

**BLAINE COUNTY ORDINANCE NO. 2020-01**

**AN ORDINANCE OF BLAINE COUNTY, IDAHO, PROVIDING FURTHER RESTRICTIONS TO THE STATEWIDE SHELTER IN PLACE ORDER ISSUED ON MARCH 25, 2020; SETTING FORTH APPLICABLE JURISDICTIONAL AUTHORITY; PROVIDING ADDITIONAL RESTRICTIONS; PRESCRIBING PENALTIES FOR VIOLATIONS; PROVIDING THAT THE ORDINANCE IS ENACTED ON AN EMERGENCY BASIS AND ESTABLISHING EFFECTIVE AND SUNSET DATES.**

**WHEREAS**, the Board of County Commissioners is empowered pursuant to Idaho Code § 31-714, to pass all ordinances and rules and make regulations, not repugnant to law, necessary for the carrying into effect or discharging the powers and duties conferred by the laws of the state of Idaho, and such as are necessary or proper to provide for the safety, promote the health and prosperity, improve the peace and good order, comfort and convenience of the county and the inhabitants thereof, and for the protection of property therein; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared the worldwide outbreak of COVID-19 (aka coronavirus) a pandemic, and on March 13, 2020, the President of the United States issued an emergency declaration for the country in response to the increasing number of COVID-19 cases within the U.S.; 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**, on March 20, 2020, the Idaho Department of Health and Welfare issued an Order to Self-Isolate for all individuals living within Blaine County; and

**WHEREAS**, on March 25, 2020 the Idaho Department of Health and Welfare issued a Statewide Order to Self-Isolate that supersedes the March 20, 2020 Order for Blaine County; and

**WHEREAS**, the risk of increased community spread of the COVID-19 virus throughout Blaine County critically imperils the public health, safety and welfare; and

**WHEREAS**, emergency services and local healthcare facilities are nearing capacity due to the number of COVID-19 confirmed cases in Blaine County and additional measures are necessary to slow the spread of COVID-19 within Blaine County; and

**WHEREAS**, despite the Department of Health and Welfare Orders, stricter measures are necessary to respond to the imminent threat posed by the spread of the COVID-19 virus within Blaine County; and

**WHEREAS**, the Board finds that these measures must be enacted on an emergency basis due to the imminent peril posed by the further spread of the COVID-19 virus.

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

**SECTION 1: APPLICABILITY**

These local additions to the March 25, 2020 Idaho Department of Health and Welfare Order to Self-Isolate (IDHW Order) shall apply to individuals living, working, and visiting Blaine County. The additions are intended to supplement the March 25, 2020 Idaho Department of Health and Welfare Order to Self-Isolate, and provide further restrictions to help slow the spread of the COVID-19 virus within Blaine County. All other restrictions set forth in the March 25, 2020 Idaho Department of Health and Welfare Order to Self-Isolate remain in full force and effect to the extent they are not addressed in this Order. In the event there is a conflict between this Order and the March 25, 2020 Idaho Department of Health and Welfare Order to Self-Isolate, the more stringent requirement of this Order shall apply. Other jurisdictions within Blaine County are enacting identical measures to provide uniform requirements throughout Blaine County, but each jurisdiction recognizes that its Order is only applicable within its statutory jurisdiction.

**SECTION 2: ESSENTIAL BUSINESSES SHALL COMPLY WITH SOCIAL DISTANCING REQUIREMENTS**

All businesses that are permitted to remain open in accordance with the March 25, 2020 IDHW Order, shall comply with Social Distancing Requirements.

**SECTION 3: TRAVEL INTO AND OUT OF BLAINE COUNTY**

Travel is only allowed into or out of Blaine County to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions. Travel by Blaine County residents to other Idaho counties to obtain supplies or goods that are otherwise available within Blaine County, is prohibited.

**SECTION 4: RESIDENTS AND VISITORS ENTERING BLAINE COUNTY**

Residents of Blaine County who have traveled out of State, or visitors to Blaine County coming from out of State, must self-quarantine in their residence for a period of fourteen (14) days from the date of their arrival in Blaine County.

**SECTION 5: CONSTRUCTION OF RESIDENTIAL AND COMMERCIAL PROJECTS IS NOT CONSIDERED ESSENTIAL INFRASTRUCTURE**

Commercial and residential construction is not considered essential infrastructure and shall cease operations.

**SECTION 6: WORK ESSENTIAL TO REPAIR AND MAINTAIN RESIDENCES AND ESSENTIAL BUSINESSES**

Plumbers, electricians, exterminators, HVAC contractors or other trades performing work that is immediate and essential to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses may continue. Routine maintenance and repair is not considered essential and shall cease operations. Landscaping is not considered an essential business.

**SECTION 7: ESSENTIAL TRANSPORTATION SERVICES**

Airlines, taxis, and other private transportation providers providing transportation services may only operate provided they are providing transportation exclusively for necessary Essential Activities and other purposes expressly authorized in this Order are considered essential businesses.

**SECTION 8: LIMITATIONS ON HOTELS AND SHORT-TERM RENTALS**

For purposes of this Order, residences used for self-isolating include hotels, motels, shared rental units, and similar facilities.

During the term of this Order, hotels and short term rentals shall not offer lodging to any non-resident of Blaine County unless such individual is self-isolating, a Health Care Operations employee or performing Essential Government Functions.

**SECTION 9: PENALTIES**

Any person who violates any provision of the March 25, 2020 Department of Health and Welfare Order to Self-Isolate or the modifications set forth in this Order, shall be guilty of a misdemeanor punishable pursuant to Blaine County Code Section 1-4-1.

**SECTION 10: EMERGENCY, EFFECTIVE DATE AND SUNSET DATE**

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 11:59 p.m. on April 12, 2020.

Regularly passed, approved and adopted by the County Board of Commissioners  
on the 27 day of MARCH 2020

BOARD OF COUNTY COMMISSIONERS OF BLAINE COUNTY, IDAHO

(seal)



ATTEST:

*JoLynn Drage*  
for JoLynn Drage, Clerk

*Jacob Greenberg*  
Jacob Greenberg, Chairman

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Angenie McCleary, Vice-Chair

*Dick Fosbury*  
Dick Fosbury, Commissioner