ORDINANCE NO. ______

AN ORDINANCE OF THE CITY OF MOBRIDGE, SOUTH DAKOTA DECLARING A HEALTH EMERGENCY AND LIMITING PUBLIC GATHERINGS WITHIN THE CITY AND WITHIN ONE MILE OF THE CITY LIMITS

WHEREAS, the guidance issued by the White House further recommended that in states with evidence of community transmission, bars, restaurants, food courts, gyms, and other indoor and outdoor venues where people congregate should be closed; and

WHEREAS, many states and communities across the country have already implemented the White House recommendations by ordering all bars, restaurants, food courts, gyms, and other indoor and outdoor venues where people congregate be closed until the public health emergency is over; and

WHEREAS, the failure to successfully implement social distancing will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of the City’s health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of the City’s residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to COVID-19.

NOW THEREFORE, BE IT ORDAINED, by the City of Mobridge, South Dakota:

1. Effective at 12:00 a.m. on April 1, 2020, all restaurants, food courts, food service locations, coffee houses, bars, breweries, distilleries, wineries, clubs, cafes and other similar places of public accommodation offering food and beverages for on-site consumption, including any alcohol licensees with on-sale privileges, are closed to on-site/on-sale patrons. These businesses may continue to operate in order to provide take-out, delivery, curbside service, drive-thru service. Any business continuing to operate in order to provide off-site service should implement procedures to ensure social distancing and operate in compliance with federal and state health guidance in order to prevent the spread of COVID-19.

2. Effective at 12:00 a.m. on April 1, 2020, all churches, recreational facilities, public pools, health clubs, athletic facilities and theaters, including movie theaters and music or entertainment venues are directed to close and cease operations.
3. Effective at 12:00 a.m. on April 1, 2020, all hookah lounges, cigar bars, vaping lounges or other similar business which allow for on-site consumption are directed to cease allowing on-site consumption, but may continue to offer products for sale to consume off-site under the same conditions as bars and restaurants outlined in paragraph #1.

4. Effective at 12:00 a.m. on April 1, 2020, all indoor recreational or entertainment facilities are directed to close and cease operations.

5. The prohibitions and closures in this order do not apply to the following businesses:

a. Places of public accommodation that offer food and beverages for off-site consumption, including grocery stores, food markets, retail and service businesses in which less than ten (10) people are gathered or permitted to gather in the facility, pharmacies, drug stores, and food pantries, other than any portion of such business which would be subject to the requirements of paragraph #1.

b. Room service in hotels.

c. Health care facilities, residential care facilities, congregate care facilities, and correctional facilities.

d. Crisis shelters, homeless shelters, soup kitchens, or other similar institutions.

e. Municipal Airport

f. Any emergency facilities necessary for the response to the current public health emergency or any other community emergency or disaster.

6. This ordinance shall remain in effect until such time as it is amended by Ordinance or repealed by Resolution of the Mobridge City Council.

7. Any violation of this ordinance is subject to the general penalty provision in Section.

8. This Ordinance shall apply to all locations within the City of Mobridge and within 1 mile of the corporate limits of the City of Mobridge.

9. Each day a violation of this ordinance is allowed to occur is considered a separate offense committed by the person(s) in charge of the facility in violation.
BE IT FURTHER ORDAINED, that, pursuant to SDCL 9-19-13, this ordinance is necessary due to a health emergency, the immediate preservation of the public peace, health, safety, and welfare of the City and shall become effective immediately upon passage and publication.

APPROVED:_______________________
Mayor

Passed First Reading:__________________
Passed Second Reading:________________
Adopted:____________________________
Published:___________________________
Effective:___________________________

ATTEST:___________________________
Finance Officer
(SEAL)