PUBLIC HEALTH HAZARD ORDER

No. 2

RESTAURANTS, BARS, MASSAGE PARLORS,
HAIR AND ESTHETIC SALONS, CITY HALL
AND MCCALL PARK FACILITIES

April 8, 2020

WHEREAS, on March 11, 2020, the World Health Organization declared the worldwide outbreak of COVID-19 (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 23, 2020, the Mayor of the city of Hayden Lake, Jim Ackerman, declared a local disaster emergency, as per the Disaster Preparedness Act (Title 46, Chapter 10 of the Idaho Code), in the city of Hayden Lake due to the threat that COVID-19 poses to the health and welfare of the residents of Hayden Lake, and on March 24, 2020, the Hayden Lake City Council ratified and extended the Declaration of Emergency; and

WHEREAS, on March 24, 2020, the Council for the city of Hayden Lake adopted a Resolution ratifying the emergency declaration of the Mayor and extending the emergency for the duration of the COVID-19 epidemic; and

WHEREAS, the risk of community spread throughout the city of Hayden Lake impacts the life and health of the public and public health is imperiled by the person-to-person spread of COVID-19, and the reduction of opportunities for the person-to-person transmission of COVID- 19 is necessary to combat the spread of the disease.

WHEREAS, both the Department of Health and Human Services Centers for Disease Control and Prevention ("CDC") and the White House have recommended practices to prevent the rapid spread of COVID-19, including social distancing; and

WHEREAS, on March 18, 2020, Governor Brad Little adopted these recommendations in Idaho. The recommendations include that individuals practice social distancing by not gathering in groups of more than ten (10) people and that they avoid eating at bars, restaurants and food courts. The recommendations further include that individuals use drive-up, take-out and delivery options for meals; and

WHEREAS, massage parlors along with hair and esthetic salons involve close human contact which could pose a threat to spread the disease; and

WHEREAS, the continued use of certain City facilities by the general public also poses a threat to spread the disease; and

WHEREAS, on March 24, 2020 the Hayden Lake City Council adopted an ordinance granting the Hayden Lake Mayor the authority to issue Public Health Hazard Orders.

NOW, THEREFORE, I, Jim Ackerman, Mayor of the City of Hayden Lake, Idaho, by virtue of the authority vested in me by Hayden Lake City Code 1.5.1.B, and the common law authority to protect the public in the event of an emergency hereby order as follows:

Section 1. Bars.

All bars, taverns, nightclubs, private liquor clubs, taprooms, tasting rooms, mobile bars, cabarets and saloons, as well as all other alcohol licensed premises for by the glass sales of alcoholic beverages as defined by IDAPA 11.05.01, or I.C. §39-5502, 23-942, or 23-902, within the city limits of the City of Hayden Lake shall close to members, guests, patrons, customers, and the general public.

Section 2. Restaurants.

All restaurants and dine-in food service within the city limits of the City of Hayden Lake, as defined by I.C. 23-942 or I.C. 39-5502, whether inside or outside the establishment, is prohibited. Restaurants and dine-in service means any eating establishment including, but not limited to, coffee shops, cafes, private dining clubs, and cafeterias that give or offer for sale food to the public, guests or employees. Restaurants may not admit members, guests, patrons or customers inside the establishment except to pick up food for take-out.

Curbside take-out and drive-through food service (in addition to pickup service as noted above) is permitted.

Where possible online (e.g., Venmo, Google Pay, ApplePay) and telephonic credit card transactions are strongly encouraged. Cash payments are strongly discouraged.

Delivery food service is permitted. Where possible on-line and telephonic credit card transactions are strongly encouraged, cash payments are strongly discouraged.

Employees who handle cash or credit cards shall use cleansing methods between each transaction. All employees are strongly encouraged to wear protective items when preparing, delivering, or completing transactions.

Section 3. Exemptions.

This order shall not apply to emergency overnight or day shelters that provide food service to persons experiencing homelessness.

Section 4. Massage Parlors, Hair and Esthetic Salons.

The operation of massage parlors along with hair and nail salons within the City is prohibited. Owners of such facilities and their agents may still access them for bookkeeping, cleaning, etc. so long as no customers are accepted.

Section 5. City Hall and McCall Park Facilities.

City Hall, along with the bathrooms, grills and playground equipment at McCall Park shall be closed to the general public. If a meeting with City officials is required at City Hall, it

shall be requested by telephone or email.

Section 6. Penalty.

In accordance with Hayden Lake City Code Section 4-3-5, any person who knowingly violates the provisions of this order shall be guilty of a misdemeanor.

Section 7. Duration.

This Emergency Order shall take effect at 12:00 am on April 9, 2020 and shall remain in effect for fourteen (14) days unless extended, terminated or modified prior.

Jim Ackerman, Mayor