

City Council Memo

From: Paul M. Briseno, City Manager

Council Meeting: March 23, 2021

Subject: Ordinance 21-012 - Renewal Occupancy Restrictions & Mask Mandate

Person(s) Responsible: Paul Briseno, City Manager

Summary:

Ordinance 21-001, which currently regulates bars, restaurants, salons, retail and requires face coverings for indoor businesses and indoor public spaces will expire April 10, 2021. Brookings County transitioned community spread from moderate to substantial, hospitalization is low, cases are minimized, and only a portion of the triggers are met. Staff recommends denial consideration of the existing Ordinance as amended to expire April 30th. The spread, cases, hospitalization and planned mass vaccinations are considerations.

Background:

On September 8, 2020 City Council approved an Ordinance mandating face coverings where social distancing is not achievable for indoor businesses and public places. The Council renewed the existing regulation that requires bars, restaurants, casinos, grocery, retail, and fitness businesses to operate at half capacity. Employees of certain businesses are required to wear face coverings at all times.

The Ordinance also has the following requirements:

Restaurants/Bars

- Maximum of ten (10) customers or 50% occupancy, whichever is greater
 - Occupancy capacity posted at the front entrance
- Groups of ten (10) or less and six (6) feet apart
- Cleaning of high touch areas/materials between users
- Screening employees recommended
- Employees required to wear masks
- Cleaning of used spaces before and after each customer
- No self-serve buffets or salad bars
- No sharing of condiments unless wiped between use

Grocery, Casino, Gyms, and Recreational Facilities

- Cleaning of equipment after use by customer and/or employee
- Maximum of ten (10) customers or 50% occupancy
 - Occupancy capacity posted at front entry

- Employees of Grocery stores will wear masks
- Protective measures/operations will be provided

Salons/Barber Shops

- Customers six (6) feet spacing & recommend service by appointment-only
- Employees will wear masks
- Clean equipment before and after each customer
- Adequate social distancing for waiting customers

Face Covering required if adequate social distancing cannot be achieved

- Required for all indoor businesses and indoor public spaces
- Required for all City permitted events
- Exceptions include children under 5, medical conditions, religious place, educational units, certain non-profits, organized sports activity that have an approved plan

Businesses and residents who violate sections of this Ordinance will be subject to fines.

Discussion:

Brookings County is in substantial spread. The seven-day rolling percent positivity, according to the hospital's dashboard, is 6.8%. Brookings County was ranked sixth of cases per one-hundred thousand of the counties with the top ten most populous cities. More importantly, Brookings County still has the lowest total deaths when compared to the top ten most populated counties. Multiple mass vaccinations will occur in March and April. By early to mid-April, 1E is projected to be complete. Brookings County has achieved case counts similar to fall 2020.

Ordinance 21-012 contains the current Ordinance 21-001 regulating bars, restaurants, salons, retail and requires face coverings for indoor businesses and indoor public spaces. March 16th a COVID 19 update was given and first reading occurred. Second Reading will occur March 23, 2021 as amended to end April 30th.

Legal Consideration:

None.

Financial Consideration:

None.

Options and Recommendation:

The City Council has the following options:

1. Approve as presented
2. Amend
3. Refer to a Study Session
4. Deny
5. Do nothing

Staff recommends consideration of the existing Ordinance as amended with the expiration date of April 30th. If cases remain low by March 23rd Staff recommend denying this ordinance.

Supporting Documentation:

Memo

Ordinance 21-012 – clean 3/23/2021

Ordinance 21-012 – marked 3/23/2021

Hospital Dashboard

Weekly COVID 19 Update

Threshold Report – to be posted 3/22/2021

Ordinance 21-012 – clean 3/16/2021

Ordinance 21-012 – marked 3/16/2021