

ORDER OF BIG HORN COUNTY PUBLIC HEALTH OFFICER

No. 2020- 2

WHEREAS, the World Health Organization has declared the worldwide outbreak of COVID-19 Novel Coronavirus a pandemic; and

WHEREAS, as of March 16, 2020, the United States Centers for Disease Control and Prevention (CDC) indicates there are over 3,400 confirmed cases and 68 deaths in the United States; and

WHEREAS, all states in the United States are experiencing confirmed cases of COVID-19 and multiple areas contiguous to Big Horn County, Montana have confirmed; and

WHEREAS, the Montana Department of Public Health and Human Services (DPHHS) recognizes COVID-19 as a threat to the residents of Montana; and

WHEREAS, response plans and protocols have been activated to prepare for cases of COVID-19 in Big Horn County, Montana; and

WHEREAS, the Montana DPHHS, local health departments, health and medical departments and local jurisdictions have activated response plans and protocols to prepare for the arrival of the virus in Montana; and

WHEREAS, these partners have also worked to identify, contact, and test individuals in the State of Montana, County of Big Horn `who have been potentially exposed to COVID-19 in coordination with the CDC; and

WHEREAS, proactively implementing mitigation measures to slow the spread of the virus is in the best interests of the State of Montana, Big Horn County and its people as set forth in the Board of Big Horn County Commissioners' Emergency Proclamation Resolution No 2020-7, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BIG HORN COUNTY, MONTANA PROCLAIMING AN EMERGENCY RESULTING FROM THE IMMINENT THREAT OF A DISASTER CAUSING IMMEDIATE PERIL TO LIFE OR PROPERTY THAT TIMELY ACTION CAN AVERT OR MINIMIZE; and

WHEREAS, COVID-19, a respiratory disease that can result in serious illness or death, is caused by 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; and

WHEREAS, the CDC identifies the potential public health threat posed by COVID-19 both globally and in the United States as "high," and has advised

that person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and

WHEREAS, the circumstances of this outbreak may exceed the capacity of the services, personnel, equipment, supplies and facilities of Big Horn County; and

Whereas, the Big Horn County Board of Health in consultation with public health authorities, has strongly recommended the limiting of gatherings, specifically avoiding gatherings of more than 10 people; and

WHEREAS, the Big Horn County Board of Health has the duty of protect the public from the introduction and spread of communicable disease; and

WHEREAS, Big Horn County's Health Officer has determined that the potential spread of COVID-19 constitutes a public health emergency and actions must be taken to avert and minimize the outbreak of this communicable disease; and

WHEREAS, Montana Code Annotated § 50-2-118 provides:

50-2-118. Powers and duties of local health officers. In order to carry out the purpose of the public health system, in collaboration with federal, state, and local partners, local health officers or their authorized representatives shall:

- (1) make inspections for conditions of public health importance and issue written orders for compliance or for correction, destruction, or removal of the condition;
- (2) take steps to limit contact between people in order to protect the public health from imminent threats, including but not limited to ordering the closure of buildings or facilities where people congregate and canceling events;
- (3) report communicable diseases to the department as required by rule;
- (4) establish and maintain quarantine and isolation measures as adopted by the local board of health; and
- (5) pursue action with the appropriate court if this chapter or rules adopted by the local board or department under this chapter are violated.

WHEREAS, based upon the foregoing the local health officer should institute her authority to close buildings and facilities to prevent the spread of COVID-19 to the County of Big Horn, Montana and take steps to limit contact between people; and

WHEREAS ON 20th day of March 2020, at 10:44 a.m. the local health officer issued Order of Big Horn County Public Health Officer 2002-1 [hereinafter Order 1] pursuant to Title 50, Chapter 2, Part 1, specifically but not limited to Montana Code Annotated § 50-2-118, that was effective beginning 5:00 p.m. local time on Friday, March 20, 2020, for a period of time up to and through 12:01 a.m. local time March 28, 2020, unless extended by further order:

WHEREAS, the situations set forth above have not reached conclusion and in fact have become more exacerbated, by way of example, but not limitation the number of persons in the State of Montana who have been diagnosed with COVID-19 has risen since the implementation of Order 1 on the 20th day of March 2020 at 10:44 a.m.; and

WHEREAS, on March 26, 2020, the Governor of the State of Montana, Steve Bullock issued a Directive Implementing Executive Orders 2-2020 and 3-2020 providing measures to stay at home and designating certain essential functions which provided in part: “This Directive is in effect statewide in Montana. In the interest of uniformity of laws and to prevent the spread of disease, all inconsistent emergency county health ordinances are preempted by this Directive, but only to the extent they are less restrictive. Counties may adopt more restrictive ordinances.”

WHEREAS the Order 1 expires at 12:01 a.m. local time on March 28, 2020.

NOW THEREFORE IT IS HEREBY ORDERED,

- All persons coming to Big Horn County, Montana for recreational purposes from a distance of greater than 100 miles or from a distance of greater than 100 miles to a non-primary residence must self-quarantine in their lodging for a minimum of 14 consecutive calendar days from the date of their arrival in Big Horn County, Montana. This portion of this Order is in conformance with the Directive of the Governor which allows counties to adopt stricter standards.
- All gatherings deemed essential under the Directive of the Governor dated March 26, 2020, are limited to 10 people, and those people must practice social distancing, i.e., individual must be 6 feet apart. Such gatherings include, but are not be limited to, funerals, weddings, and religious services. This portion of this Order is in conformance with the Directive of the Governor which allows counties to adopt stricter standards.
- All other gatherings of more than 10 people are prohibited except when authorized by the Office of the Governor of the State of Montana.

This order shall be Effective 12:01 a.m. local time March 28, 2020, until the later of 12:01 a.m. Monday, April 13, 2020, or the end of the 14 consecutive calendar day period for those who are self-quarantining pursuant to this Order

IT IS HEREBY FURTHER ORDERED that this Order may be revised, updated, amended, changed or revoked in whole or in part at any time.

To the extent order is more restrictive, this Order supplements any Orders or Directives of the State of Montana or the United States Government regarding the COVID-19 virus.

Done and Dated at Hardin, MT this 27th day of March 2020 at 10:25 a.m.



Carolyn Greimann, M.D.
Big Horn County Public Health Officer
Big Horn County, Montana

SEE MONTANA CODE ANNOTATED TITLE 50 CHAPTER 2 PART 1