

**Special Board of Health Meeting
March 26, 2020, 2:00-3:00 pm
Council Chambers, Carnegie Town Hall
235 W. 10th St, Sioux Falls, SD 57104**

Agenda:

- Call Meeting to Order

New Business:

- COVID -19 Situation Update
- Regulations Relating to COVID-19
- Public Input

*Items added after the agenda deadline: the Sioux Falls Board of Health may include such other business as may come before this body.

Web stream found at <https://www.siouxfalls.org/council/view-meetings> as well as broadcast on citylink and streamed on www.siouxfalls.org/live

RSVP to Lisa at 367-8181 or lstensland@siouxfalls.org your attendance to the Board of Health meeting.

SECOND AMENDED AND RESTATED REGULATIONS OF THE BOARD OF HEALTH
RELATING TO COVID-19

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

WHEREAS, on March 12, 2020, the Mayor issued Executive Order No. 218 declaring an emergency to address the novel Coronavirus COVID-19; and

WHEREAS, on March 13, 2020, the Governor declared an emergency in the State of South Dakota in response to the COVID-19 pandemic; and

WHEREAS, on March 23, 2020, the Governor issued Executive Order 2020-08 setting forth guidelines and recommendations regarding personal, business, and healthcare precautions to be taken in response to the COVID-19 pandemic; and

WHEREAS, on March 24, 2020, the Governor announced that she is recommending that all K-12 schools in South Dakota remain closed until May 1, 2020; and

WHEREAS, on March 24, 2020, the Sioux Falls School District has closed all K-12 schools through May 1, 2020; and

WHEREAS, as of 12:00 p.m. on March 25, 2020, there are 13 confirmed cases of COVID-19 within Minnehaha County; and

WHEREAS, as of 12:00 p.m. on March 25, 2020, there is one confirmed case of COVID-19 within Lincoln County; and

WHEREAS, as of 12:00 p.m. on March 25, 2020, there are 41 confirmed cases of COVID-19 within the State of South Dakota; and

WHEREAS, as of 12:30 p.m. on March 25, 2020, community spread of COVID-19 has been identified within Beadle, Lyman, Hughes, Lincoln, McCook, and Minnehaha counties in the State of South Dakota; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) recommend certain actions for the preparation and mitigation of community transmission of COVID-19, including, but not limited to, social distancing measures and restricting the size of gatherings; and

WHEREAS, SDCL 9-32-1 confers upon municipalities the power to do what may be necessary or expedient for the promotion of health or the suppression of disease; and

WHEREAS, the City of Sioux Falls has established a Board of Health and prescribed its powers pursuant to SDCL 9-32-2; and

WHEREAS, Section 92.053 of the Code of Ordinances of the City of Sioux Falls, SD confers upon the Sioux Falls Board of Health full power to take all steps and use all measures necessary to promote the general cleanliness and healthfulness of the city and the general health and well-being of the people and community served, and to adopt any regulations, rules or measures deemed advisable to carry out such charges; and

NOW, THEREFORE, the Board of Health hereby adopts the following second amended and restated regulations:

I. Definitions:

1. "Social distancing" as used herein shall mean separation of at least six feet between individuals.
2. "Enclosed retail business that promotes public gathering" as used herein shall mean any enclosed facility operating as a bar, restaurant, brewery, café, casino, coffee shop, recreational or athletic facility, health club, or entertainment venue. Such term shall further include any parking lot and/or patio or other outdoor seating area for such facility.
3. "Patron" as used herein shall refer to a customer of the business as defined in subparagraph (b) above, and does not include employees or staff of such business.

II. City-Owned Property

1. The following City buildings and venues will remain closed to the general public:
 - a. Denny Sanford PREMIER Center;
 - b. Sioux Falls Convention Center;
 - c. Sioux Falls Arena;
 - d. Orpheum Theater;
 - e. Washington Pavilion of Arts and Science
 - f. Midco® Aquatic Center;
 - g. Great Plains Zoo and Delbridge Museum;
 - h. Mabel and Judy Jasper Educational Center located at the Mary Jo Wegner Arboretum and East Sioux Falls Historic Site;
 - i. Falls Park Visitor Center;
 - j. City Hall, excluding the Mayor's Office; and
 - k. City Center Administration Building.
2. Carnegie Hall will continue to be used for public meetings, but will be closed to the public when a public meeting is not in session. The public is encouraged to watch public gatherings remotely in order to allow for proper social distancing as recommended by the Centers for Disease Control and Prevention.
3. The Sioux Falls community centers shall remain closed until the Sioux Falls School District resumes classes.

III. Private Businesses

1. Any enclosed retail business that promotes public gathering shall modify business practices in order to ensure that not more than ten patrons are on the premises for on-site use of the services and/or consumption of the goods at any given time. Such businesses are encouraged to consider utilizing business models that do not involve public gatherings, including takeout, delivery, drive-thru, curbside service, and off-site services.

- a. The restrictions set forth in the above paragraph shall not apply to the following:
 - i. Healthcare facilities, residential care facilities, congregate care facilities, and correctional facilities;
 - ii. Childcare facilities;
 - iii. Businesses that offer food and beverages solely for off-site consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries, other than the portion of such businesses that are subject to the requirements of paragraph 5 of these Regulations;
 - iv. Hotel/motel room service;
 - v. Airport concessionaires;
 - vi. Crisis shelters, homeless shelters, churches, soup kitchens, or other similar institutions;
 - vii. Traditional golf courses, but any bar or restaurant associated with a golf course shall abide by the above restrictions;
 - viii. Any emergency facility necessary for the response to the current COVID-19 emergency or any other community emergency or disaster.

The businesses and entities identified in this Section III(1)(a) shall take all reasonable measures to ensure social distancing and sanitation is being utilized as is feasible, and comply with federal and state health guidelines in order to prevent the spread of the virus causing COVID-19. Such businesses are further encouraged to consider, to the extent applicable and feasible, providing for special access periods for populations particularly vulnerable to COVID-19.

- b. Nothing herein shall act or be interpreted as authorization for any off-sale alcoholic beverage sales by any licensee in violation of their respective license as defined in SDCL Title 35.
2. The restrictions set forth above do not prohibit an owner, employee, contractor, vendor, or supplier of the above-addressed entities from entering, exiting, using, or occupying that place of business in their professional capacity, so long as procedures are implemented to ensure social distancing to the full extent reasonably possible.
3. The business entity, owner, and supervising manager of any business that refuses to comply with these regulations as adopted by ordinance by the city council shall be deemed to be in violation of the ordinance.
4. All other employers, both for profit and not for profit, within the City of Sioux Falls are urged and encouraged to:

- a. Implement procedures to ensure social distancing between persons as is feasible and to ensure the business or entity operates in compliance with federal and state guidelines to prevent the spread of the virus causing COVID-19;
- b. Allow employees and staff to telework if possible;
- c. Limit unnecessary work gatherings;
- d. Eliminate non-essential travel; and
- e. Consider regular health checks including guidance from the CDC for COVID-19 screening if possible.

IV. Citizens of Sioux Falls

- 1. All individuals within the City of Sioux Falls are urged and encouraged to:
 - a. Review and practice the recommended CDC hygiene practices designed to stop the spread of the virus causing COVID-19;
 - b. Know the signs and symptoms of COVID-19, call a healthcare provider for instructions if experiencing symptoms of COVID-19, and stay at home if sick;
 - c. Understand that those who are particularly vulnerable to COVID-19, including those over the age of 60 and those suffering from respiratory or cardiac conditions, should take extra precautions and remain home if possible;
 - d. Implement social distancing measures and support businesses that are adjusting their business model to reduce the spread of the virus causing COVID-19; and
 - e. Assist those who work in essential jobs such as emergency personnel, medical professionals, and law enforcement.

Date adopted: _____

Board of Health Chair