

PUBLIC HEALTH EMERGENCY ORDER No. 1

RESTAURANTS AND BARS

March 21, 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 17, 2020, the Mayor of the city of Post Falls, Ronald G. Jacobson, declared a local disaster emergency, as per the Disaster Preparedness Act (Title 46, Chapter 10 of the Idaho Code), in the city of Post Falls due to the threat that COVID-19 poses to the health and welfare of the residents of Post Falls, and on March 17, 2020, the Post Falls City Council ratified and extended the Declaration of Emergency; and

WHEREAS, on March 17, 2020, the Council for the city of Post Falls 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 Post Falls 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, there are currently thirty-one (31) cases of COVID-19 within Idaho, three (3) of which are within Kootenai County; and

WHEREAS, on March 21, 2020 the Post Falls City Council adopted an ordinance granting the Post Falls Mayor the authority to issue Public Health Emergency Orders, including the authority to require bars and restaurants to close or otherwise alter their operations.

NOW, THEREFORE, I, Ronald G. Jacobson, Mayor of the City of Post Falls, Idaho, by virtue of the authority vested in me by Post Falls City Code 8.60, 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 Post Falls Municipal Code Chapter 5.04, IDAPA 11.05.01, or I.C. §39-5502, 23-942, or 23-902, within the city limits of the City of Post Falls 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 Post Falls, 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, grocery stores, and gas stations.

Section 4. Penalty.

In accordance with Post Falls City Code Section 1.24, any person who knowingly violates the provisions of this order shall be guilty of a misdemeanor.

Section 5. Duration.

This Emergency Order shall take effect at 12:00 am on March 23, 2020 and shall remain in effect for fourteen (14) days unless extended, terminated or modified prior.

Ronald G. Jacobson, Mayor