

**Resolution No. 20-30**

**Resolution of the Yankton Board of City Commissioners  
Modifying Ordinance 1033 – COVID-19  
Temporary Emergency Ordinance No. 1**

**WHEREAS**, on Tuesday, March 31, 2020, Yankton City Ordinance 1033 – COVID-19 Temporary Emergency Ordinance No. 1 (hereafter the “Ordinance”) went into legal effect closing certain business establishments and restricting the size of gatherings within the City of Yankton to slow the spread of the novel coronavirus causing COVID-19 disease, which is currently spreading within the jurisdictional limits of the City of Yankton; and

**WHEREAS**, Paragraph (7) of the Ordinance also stated that any dates identified in the ordinance for closures to automatically end may be extended or reduced within the period covered by the Ordinance by a resolution of the Yankton Board of City Commissioners; and

**WHEREAS**, at 2:00 p.m. on Monday, April 27, 2020, the City Health Board met, deliberated, and unanimously voted and approved a recommendation to the Yankton Board of City Commissioners to extend the period in which the Ordinance would remain effective through Friday, May 14, 2020, but to permit dog grooming salons and tanning salons to be removed from the list of businesses required to close under Paragraph (2) of the Ordinance.

**WHEREAS**, at its regularly scheduled meeting beginning at 7:00 p.m. on Monday, April 27, 2020, and with the matter properly noticed and upon the Board’s published agenda, the Yankton Board of City Commissioners, considered the recommendation of the City Health Board, accepted public comment, and debated whether to extend the period in which the Ordinance would remain in effect and whether to modify the list of business types closed under Paragraph (2) of the Ordinance; and

**WHEREAS**, following the close of discussion regarding the recommendation of the City Health Board, a majority of the Board of City Commissioners voted to approve a resolution that extended the effective enforcement period of the Ordinance until 11:59 p.m. on Thursday, May 14, 2020, but permitted dog grooming salons, tanning salons, and hair salons to reopen on May 2, 2020, on the condition that upon reopening to the public, these businesses shall be required to follow CDC and OSHA “best practices” and guidelines; and

**WHEREAS**, on Tuesday, April 28, 2020, South Dakota Governor Kristi Noem issued Executive Order 2020-20, which directed local governments to comply with the Governor’s “Back to Normal Plan”, which encourages the reopening of local businesses and directs local governments take actions consistent with the plan; and

**WHEREAS**, in light of Governor Noem’s Executive Order 2020-20, which was not yet available to the Commission on Monday, April 27, 2020, the Yankton Board of City Commissioners wishes to amend and supersede its resolution issued on Monday, April 27, 2020, as set forth herein.

**NOW, THEREFORE**, upon a majority vote of a quorum of the Yankton Board of City Commissioners, **IT IS HEREBY RESOLVED BY THE CITY OF YANKTON** that consistent

with the powers retained in Paragraph (7) of ORDINANCE #1033 (COVID-19 TEMPORARY EMERGENCY ORDINANCE NO. #1), the effective period of all regulations, restrictions, and business closures contained within said Ordinance shall end at 11:59 p.m. on Friday, May 1, 2020, without exceptions or conditions.

Dated this \_\_\_\_ day of April, 2020.

**CITY OF YANKTON**

\_\_\_\_\_  
By: Nathan V. Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Al Viereck, Finance Officer

(SEAL)