

Halfway River First Nation

COVID-19 ORDER NO. 2020-01

(Pursuant to Section 5.1 of the *Halfway River First Nation Disease Response Bylaw*)

WHEREAS:

- A. On November 10, 2020, the Council of the Halfway River First Nation (the "Council") declared, pursuant to Section 4.1 of the *Halfway River First Nation Disease Response Bylaw*, that a Disease Emergency in respect of COVID-19 exists throughout the whole of the Reserve and necessitates the taking of special temporary measures for dealing with the Disease Emergency;
- B. Section 5.1 of the *Halfway River First Nation Disease Response Bylaw* empowers the Council to make Orders that the Council believes are necessary for the protection of the health or safety of individuals while a declaration of a Disease Emergency is in effect;
- C. A communicable disease known as COVID-19 has been declared by the World Health Organization to be a global pandemic and exists in British Columbia;
- D. Outbreaks of COVID-19 are caused by the SARS-CoV-2 virus, an infectious agent, and a person infected with SARS-CoV-2 can infect other people with whom the infected person is in contact;
- E. SARS-CoV-2 and COVID-19 pose a serious and immediate threat to the health, safety and lives of members of Halfway River First Nation and residents of the Reserve, especially to Elders, people with underlying health conditions and other vulnerable community members, and require the prompt coordination of action or special regulation of persons or property to protect the health, safety, well-being and lives of people; and
- F. The Chief Public Health Officer of Canada and the Provincial Health Officer of British Columbia have made orders and recommendations designed to prevent and reduce the spread of SARS-CoV-2, including requiring social (physical) distancing and limiting the size of gatherings;

NOW THEREFORE the Council of the Halfway River First Nation hereby makes the following Order:

1.0 Interpretation

- 1.1 In this Order, terms that are capitalized but not otherwise defined shall have the meaning ascribed to them in the *Halfway River First Nation Disease Response Bylaw*.

2.0 Restrictions on Access to the Reserve

2.1 A person may only enter or be present on the Reserve if they are:

- (a) a Member or non-Member who resides on the Reserve;
- (b) a Member or non-Member who is employed by Halfway River First Nation;
- (c) providing emergency services, including but not limited to firefighting, child and family services, medical services and police services;
- (d) providing care for a Member or a non-Member who resides on the Reserve;
- (e) delivering goods to a home or business on the Reserve;
- (f) conducting urgent appliance or building repairs;
- (g) doing work to maintain or repair utilities or public infrastructure (e.g. hydro, phone, internet, snowplowing, garbage removal); or
- (h) doing work for Halfway River First Nation at Halfway River First Nation's request.

2.2 By Resolution, the Council may approve a request made in writing for a person to enter or be present on the Reserve for a reason not specified in Section 2.1.

2.3 A person who meets none of the criteria in Section 2.1 and who has not received permission of the Council pursuant to a written request made under Section 2.2 is not allowed to enter or be present on the Reserve.

2.4 Despite Sections 2.1 and 2.2, the Council may, by Resolution, prohibit a person from entering or being present on the Reserve, even where the person meets one or more of the criteria in Section 2.1 or has received permission of Council pursuant to a written request made under Section 2.2, if Council has determined the person to be a threat to the health or safety of Halfway River First Nation or its Members because the person has contravened a requirement of this Order and Council has a reasonable belief that the person will continue or repeat the contravention.

3.0 Restricted Hours (Curfew)

3.1 No person shall be in any public place on the Reserve between 8:00 p.m. and 6:00 a.m. unless that person:

- (a) is attending or is directly returning home from an activity described in Section 2.1(c), 2.1(d), 2.1(e), 2.1(f), 2.1(g) or 2.1(h);
- (b) is directly returning home from a location outside of the Reserve; or
- (c) is authorized by a Resolution of Council.

6.0 Social Distancing (Physical Distancing)

6.1 A person must maintain a distance of two metres from any other person, unless the persons are separated by physical barriers or routinely reside together in a home.

7.0 Wearing of Masks

7.1 If a person cannot maintain a distance of two metres from any other person, then the person must wear a mask or other face covering that covers the mouth, nose and chin, unless the persons are separated by physical barriers or routinely reside together in a home.

7.2 Section 7.1 does not apply to:

- (a) children under 2 years of age;
- (b) persons with an underlying medical condition or disability which inhibits their ability to wear a face covering;
- (c) persons who are unable to place, use or remove a face covering safely without assistance;
- (d) persons who are caregiving for or accompanying a person with a disability where wearing a face covering would hinder the accommodation of the person's disability; or
- (e) persons who have temporarily removed their face covering where doing so is necessary to provide or receive a service or to consume food or beverages.

7.3 For greater certainty, a person is not liable for an offence for contravening Section 6.1 if the person is wearing a mask or other face covering that covers the mouth, nose and chin in accordance with Section 7.1.

8.0 Self-Isolation (Quarantine)

8.1 A person who develops symptoms of COVID-19 must self-isolate for fourteen (14) days after the onset of symptoms except if directed by a medical professional to seek medical attention, in which case, the person must follow the directions of the medical professional.

8.2 A person who has been in contact with a person who has symptoms of COVID-19 or is infected with COVID-19 must self-isolate for fourteen (14) days.

8.3 By Resolution, the Council may require any person on the Reserve to self-isolate for a specified number of days if Council has determined the person to be a threat to the health or safety of Halfway River First Nation or its Members.

8.4 A person who resides in the same home as a person who is self-isolating under Section 8.1, 8.2 or 8.3 must self-isolate for seven (7) days.

3.2 An Officer who finds a person who is in a public place in contravention of Section 3.1 may give the person a warning and immediately escort such person home.

4.0 Compliance with Public Health Orders

4.1 All persons present on the Reserve must comply with any order or recommendation of the Chief Public Health Officer of Canada or the Provincial Health Officer of British Columbia made in relation to the COVID-19 outbreak from time to time, including orders and recommendations related to the following:

- (a) travel restrictions;
- (b) self-isolation (quarantine);
- (c) staying home;
- (d) restrictions on visiting others;
- (e) social (physical) distancing; and
- (f) wearing face masks or other personal protective equipment when in public.

5.0 Restrictions on Gatherings

5.1 Gatherings of any number of people at any location on the Reserve, whether indoors or outdoors and whether private or public, are prohibited unless expressly permitted under this Order.

5.2 Despite Section 5.1, gatherings of up to five (5) people are permitted within a home on the Reserve, in addition to the people who routinely reside together in the home.

5.3 Despite Section 5.1, gatherings of up to twenty (20) people are permitted outdoors or in any building other than a home, if:

- (a) there is sufficient space available to permit the people in attendance to maintain a distance of two metres from one another; and
- (b) the people attending the gathering are complying with the requirements of Sections 4.1 [Compliance with Public Health Orders], 6.1 [Social Distancing (Physical Distancing)] and 7.1 [Wearing of Masks].

5.4 Despite Section 5.1, the Council may permit gatherings of any number of people outdoors or in any building on a case-by-case basis by passing a Resolution setting out the date, time, location and permitted number of people at the gathering, provided that the people attending the gathering must comply with the requirements of Sections 4.1 [Compliance with Public Health Orders], 6.1 [Social Distancing (Physical Distancing)] and 7.1 [Wearing of Masks].

8.5 A person who is required to self-isolate under Section 8.1, 8.2, 8.3, or 8.4 must:

- (a) wear a mask or other face covering that covers the mouth, nose and chin in public settings while traveling to their place of self-isolation;
- (b) go directly to their place of self-isolation without delay and stay there for the required number of days; and
- (c) follow the instructions for self-isolating at home given by the Chief Public Health Officer of Canada or the Provincial Health Officer of British Columbia, whichever is the more stringent at any given time.

9.0 Publication

9.1 Upon the adoption of or any amendment to this Order, Council will post the Order on the Halfway River First Nation website, to remain until such date as the Order expires or is repealed.

10.0 Expiration

10.1 This Order does not have an expiration date.

11.0 Coming into Force

11.1 This Order comes into force once it is executed by a quorum of Council.

A quorum of Council is four (4) members.

The following members of the Council, constituting a quorum, have signed this Order as of this 10th day of November, 2020

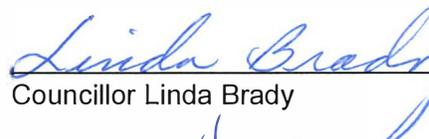

Chief Darlene Hunter


Councillor Joyce Achla

Councillor Lori Ann Wokeley

Councillor William Field


Councillor Maizie Metecheah


Councillor Linda Brady


Councillor Gerry Hunter