

RESOLUTION NO. 2020-07

A RESOLUTION TO ADDRESS A PUBLIC HEALTH CRISIS BY RECOMMENDING COMPLIANCE WITH CERTAIN MEASURES WHICH HAVE BEEN RECOMMENDED TO SLOW THE COMMUNITY SPREAD OF THE VIRUS RESPONSIBLE FOR THE COVID-19 DISEASE.

WHEREAS, an outbreak of the COVID-19 disease, which is caused by the novel coronavirus SARS-CoV-2 (the “virus”), has been confirmed in more than 100 countries, including the United States; and

WHEREAS, COVID-19 is a severe respiratory disease caused by the virus transmitted by person-to-person contact, or by contact with surfaces contaminated by the virus. In some cases, especially among older adults and persons with serious underlying health conditions, virus infection can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of the virus causing the COVID-19 disease as a public health emergency; and

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency in response to the global pandemic of COVID-19; and

WHEREAS, on the same day, Governor Kristi Noem, issued Executive Order 2020-04 which declared a state of emergency to exist in the State of South Dakota in response to the spread of the virus causing the COVID-19 disease; and

WHEREAS, cases of infection from the virus causing the COVID-19 disease have been confirmed in the State of South Dakota, and cases of community transmission are reasonably suspected to exist; and

WHEREAS, the CDC and health experts have recommended social distancing to slow the spread of the virus causing the COVID-19 disease; and

WHEREAS, social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected in order to minimize disease transmission; and

WHEREAS, in response to the need to implement social distancing, all schools in the State of South Dakota have been closed for at least two weeks; and

WHEREAS, on March 16th, the White House issued guidance recommending that gatherings of more than ten (10) people be avoided and that people avoid eating or drinking at bars, restaurants, and food courts; and

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 and surrounding communities' health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of the virus 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 the COVID-19 disease; and

WHEREAS, on March 23, 2020, Governor Kristi Noem, issued Executive Order 2020-08 outlining guidelines for all South Dakotans, for-profit and not-for-profit employers, enclosed retail businesses that promote public gatherings, and healthcare organizations as it relates to COVID-19 in the state of South Dakota (the "Executive Order"); and

WHEREASE, the City Council of the City of Harrisburg (the "City") supports the Executive Order and strongly urges its residents and businesses to observe the directives of the Executive Order and follow CDC guidance as it relates to COVID-19 in the state of South Dakota.

NOW THEREFORE, BE IT RESOLVED, by the Harrisburg City Council that:

- (1) The City Council of the City of Harrisburg supports the Executive Order and strongly urges its residents and businesses to observe the directives of the Executive Order and follow CDC guidance as it relates to COVID-19 in the state of South Dakota.
- (2) Specifically, the City recommends and strongly urges all employers, both for profit and not-for-profit, within the City of Harrisburg should:
 - a. Implement the recommended CDC hygiene practices and other business strategies designed to reduce the likelihood of spreading the disease.

- b. Understand that the COVID-19 is not a short-term challenge, and operations will need to endure a difficult and limited social environment for potentially eight weeks or more.
 - c. Innovate and continue to demonstrate entrepreneurial excellence in their operations during this difficult and uncertain environment.
 - d. Encourage staff to telework if possible, implement social distancing measures, limit unnecessary work gatherings, limit non-essential travel, and consider regular health checks including CDC guidance for COVID-19 screening if possible
 - e. Offer, to the extent possible, special shopping times or access periods for populations particularly vulnerable to COVID-19.
- (3) Further, any “enclosed retail business that promotes public gatherings” within the City of Harrisburg are strongly urged to:
- a. Suspend or modify business practices as recommended by CDC guidance that involve ten or more people to be in an enclosed space where physical separation of at least six feet is not possible.
 - b. Continue offering or consider offering business models that do not involve public gatherings, including takeout, delivery, drive-through, curbside service, off-site services, social distancing models, or other innovative business practices that do not involve public gatherings in an enclosed space.
 - c. Consider business arrangements and innovative ideas intended to support the critical infrastructure sectors, as defined by the Department of Homeland Security.
- (4) In order to assist with the implementation of these recommendations, the City shall post the Executive Order and the latest CDC guidelines on its website and at City Hall. CDC recommendations shall be updated as soon as reasonably possible as new guidelines are issued.
- (5) The City Council directs its City staff, with the assistance of its elected officials, to work with local businesses and the Harrisburg Chamber of Commerce in the implementation of the Executive Order and CDC guidelines with a goal of minimizing economic impact on local businesses.
- (6) The City Council recognizes that the outbreak of COVID-19 in the United States and the State of South Dakota is an ever-evolving issue that will require ongoing evaluation by the City and may require further action, including, but not limited to mandating the observance of the directives in the Executive Order.
- (7) This Resolution shall remain in effect until such time as the state of South Dakota is no longer under a state of emergency in response to the spread of the virus causing the COVID-19 disease, at which time it shall be automatically repealed without further action of the Harrisburg City Council, unless repealed earlier by City Council.

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, welfare, and support of the City and shall become effective immediately upon passage and publication.

Dated this 24th day of March, 2020.

CITY OF HARRISBURG, SOUTH DAKOTA

Julie Burke – Van Luvanee, Mayor

ATTEST:

Mary McClung, Finance Officer

(SEAL)

Reading and Adoption: March 24, 2020

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