

[To be published in the March 12 edition of the Lansing State Journal]

CITY OF EAST LANSING, MICHIGAN

NOTICE OF ADOPTION

ORDER TEMPORARILY RESTRICTING OUTDOOR GATHERINGS AND QUEUES

Date: March 9, 2021

1. Michigan is continuing to experience illnesses and deaths due to the COVID-19 pandemic. According to the Ingham County Health Department's COVID-19 "Heat Map" dated March 1, 2021, the City of East Lansing remains the primary "hot spot" for new infections within the County.¹
2. As Mayor, I have declared a local state of emergency pursuant to Ordinance No. 1488, as authorized by Section 10 of the Emergency Management Act ("EMA"), Act 390 of 1976, MCL 30.401 *et seq.*, which has been extended by the City Council through May 16, 2021. Pursuant to Ordinance No. 1488, I am authorized to promulgate reasonable orders, rules, and regulations related to the use of public property within the City as necessary to protect life and property and to bring the emergency situation under control.
3. The City's DDA District frequently draws crowds of individuals from different households, particularly during holidays such as St. Patrick's Day, which presents a risk of COVID-19 transmission.
4. Based on the above circumstances, I find that restricting outdoor gatherings and outdoor queues in the City's DDA District during the St. Patrick's Day holiday is necessary to protect life and property and to bring the emergency situation under control.

NOW, THEREFORE, as Mayor of the City of East Lansing, pursuant to the EMA and Ordinance No. 1488, I order as follows:

1. Except as provided in Section 3, all outdoor social gatherings within the City's DDA District are limited to 15 people. Outdoor social gatherings include individuals from different households coming together in an outdoor space, on public or private property, for a shared purpose. For social gatherings of 15 or fewer people, all participants must wear face coverings and maintain six feet of physical distance from individuals outside of their households.
 2. Outdoor queues (lines) for entry into businesses, restaurants, and bars in the City's DDA District are prohibited while this Order is in effect. Businesses, restaurants, and bars must use virtual queues or other remote means to notify customers when they are able to enter.
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3. This Order does not apply to any of the following:
 - A. Political demonstrations or other activities protected by the U.S. Constitution or Michigan Constitution.
 - B. Religious services.
 - C. Sporting events, practices, and related activities, if organized by a school, college, university, club, or association.
 - D. Gatherings incidental to instruction at schools, colleges, universities, and childcare facilities, including outdoor classes, outdoor recess, and organized extracurricular activities.
 - E. Incidental gatherings of individuals, such as on public transportation, in stores or businesses, or in public parks.
4. This Order is effective from 12:01 A.M. on Wednesday, March 17, 2021, through 2:00 A.M. on Thursday, March 18, 2021.
5. A violation of this Order is a civil infraction punishable by a fine of up to \$25.00 pursuant to Ordinance No. 1488.
6. This Order will be published in accordance with Ordinance No. 1488.

**RESOLUTION CONFIRMING AND CONSENTING TO MAYOR'S MARCH 9, 2021
ORDER TEMPORARILY RESTRICTING OUTDOOR GATHERINGS AND QUEUES
POLICY RESOLUTION NO. 2021-5
Date: March 9, 2021**

WHEREAS, the City adopted Ordinance No. 1488, which authorizes the Mayor to declare or proclaim a City State of Emergency and to subsequently promulgate orders rules and regulations to protect life and property or to bring the emergency situation under control; and

WHEREAS, in response to the ongoing COVID-19 pandemic and increased cases and hospitalizations in Ingham County, the Mayor has properly proclaimed and declared a continuing City State of Emergency; and

WHEREAS, in an effort to protect life and bring the emergency under control, the Mayor has issued an Order Temporarily Restricting Outdoor Gatherings and Queues ("Order"), which orders that for the period of 12:01 A.M. on Wednesday, March 17, 2021, through 2:00 A.M. on Thursday, March 18, 2021, all outdoor social gatherings within the City's DDA District are limited to 15 people (subject to certain exemptions); for social gatherings of 15 or fewer people, all participants must wear face coverings and maintain six feet of physical distance from individuals outside of their households; and outdoor queues (lines) for entry into businesses, restaurants, and bars in the City's DDA District are prohibited; and

WHEREAS, pursuant to the Section 10-34e of the Ordinance, the Order cannot be continued or renewed for a period in excess of 7 days except with the consent of the City Council; and

WHEREAS, the City Council, concurs with and consents to the terms of the Order.

NOW THEREFORE, IT IS RESOLVED that the City Council of the City of East Lansing hereby concurs with and consents to the terms of the Order Temporarily Restricting Outdoor Gatherings and Queues dated March 9, 2021, and the Order will be in effect from 12:01 A.M. on Wednesday, March 17, 2021, through 2:00 A.M. on Thursday, March 18, 2021.

Jennifer Shuster
City Clerk