

Resolution 20-076

An Emergency Resolution of the City Council of the City of Brookings, South Dakota, to Address a Public Health Crisis.

Be It Resolved by the City Council of the City of Brookings, South Dakota (the "City") as follows:

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, upon the adoption of Ordinance 20-019 which requires masks at City sanctioned events and in indoor businesses and indoor public places, the following clarifications of the requirements and exceptions are set forth in Ordinance 20-019 shall be applicable:

1. All persons in the city shall cover their mouth and nose with a mask or other face covering when they are in the following situations:
 - a. When inside, or in line to enter, any indoor public space;
 - b. When obtaining services from the healthcare sector in settings, including but not limited to, a hospital, pharmacy, medical clinic, laboratory, physician or dental office, veterinary clinic, or blood bank, unless directed otherwise by an employee thereof or a health care provider;
2. Waiting for or riding on public transportation or while in a taxi, private car service, or ride-sharing vehicle;
3. The following individuals are exempt from wearing masks or other face coverings:
 - a. Persons age five years or under—children age two years and under in particular should not wear a face covering because of the risk of suffocation;
 - b. Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering—this includes persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance;
 - c. Persons who are deaf or hard of hearing, or when communicating with a person who is deaf or hard of hearing, where the ability to see the mouth is essential for communication;

- d. Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulations or workplace safety guidelines;
- e. Persons who are obtaining a service involving the nose or face for which temporary removal of the face covering is necessary to perform the service;
- f. Persons who are seated at a restaurant or other establishment that offers food or beverage service, while they are eating or drinking, provided they maintain a 6-foot distance between individuals (not including individuals who reside together or are seated together) with only infrequent or incidental moments of closer proximity;
- g. Athletes and participants who are engaged in an organized sports activity that allows athletes to maintain a 6-foot distance from others with only infrequent or incidental moments of closer proximity;
- h. Persons who are engaged in an activity that a professional or recreational association, public regulatory entity, medical association, or other public-health oriented entity has determined cannot be safely conducted while wearing a mask or other face covering and where other protections and precautions are established and utilized;
- i. Persons attending educational institutions where the public and private schools through 12th grade, colleges, and universities have implemented protections.
- j. Persons engaged in church and religious places of worship which may implement their own protections.

Dated this 8th day of September, 2020.

CITY OF BROOKINGS

Keith W. Corbett, Mayor

ATTEST:

Bonnie Foster, City Clerk