

RESOLUTION 20-072

AN EMERGENCY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKINGS, SOUTH DAKOTA, TO ADDRESS A PUBLIC HEALTH CRISIS.

WHEREAS, the City of Brookings has the authority pursuant to SDCL 9-29-1 and SDCL 9-32-1 to pass resolutions and ordinances for the purpose of promoting the health, safety, and general welfare of the community, and to do what may be necessary for the promotion of health or the suppression of diseases; and

WHEREAS, pursuant to Ordinance 20-010, the City Council may by resolution modify the mandatory closures and enact revised restrictions on public gatherings and public movements it deems necessary to address the current public health emergency. Any revised measures and restrictions, adopted by resolution shall be for a specific duration and shall be periodically reviewed to ensure the continued necessity of such restrictions or closures; and

WHEREAS, the following restrictions are necessary to address a public health emergency and shall be effective upon passage of this Resolution and until the September 3, 2020 amendments to Ordinance 20-010 have been adopted;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Brookings, South Dakota (the "City") as follows:

Social Gatherings Restricted. All indoor and outdoor social gatherings of more than 10 people within residential dwelling units and the lots they are located upon are prohibited. Social gatherings are groups of individuals who are not members of the same residential dwelling unit, congregated together both within a dwelling and upon the real property a residential dwelling unit is located upon, for a common or coordinated social, community or leisure purpose, even if social distancing can be maintained. This prohibition includes planned and spontaneous gatherings as well as public and private gatherings within residential dwellings in the City of Brookings and the real property they are located upon. Gatherings of more than 10 persons who are related by blood or law (as defined in §94-1 of the Brookings Code of Ordinances) shall be permitted notwithstanding this provision.

Hours of Alcoholic Beverage Sales and Consumption During Pandemic. No on-sale or off-sale alcoholic beverage licensee may sell, serve, or allow to be consumed on the premises covered by the license, any alcoholic beverages between the hours of 10:00 p.m. and 7:00 a.m. on Thursday, Friday, and Saturday. This requirement does not require the licensee to close, but rather prohibits the sale of alcoholic beverages after 10:00 p.m. on Thursday, Friday, and Saturday.

Masks Required at City-Sanctioned Events. Masks which cover a person's nose and mouth are required for all persons attending or working at events which require a City permit when a minimum six-foot distance cannot be maintained or achieved.

Face Masks/Face Coverings Required. Within the City of Brookings, all persons except those under the age of five (5) and those with a medical condition, mental health condition, or disability that makes it unreasonable for the individual to maintain a face covering, must wear a face mask/face covering in indoor businesses and indoor public places where six (6) foot social distancing cannot be achieved or maintained. A "face covering" or "mask" must be worn to cover the nose and mouth completely, and can include a paper or disposable face mask, a cloth mask, a scarf, a bandanna, or neck gaiter.

WHEREAS, BE IT FURTHER RESOLVED, that, any violation of this resolution shall constitute a violation of Section 7 of Ordinance 20-010 and shall be subject to penalty as provided in Section 1.8 of the Code of Ordinances of the City of Brookings; and

WHEREAS, BE IT FURTHER RESOLVED, that, pursuant to SDCL 9-19-13, this resolution is necessary for the immediate preservation of the public peace, health, safety and welfare of the City and shall become effective immediately upon passage,

Dated this ____ day of September, 2020.

CITY OF BROOKINGS

Keith Corbett, Mayor

ATTEST:

Bonnie Foster, City Clerk