

RESOLUTION NO. 2020-07

A RESOLUTION OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AUTHORIZING THE ACCEPTANCE AND EXTENSION OF THE MAYOR'S PUBLIC HEALTH EMERGENCY ORDER 20-02 MADE EFFECTIVE MARCH 24, 2020; AND PROVIDING THIS RESOLUTION SHALL BE IN EFFECT UPON ITS PASSAGE AND APPROVAL.

WHEREAS, the health and safety of all citizens of the city of Moscow is the greatest priority and is of the utmost importance of the Mayor and City Council; and

WHEREAS, pursuant to Moscow City Code, Title 1, Chapter 11 and the authority pursuant to Idaho Code, in order to effectively preserve the health and safety of the public, the Mayor is granted the emergency powers to issue public health emergency orders; and

WHEREAS, 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., which is still in effect; and

WHEREAS, on March 13, 2020, pursuant to the authority granted under Idaho Code § 46-1011, Bill Lambert, Mayor of the City of Moscow, Idaho, proclaimed and declared a local disaster emergency in the City of Moscow, Latah County, Idaho due to the COVID-19 pandemic and authorized the furnishing of aid and assistance thereunder; and

WHEREAS, on March 16, 2020, the Council of the City of Moscow signed Resolution 2020-05 Authorizing Continuation of the Local Emergency Proclamation until May 5, 2020; and

WHEREAS, due to Idaho being a diverse and expansive state, Governor Brad Little, prior to issuance of a March 25, 2020, statewide mandate, was not mandating categorical closures at this time. Governor Little was trusting the local leaders to make the decisions regarding mandates appropriate for their community; and

WHEREAS, on March 20, 2020, Bill Lambert, Mayor of the City of Moscow, Idaho proclaimed and declared Public Health Emergency Order No. 20-01; and

WHEREAS, on March 20, 2020, the Council of the City of Moscow extended such Public Health Emergency Order No. 20-01 to provide for the ongoing threat to public life and property; and

WHEREAS, on March 21, 2020, Whitman County, which is located at the western Moscow City limits, announced its first cases of COVID-19; and

WHEREAS, on March 24, 2020, Spokane County, which is located less than 79 miles from Moscow, reported it has 33 confirmed cases of COVID-19; and

- WHEREAS, on March 23, 2020, Washington Governor Jay Inslee issued a Stay at Home, Stay Healthy order for all of Washington state which will be effective for a minimum of two weeks; and
- WHEREAS, on March 24, 2020, the state of Idaho reported 73 confirmed cases of COVID-19, 3 of which are located in Kootenai County, which is located less than 80 miles to the north of Moscow; and
- WHEREAS, the Department of Health and Human Services Centers for Disease Control (“CDC”) is reporting that as of March 24, 2020, the United States has 44,183 confirmed cases of COVID-19, and 544 total deaths; and
- WHEREAS, both the CDC, the federal government, and the Idaho Department of Health and Welfare and the Idaho North Central Health District have recommended practices to prevent the rapid spread of COVID-19, including social distancing, and on March 18, 2020, Governor Brad Little adopted these recommendations for the state of 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 policies, along with other information, are available on the CDC’s official COVID-19 website. (<https://www.cdc.gov/coronavirus/2019-ncov/index.html>);
- WHEREAS, the risk of community spread throughout the city of Moscow is a continued threat, especially due to our unique location in Idaho and our close proximity to states and locations where there is a large number of confirmed COVID-19 cases and evidence of community spread; and
- WHEREAS, the spread of COVID-19 continues to threaten 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; and
- WHEREAS, the inability for certain businesses to follow the recommended social distancing guidelines due to the very nature of their business calls for this additional regulation to help do our part to slow the spread of COVID-19; and
- WHEREAS, the rapid spread of COVID-19 to date requires a more aggressive proactive response in order to protect the public and resources to address the supply issues we as a nation and state currently face; and
- WHEREAS, on March 24, 2020, Bill Lambert, Mayor of the City of Moscow, Idaho proclaimed and declared Public Health Emergency Order No. 20-02; and
- WHEREAS, on March 25, 2020, Governor Brad Little issued a proclamation declaring that there exists an extreme emergency within the State of Idaho and through a press conference declared he was issuing a statewide stay-home order that would be available later in the day; and

WHEREAS, it is deemed necessary by the Council of the City of Moscow to extend such Public Health Emergency Order No. 20-02 to provide for the ongoing threat to public life and property and the Council wishes to continue to be proactive and help reduce the spread of COVID-19 and to encourage our community members and community businesses to do their part to prevent and limit the spreading of COVID-19;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moscow as follows:

The Public Health Emergency Order 20-02, ordering limitations on mass gatherings, schools, churches, gyms, tattoo parlors, barber shops and salons within the City of Moscow, Latah County, Idaho, signed into effect on March 24, 2020, by Mayor Bill Lambert, attached as Exhibit A, shall be continued and remain in effect until May 5, 2020.

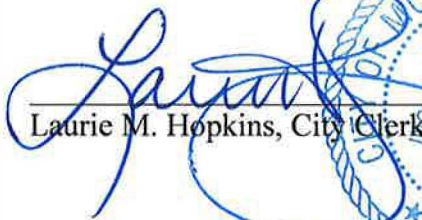
That this Resolution shall become effective as of the 26th day of March, 2020.

PASSED BY THE CITY COUNCIL AND APPROVED by the Mayor of the City of Moscow, Idaho, this 26th day of March, 2020.



Bill Lambert, Mayor

ATTEST:



Laurie M. Hopkins, City Clerk



Exhibit A

NO. 804618
AT THE REQUEST OF
City of Moscow
DATE & HOUR
3/24/20 3:11PM
HEIDI ANN K. WESTBROOK
LATAI COUNTY RECORDER
FEES \$ BY *Alina*

THE CITY OF MOSCOW

PUBLIC HEALTH EMERGENCY ORDER No. 20-02

MASS GATHERINGS, SCHOOLS, CHURCHES, GYMS, TATTOO PARLORS,
BARBERSHOPS AND SALONS

March 24, 2020

- WHEREAS,** on March 13, 2020, the Idaho Governor Brad Little declared a state of emergency due to COVID-19, which is still in effect; and
- WHEREAS,** 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., which is still in effect; and
- WHEREAS,** on March 13, 2020, Moscow Mayor Bill Lambert issued a Local Emergency Proclamation, declaring a local disaster emergency due to the occurrence and imminent threat to public health and safety arising from the effects of the 2019 novel coronavirus (COVID-19), pursuant to Idaho Code § 46-1011 and other relevant sections of Idaho Code; and
- WHEREAS,** on March 16, 2020, the Moscow City Council adopted Resolution 2020-05, authorizing continuation of Mayor Lambert's Local Emergency Proclamation until May 5, 2020; and
- WHEREAS,** on March 20, 2020, the Council for the city of Moscow adopted an ordinance enacting a new Chapter 11 to Title 1 of the Moscow City Code, setting forth the authority, purpose, and intent of emergency powers to address the threat of COVID-19; and
- WHEREAS,** on March 20, 2020, Mayor Lambert issued the first Public Health Emergency Order No. 20-01, instituting regulations regarding mass gatherings, restaurants and bars to help prevent the spread of COVID-19; and
- WHEREAS,** on March 21, 2020, Whitman County, which is located at the western Moscow City limits, announced its first cases of COVID-19; and
- WHEREAS,** on March 23, 2020, Spokane County, which is located less than 79 miles from Moscow, reported it has 29 confirmed cases of COVID-19; and
- WHEREAS,** on March 23, 2020, Washington Governor Jay Inslee issued a Stay at Home, Stay Healthy order for all of Washington state which will be effective for a minimum of two weeks; and

WHEREAS, on March 23, 2020, the state of Idaho reported 50 confirmed cases of COVID-19, 3 of which are located in Kootenai County, which is located less than 80 miles to the north of Moscow; and

WHEREAS, the Department of Health and Human Services Centers for Disease Control ("CDC") is reporting that as of March 24, 2020, the United States has 44,183 confirmed cases of COVID-19, and 544 total deaths; and

WHEREAS, both the CDC, the federal government, and the Idaho Department of Health and Welfare and the Idaho North Central Health District have recommended practices to prevent the rapid spread of COVID-19, including social distancing, and on March 18, 2020, Governor Brad Little adopted these recommendations for the state of 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 policies, along with other information, are available on the CDC's official COVID-19 website. (<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>);

WHEREAS, the risk of community spread throughout the city of Moscow is a continued threat, especially due to our unique location in Idaho and our close proximity to states and locations where there is a large number of confirmed COVID-19 cases and evidence of community spread; and

WHEREAS, the spread of COVID-19 continues to threaten 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; and

WHEREAS, the inability for certain businesses to follow the recommended social distancing guidelines due to the very nature of their business calls for this additional regulation to help do our part to slow the spread of COVID-19; and

WHEREAS, the rapid spread of COVID-19 to date requires a more aggressive proactive response in order to protect the public and resources to address the supply issues we as a nation and state currently face.

NOW, THEREFORE, I, Bill Lambert, Mayor of the City of Moscow, Idaho, by virtue of the authority vested in me by Moscow City Code Title 1-11-05(B), and the common law authority to protect the public in the event of an emergency, in order to encourage and enforce Social Distancing and reduce the potential for spread of the COVID-19 virus, hereby order as follows:

1. Public Health Emergency Order No. 20-01, remains in full force and effect, in accordance with said Order and Moscow City Council Resolution 2020-06.
2. There shall be no gatherings in groups of more than ten (10) persons within a facility within the boundaries of the City of Moscow, which shall also apply to the following:
 - a. Educational institutions, private and public, through April 20, 2020, or any extension granted by the Idaho State Board of Education.

PUBLIC HEALTH EMERGENCY ORDER No. 20-02 - Page 2 of 3

- b. Any and all expressive and associative activities, including assembly, and church and religious organization activities.
- 3. **Gyms.** Including without limitation gyms (and gymnasiums), workout facilities, health clubs, athletic clubs, fitness centers and health spas within the city limits of the City of Moscow shall close to members, guests, patrons, customers, and the general public. Gym includes any building, room, venue or location designed to facilitate physical exercise with or without the use of specialized equipment, which includes, but is not limited to, aquatic centers, yoga studios, martial arts studios, and massage parlors.
- 4. **Tattoo Parlors, Barber Shops and Salons.** All businesses or establishments that renders the services by barbers, hairdressers and cosmeticians, nail technicians, electrologists, estheticians, eyelash technicians and tattoo and piercing providers within the city limits of the City of Moscow shall close to members, guests, patrons, customers, and the general public. This includes, but is not limited to, barbershops, beauty shops, hairdressing salons, beauty salons, nail salons, spas, and tattoo or piercing establishments.
- 5. **Exemptions.** This order shall not apply to childcare/daycare services and childcare/daycare facilities. Nothing in this order shall constrain the duties and powers of the City, the Mayor, or other governmental agencies.
- 6. **Penalty.** In accordance with Moscow City Code Section 1-11-10, any person who knowingly violates the provisions of this order shall be guilty of a misdemeanor.

This Emergency Order shall take effect at 12:00 a.m. on March 25, 2020, and shall remain in full force and effect for seven (7) days, subject to be extended by City Council through Resolution unless it is terminated or modified at an earlier date.

IN WITNESS WHEREOF, I have hereunto set my hand on this 24th day of March, 2020.



Bill Lambert
 Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins
 Laurie M. Hopkins, City Clerk