

## Ordinance 19-001

### **An Ordinance Amending Article II of Chapter 42 of the Code of Ordinances of the City of Brookings, and Pertaining to the Board of Health.**

Be It Ordained and Enacted by the City Council of the City of Brookings, State of South Dakota, as follows:

I.

#### **Chapter 42, Article II, Board of Health.**

##### **Sec. 42-31. - Board of health established.**

The city has established the board of health to act in an advisory capacity to the city council concerning public health issues.

##### **Sec. 42-32. - Composition.**

The board of health is composed of seven members. Representation on the board of health shall be representative of industry, the transportation industry, environmental, the business community, agricultural business, economics and government. Two of the board members may reside outside the corporate limits of the city, but within this county.

##### **Sec. 42-33. - Appointment.**

The board of health shall be appointed by the mayor with the approval of the city council.

##### **Sec. 42-34. - Term of office.**

The members of the board of health shall be appointed for three-year, staggered terms. Upon expiration of an appointment, a member may thereafter be appointed for additional terms.

##### **Sec. 42-35. - Vacancies.**

Should a vacancy occur on the board of health as a result of the death, removal or inability of any member to perform the duties of office, the mayor, with approval of the city council, shall appoint a member to fill a vacancy for the unexpired period of the term of the vacant position.

##### **Sec. 42-36. - Meetings.**

The board of health shall meet a minimum of once each year, or upon the call of the president or secretary of the board of health. Meetings will be held at the Brookings City & County Government Center, unless otherwise specified.

**Sec. 42-37. - Quorum.**

A majority of the members of the board of health shall constitute a quorum for the transaction of its business.

**Sec. 42-38. - Secretary.**

The secretary of the board of health shall maintain the records of the board of health.

**Sec. 42-39. - Powers generally.**

The board of health shall provide general supervision of the overall health of the city, with power to take all steps and measures necessary to promote the cleanliness and healthfulness of the city, to prevent and arrest the spread of any contagious or infectious diseases and harmful environmental conditions, and to quarantine any person or evacuate any area contaminated by such condition or disease. The board of health shall also provide general supervision over the sanitary conditions of the city, the operation of the Brookings Regional Landfill and the city solid waste collection system.

**Sec. 42-40. - Duties generally.**

- (a) The board of health shall provide the city council the advice and information it determines appropriate and necessary concerning the public health of the city; and whenever it shall hear of the existence of a toxic or potentially hazardous environmental condition or contagious, dangerous or deadly disease, it shall promptly investigate the same and adopt necessary measures to arrest its progress. The board of health shall exercise general supervision over the sanitation laws of the state and city. For completing these requirements, it shall be permitted at all times, for good cause, to enter any private or public property to make a thorough examination of the premises.
- (b) In addition, the board of health shall provide advice and counsel to the city council and city staff in the operations of the Brookings Regional Landfill and the city solid waste collection operation, including:
  - (1) Providing public education for the need of all phases of an integrated solid waste management system.
  - (2) Establishing a comprehensive, realistic solid waste plan for the city.
  - (3) Developing a financial policy to build and operate an integrated solid waste program; and
  - (4) Developing and promoting recycling, and developing and promoting pilot programs for the collection of household hazardous waste and reducing solid waste.

**Sec. 42-41. - Supervision.**

The powers and duties of the board of health shall be subject to the supervision of the state department of health and the state department of environment and natural resources.

**Secs. 42-42—42-70. - Reserved.**

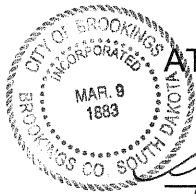
II.

Any or all ordinances in conflict herewith are hereby repealed.

First Reading: January 8, 2019  
Second Reading: January 22, 2019  
Publication: January 25, 2019

CITY OF BROOKINGS, SD

  
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Keith W. Corbett, Mayor



ATTEST:

  
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Angela Ritter, Acting City Clerk