



# THE CITY-COUNTY OF Butte-Silver Bow

Health Department  
25 W. Front St., Butte, MT 59701  
Ph: 406-497-5020 Fax: 406-497-5095  
<http://co.silverbow.mt.us/135/Health>

## **EMERGENCY LOCAL HEALTH RULE RELATING TO COVID-19 INDIVIDUAL QUARANTINE AND ISOLATION**

WHEREAS, the World Health Organization has declared the worldwide outbreak of the SARS-CoV-2 virus, causing COVID-19 disease, a global pandemic;

WHEREAS, COVID-19 is a disease that can result in serious illness or fatality and can easily be spread from person to person;

WHEREAS, the Centers for Disease Control and Prevention has identified the public health threat posed by COVID-19 in the United States as “high” and has advised that person-to-person spread of COVID-19 will continue to occur through the country, Montana and Butte-Silver Bow;

WHEREAS, the circumstances of this outbreak may exceed the capacity of the services, personnel, equipment, supplies and facilities of Butte-Silver Bow;

WHEREAS, on Sept. 3, 2020, the Butte-Silver Bow health officer will issue an order regarding quarantine and isolation of individuals in Butte-Silver Bow who have pending COVID-19 test results or who have tested positive for COVID-19;

WHEREAS, to provide for additional enforcement mechanisms under Section 50-2-124 Montana Code Annotated (MCA), the Butte-Silver Bow Board of Health desires to adopt this document as an Emergency Local Health Rule;

WHEREAS, per Section 50-2-116(1)(f) MCA, the Butte-Silver Bow Board of Health “in order to carry out the purposes of the public health system” shall “identify, assess, prevent and ameliorate conditions of public health importance through ... (iii) isolation and quarantine measures”;

WHEREAS, pursuant to Section 50-2-116(1)(g) MCA, the Butte-Silver Bow Board of Health has the duty to “protect the public from the introduction and spread of communicable disease or other conditions of public health importance, including through actions to ensure the removal of filth or other contaminants that might cause disease or adversely affect public health”;

WHEREAS, Section 50-1-101(2) MCA defines a “condition of public health importance” as “a disease, injury or other condition that is identifiable on an individual or community level and that can reasonably be expected to lead to adverse health effects in the community”;

WHEREAS, per Section 50-2-116 MCA, COVID-19 is a condition of public health importance that must be prevented and ameliorated through isolation and quarantine measures, and the public must be protected from the introduction and spread of the communicable disease;

WHEREAS, as of Aug. 31, 2020, there were 7,421 confirmed cases of COVID-19 and 104 deaths in the State of Montana;



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WHEREAS, as of Aug. 31, 2020, there were 115 confirmed cases of COVID-19 in Butte-Silver Bow;

WHEREAS, the age, condition and health of a significant portion of the population of Butte-Silver Bow is at risk for serious health complications, including death, from COVID-19; and symptomatic persons, including persons with mild symptoms, and asymptomatic persons with COVID-19 place other vulnerable members of the public at significant risk;

WHEREAS, a surge in the number of persons with serious infections can compromise the ability of the local healthcare system to delivery necessary healthcare to the public;

WHEREAS, this Emergency Local Health Rule will help preserve critical and limited healthcare capacity in Butte-Silver Bow by reducing the spread of COVID-19;

WHEREAS, there may be numerous individuals in Butte-Silver Bow who have been potentially exposed to COVID-19 and should quarantine while awaiting test results to avoid potentially exposing others;

WHEREAS, proactively adopting quarantine and isolation measures to slow the spread of the virus is in the best interests of Butte-Silver Bow and its citizens;

WHEREAS, the spread of COVID-19 constitutes a public health emergency and poses an imminent threat to the public health and, consequently, actions must be taken to avert and minimize the outbreak of this communicable disease;

WHEREAS, the requirements of this rule are reasonable and necessary to address public health needs, specifically to maintain health and to control and prevent the spread of a contagious and infectious disease throughout Butte-Silver Bow due to COVID-19;

WHEREAS, for the foregoing reasons, the Butte-Silver Bow Board of Health finds that this Emergency Local Health Rule must be adopted to deal with an emergency situation affecting the public health, safety or welfare, and this emergency cannot be averted or remedied by any other administrative act.

**NOW, THEREFORE, EFFECTIVE IMMEDIATELY, THE FOLLOWING  
EMERGENCY LOCAL HEALTH RULE IS ADOPTED:**

## QUARANTINE

1. All persons with COVID-19 symptoms (fever, cough and/or difficulty breathing) who have a test result for COVID-19 pending or who have been identified as a close contact of someone who is a known case for COVID-19, shall stay in a quarantine location (their home if they have one, or in a government-directed or publicly provided location if one is available) in accordance with public health guidance and the considerations stated below.
2. All persons whose test results for COVID-19 are positive, must then remain in isolation.



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## ISOLATION

1. All individuals who test positive for COVID-19 shall enter and remain in isolation as follows:
  - a. All such persons SHALL NOT LEAVE THEIR HOME OR RECOVERY FACILITY, except to receive medical care.
  - b. All such persons must discontinue isolation only upon being released from isolation by Butte-Silver Bow Health Department staff using current guidelines from the U.S. Centers for Disease Control and Prevention.

## CONDITIONS OF QUARANTINE AND ISOLATION

All individuals in quarantine or isolation must:

1. As much as possible, keep separated from other people and animals
2. Stay in a separate "sick room," if possible
3. Use a separate bathroom, if available
4. Clean all "high-touch" surfaces daily
5. Cover coughs and sneezes and wash hands often
6. Avoid sharing personal household items such as towels and kitchen utensils
7. If something is required that is available from an essential business, such as food, obtain the item by delivery or from others who are not in isolation and in a manner that does not require face-to-face contact with others or entry into the isolation location.
8. If symptoms worsen, contact a healthcare provider as frequently as necessary to determine if the disease is progressing and additional care is needed. Except for emergencies, call a physician or health clinic first before visiting.
9. If attending a medical appointment, avoid public transportation and wear a mask if available.

## SCOPE AND ENFORCEABILITY

1. Violations of this rule shall be enforced pursuant to Sections 50-2-123 and 50-2-124 MCA, which state:

50-2-123. Compliance order authorized. If a person refuses or neglects to comply with a written order of a state or local health officer within a reasonable time specified in the order, the state or local health officer may cause the order to be complied with and initiate an action to recover any expenses incurred from the person who refused or neglected to comply with the order. The action to recover expenses shall be brought in the name of the city or county.

50-2-124. Penalties for violations. (1) A person who does not comply with rules adopted by a local board is guilty of a misdemeanor. On conviction, the person shall be fined not



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less than \$10 or more than \$200. (2) Except as provided in 50-2-123 MCA and subsection (1) of this section, a person who violates the provisions of this chapter or rules adopted by the department under the provisions of this chapter is guilty of a misdemeanor. On conviction, the person shall be fined not less than \$10 or more than \$500 or be imprisoned for not more than 90 days, or both. (3) Each day of violation constitutes a separate offense. (4) Fines, except Justice Court fines, must be paid to the County Treasurer of the county in which the violation occurs.

2. This rule expires at the end of the COVID-19 event.
3. If any provision of this rule, in whole or in part, is found to be invalid by a court of competent jurisdiction, such decision will not affect the validity of the remaining provisions of this rule.

DATED this 3<sup>rd</sup> day of September 2020.

DocuSigned by:

*Ivy Fredrickson*

6029B555CFD9420...  
Ivy Fredrickson

Chair, Butte-Silver Bow Board of Health

ATTEST:

DocuSigned by:

*Sally J. Holte*

8088CE393266452...  
Butte-Silver Bow Clerk & Recorder

## Certificate Of Completion

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| Envelope Id: 68D9DE8138BC407592104BBFC3B8C327  | Status: Completed               |
| Subject: Please DocuSign: rule -- individual quarantine and isolation 2 -- sept. 3 2020 3.docx |                                 |
| Source Envelope:   |                                 |
| Document Pages: 4  | Signatures: 2                   |
| Certificate Pages: 5   | Initials: 0                     |
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| Time Zone: (UTC-07:00) Mountain Time (US & Canada)   | 155 West Granite Street         |
|  | Butte, MT 59701-9206            |
|  | council.agenda.items@bsb.mt.gov |
|  | IP Address: 161.7.93.215        |

## Record Tracking

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Ivy Fredrickson  
ivy.fredrickson@gmail.com  
Chair  
Security Level: Email, Account Authentication (None)

## Signature

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Sally Hollis  
shollis@bsb.mt.gov  
Clerk & Recorder  
City and County of Butte-Silver Bow  
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Security Level: Email, Account Authentication (None)

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### **How to contact City and County of Butte-Silver Bow:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by phone call: 406-497-6335

To contact us by email send messages to: [clerkrec@bsb.mt.gov](mailto:clerkrec@bsb.mt.gov)

To contact us by paper mail, please send correspondence to:

City and County of Butte-Silver Bow

155 W. Granite St.

Room 208

Butte, MT 59701-9234

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To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at [clerkrec@bsb.mt.gov](mailto:clerkrec@bsb.mt.gov) and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

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- Until or unless you notify City and County of Butte-Silver Bow as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by City and County of Butte-Silver Bow during the course of your relationship with City and County of Butte-Silver Bow.