

RESOLUTION NO. 2020-034

**AN EMERGENCY RESOLUTION MODIFYING THE MANDATORY ORDERS
RELATING TO PUBLIC GATHERINGS CONTAINED IN ORDINANCE NO. 6413.**

WHEREAS, the City adopted an emergency ordinance pursuant to SDCL 9-29-1 and 9-32-1 which implemented social distancing guidelines recommended by the Centers for Disease Control (CDC) to stop the outbreak of the disease COVID-19; and

WHEREAS, the emergency ordinance allows the City Council to enact further restrictions on public gatherings and public movements it deems necessary to address the current public health emergency; and

WHEREAS, the emergency ordinance also allows the City to make exemptions from the ordinance; and

WHEREAS, the number of COVID-19 cases in western South Dakota and the Black Hills region have remained relatively low; and

WHEREAS, the number of hospitalizations being experienced in the Black Hills supports the fact that the number of positive cases in the Black Hills is consistent with the numbers reported by the state; and

WHEREAS, the purpose of social distancing requirements is to slow the spread of the disease so that the region's health care system is not overwhelmed; and

WHEREAS, the City has been in communication with Monument Health and they have modeling that allows them to make predictions on the impact of certain social distancing regulations on the number of cases in the City and the overall impact on the health care system; and

WHEREAS, based on the number of cases in Pennington County, the almost complete lack of hospitalizations in the City, and the available modeling, the Mayor and City Council believe some of the social distancing restrictions can be modified to allow businesses to resume on-site service of customers without causing the number of cases in the City to rise to the level that it will overwhelm the hospital's capacity if proper procedures are put in place.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the following regulations be put in place to control the spread of COVID-19 within the City of Rapid City:

1. Any businesses identified in Paragraphs 1 through 4 of Ordinance 6413 may reopen to serve patrons on-site pursuant to the conditions established in this resolution.
2. Businesses within Rapid City which are open to the public shall observe the following guidelines to slow the spread of COVID-19:

- a) Establish a minimum six-foot distance between any tables, chairs, and barstools. This provision does not need to be observed between members of the same household.
 - b) Restaurants, bars, and casinos shall be limited to ten (10) customers for smaller establishments, or one (1) customer for every 125 square feet for larger businesses, whichever is greater.
 - c) Grocery stores, retail businesses, recreation and fitness businesses shall limit customers based on available square footage. A maximum of ten (10) customers or one (1) customer for every 200 square feet, whichever is greater.
 - d) Require social distance spacing while waiting for service or entry into business.
 - e) Clearly marked one way shopping aisles in grocery and retail stores.
 - f) In retail and grocery businesses, install a plexiglass, or similar, divider where physically possible between the cashier and customer.
 - g) Require employees to wash hands at regular intervals.
 - h) Food service employees must wear a mask which covers the employee's nose and mouth.
 - i) Broadcast over PA system approved public health announcements, once hourly in retail stores larger than 50,000 square feet in size.
 - j) In casinos, video lottery machines must be cleaned and disinfected between each customer.
 - k) Employees of hair salons, nail salons, and barber shops wear masks which cover their nose and mouth during customer contact times. Customer seating must be at least six (6) feet apart.
 - l) In gyms and fitness facilities any equipment and/or mats must be cleaned or disinfected between each use.
 - m) Customer seating in theaters and similar businesses reduced to allow for social distancing with certain seats marked as "not available due to social distancing guidelines" to insure compliance.
 - n) Businesses shall post publicly a regular cleaning and disinfecting schedule, specific to each business.
 - o) Hand sanitizer locations readily available for public use should be made available at grocery stores and retail businesses.
 - p) Enhanced cleaning/disinfecting requirements for a motel and hotel rooms.
 - q) Seating for large gatherings reduced to comply with a six foot minimum distance between attendees.
 - r) Businesses are encouraged to conduct daily employee screenings for illness.
3. In addition to the specific requirements listed above, businesses shall operate in a manner consistent with CDC guidelines and any applicable state regulations or executive orders.
 4. The City encourages all individuals within the City to continue to follow the CDC guidelines and recommended hygiene practices, including, but not limited to engaging in social distancing, and wearing masks when outside their homes wherever possible.
 5. Businesses can request, in writing, administrative exceptions from the City that allow them to modify the strict compliance with these requirements so long as their proposal

contains alternative means to implement social distancing requirements. The City will not approve exceptions which completely exempt a business from implementing social distancing, or from following the CDC guidelines.

6. Any business entity, owner, or supervising manager of any business that is not in compliance with these regulations, or an approved alternative plan pursuant to subsection #5, shall be in violation of Ordinance 6413.
7. This Resolution shall remain in effect until May 31, 2020, unless otherwise repealed, modified, or extended.

BE IT FURTHER RESOLVED, by the City of Rapid City, that due to the fact a national and statewide emergency has been declared and one of the primary recommendations to combat this emergency is to practice social distancing and limit person to person contact, this resolution is considered necessary for the immediate preservation of the public peace, health, and safety of the City of Rapid City and shall be effective immediately upon publication thereof.

Dated this ___ day of April, 2020.

CITY OF RAPID CITY

Steve Allender, Mayor

ATTEST:

Pauline Sumption, Finance Officer

(SEAL)