

RESOLUTION NO. 2020-05

A TEMPORARY EMERGENCY RESOLUTION TO AMEND HAND COUNTY ORDINANCE 2020-1 COVID-19 TEMPORARY ORDINANCE NO. #1 AND TO ADDRESS A PUBLIC HEALTH CRISIS BY IMPLEMENTING CERTAIN MEASURES WHICH HAVE BEEN DEEMED NECESSARY TO SLOW THE COMMUNITY SPREAD OF THE VIRUS RESPONSIBLE FOR THE COVID-19 DISEASE.

WHEREAS, Hand County has the authority pursuant to SDCL 7-18A-2 to pass ordinances for the purpose of promoting the health, safety, morals and general welfare, of the community and to do what may be necessary or expedient for the promotion of health or the suppression of disease; and

WHEREAS, an outbreak of 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, Governor Kristi Noem thereafter issued Executive Order 2020-08 on March 23, 2020, ordering and directing South Dakotans to take specific actions to reduce the spread of COVID-19; 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 CDC and 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 CDC and 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 CDC and 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 area's 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 County's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to the COVID-19 disease.

NOW THEREFORE, BE IT RESOLVED, by the Hand County Board of Commissioners as follows:

That the provisions of Hand County Ordinance 2020-1 COVID-19 Temporary Ordinance No. #1 commencing at section (1) - section (4) are superseded by the provisions following:

(1) That all business entities be they for profit or not for profit and all charitable, civic, governmental, social, recreational, funereal, financial, educational, or political and all other associations, organizations and entities are directed to and shall abide by all applicable Centers for Disease Control (CDC) and South Dakota Department of Health COVID-19 protocols, procedures and practices, which are hereby incorporated herein by reference, and;

(2) That the provisions in section (5) - sections (8) shall remain in full force and effect.

BE IT FURTHER RESOLVED THAT, the provisions of this resolution maybe amended by resolution and;

BE IT FURTHER RESOLVED THAT, pursuant to SDCL 8-18A-8, this ordinance is declared necessary for the peace, health, safety, and welfare of the county and shall become effective and enforceable on the 13th day of May, 2020 at the hour of 2:00 o'clock A.M.

Dated this ____ day of May, 2020.

HAND COUNTY BOARD OF COMMISSIONERS

Jim Jones, Chairman

ATTEST:

Doug DeBoer, Hand County Auditor

(SEAL)