBLIC PLACES, PROVIDING PENALTIES FOR VIOLATIONS, PROVIDING A STATEMENT OF EMERGENCY, AND PROVIDING AN EFFECTIVE DATE AND REPEAL REQUIREMENT

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 contagious when they are most symptomatic (the sickest) however some spread might be possible before people show symptoms although that is not the main way the virus spreads; 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 Board of County Commissioners enacted Resolution No. 2020-12, declaring a disaster in Blaine County due to the COVID-19 pandemic; and

WHEREAS, those disaster declarations were followed by several emergency state orders and Blaine County ordinances that curtailed travel, businesses, trades, and activities in order to slow the spread of the COVID-19 virus in Blaine County; and

WHEREAS, on July 8, 2020, and October 22, 2020, the Board of County Commissioners enacted Ordinances Nos. 2020-03 and 2020-05, respectively, mandating that persons wear face coverings in public places; and

WHEREAS, Ordinances Nos. 2020-03 and 2020-05 were repealed by Ordinance No. 2021-08A on June 1, 2021, as vaccines became readily available and infection rates trended downward; and

WHEREAS, infection rates in Idaho have significantly increased in Blaine County and surrounding counties in recent weeks; and

WHEREAS, new strains of the COVID-19 virus are more easily transmitted among the vaccinated and unvaccinated, and are more contagious and potentially deadly to those who are infected; and

WHEREAS increasing infection rates have led to increased hospitalization rates, especially in neighboring counties where vaccination rates have lagged; and

WHEREAS, health officials have warned that increased COVID-19 hospitalizations are straining the capacity of the hospital system locally and regionally; and

WHEREAS, there are minimal ICU beds and limited ventilators in Blaine County and there is concern among health care providers in Blaine County that a spike in COVID-19 cases in Blaine County 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 risk of community spread throughout Blaine County imperils public health, and it is therefore necessary to reduce opportunities for the person-to-person transmission of COVID-19; and

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

WHEREAS, wearing face coverings is an effective, inexpensive, and simple method of lessening community spread of the COVID-19 virus; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BLAINE COUNTY IDAHO:

Section 1. MANDATORY FACE COVERINGS.

Every person shall wear a face covering that completely covers the person's nose and mouth when the person is in a public place indoors and others are present. For purposes of this Ordinance:

- a. "Public place" means any indoor or outdoor place that is open to the public and includes, but is not limited to, businesses or other establishments where people assemble and interact, or members of the general public may enter.

Section 2. EXCEPTIONS

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

- a. Children under the age of 5. Parents or guardians are responsible for ensuring that children between the ages of 5 and 17 wear appropriate face coverings.
- b. Persons with medical conditions that prevent them from 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 they engage in social distancing from persons who are not members of the same household or party as the person.
- g. Persons who are engaged in indoor exercise, so long as they engage in social distancing.

Section 3. PENALTIES

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

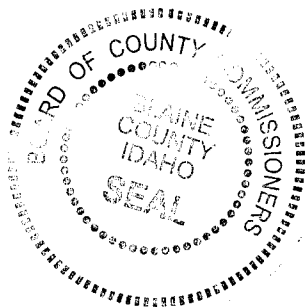
Section 4. EMERGENCY, EFFECTIVE DATE AND REPEAL

The Board of County Commissioners hereby finds that an impending danger exists due to the spread of a contagious disease, resulting in an emergency necessitating the immediate operation of this Ordinance upon its passage and posting in five public places pursuant to Idaho Code Section 31-715. This Ordinance shall remain in effect until it is repealed by the Board of County Commissioners.

Regularly passed, approved and adopted by the County Board of Commissioners on the 14th day of September, 2021

BOARD OF COUNTY COMMISSIONERS OF
BLAINE COUNTY, IDAHO

(seal)



Dick Fosbury
Dick Fosbury, Chairman

Angenie McCleary
Angenie McCleary, Vice-Chair

ATTEST:

Stephen McDougall Graham
Stephen McDougall Graham, Clerk

Jacob Greenberg
Jacob Greenberg, Commissioner