

**CERTIFIED COPY OF COUNTY BOARD RESOLUTION
HUBBARD COUNTY, MINNESOTA**

Commissioner De La Hunt moved the adoption of the following Resolution:

RESOLUTION No. 06022008

**A RESOLUTION TEMPORARILY MODIFYING SHORELAND USE REGULATIONS AND PERMITTING
OUTDOOR CONSUMPTION OF ON-SALE ALCOHOLIC BEVERAGES**

WHEREAS, on March 13, 2020 Governor Tim Walz issued Emergency Executive Order 20-01, declaring a Peacetime State of Emergency in response to the COVID-19 pandemic; and

WHEREAS, Governor Tim Walz has extended the Peacetime State of Emergency through June 12, 2020 by issuing Executive Orders 20-35 and 20-53; and

WHEREAS, Governor Tim Walz has issued Executive Orders 20-04, 20-08, 20-18, 20-33, 20-47, 20-48 requiring the closure of bars, restaurants, and other public accommodations; and

WHEREAS, on May 27, 2020 Governor Tim Walz issued Executive Order 20-63 allowing for bars, restaurants, and places of public accommodations to open and allowing for the service of sit-down customers at outdoor tables, beginning June 1, 2020; and

WHEREAS, Hubbard County recognizes the economic loss suffered by businesses as a result of ordered closures and restrictions; and

WHEREAS, Hubbard County wishes to promote the safe and successful re-opening of bars, restaurants, and places of public accommodation as allowed by Executive Order 20-63; and

WHEREAS, Hubbard County wishes to temporarily suspend certain restrictions on shoreland use and alcohol sales to promote the safe and successful re-opening of bars, restaurants, and places of public accommodation, and in furtherance of the implementation of Executive Order 20-63.

NOW, THEREFORE, BE IT RESOLVED, that, pursuant to the authority conferred by the State of Minnesota in Minnesota Statutes Chapters 394 and 340A, and in conjunction with Minnesota Governor's Executive Order 20-63, the Hubbard County Board of Commissioners hereby make and adopt the following requirements for the temporary shoreland use and outdoor sales of alcohol by bars, restaurants, and places of public accommodations:

1. **Shoreland Use.** Bars, restaurants, and places of public accommodations, which would otherwise be prohibited by the Hubbard County Shoreland Management Ordinance (SMO), may by authorization temporarily utilize outdoor shoreland space on their business premises for seating to facilitate food and alcohol service, conducted consistent

with federal and state orders and public health and safety guidelines. The Hubbard County Environmental Services Department (ESD) is hereby delegated the authority to temporarily authorize, on behalf of the County, specific outdoor uses otherwise prohibited by the SMO. An establishment requesting to utilize shoreland shall provide an Outdoor Use Plan to the ESD for review and approval. The ESD is granted temporary flexibility in administering and enforcing the Hubbard County SMO to support the operations of bars, restaurants, and places of public accommodations under the limitations imposed by the Governor's Emergency Orders.

2. **Temporary Outside Alcohol Consumption Area.** Any bar, restaurant, or place of public accommodation, which holds an on-sale liquor license and would otherwise be prohibited by the terms of their license and/or the Hubbard County Liquor License Ordinance from the outdoor service and consumption of alcohol, may temporarily utilize existing compact and contiguous areas of their property for the purpose of allowing for the service and consumption of on-sale alcoholic beverages in accordance with state mandated guidelines. The license holder shall provide an Outdoor Use Plan to the Hubbard County Auditor-Treasurer for review and approval.
3. **Outdoor Use Plan.** The Plan shall include, but must not be limited to, a site drawing identifying the outdoor boundary areas, the table arrangement and number of seats, entrance/exit locations, the type of containment structure or barriers that will enclose the proposed service area, and staffing plan.
4. **Full Force and Effect.** All terms, restrictions, and requirements of the Hubbard County SMO and the Hubbard County Liquor License Ordinance, where not temporarily modified by this resolution and where not suspended by approval of the ESD and/or the Hubbard County Auditor, remain in full force and effect.
5. **Termination.** The temporary shore land use and outdoor alcohol consumption allowed by this Resolution shall terminate when the public emergency declared by the governor under Minnesota Statutes Chapter 12 terminates or the governor permits bars, restaurants, and places of public accommodation to reopen for indoor service with full capacity, whichever occurs first. In no event shall this Resolution continue past October 31, 2020.

Commissioner Krueger seconded the motion for the adoption of the Resolution and it was declared adopted upon the following vote:

Ayes: 5 Nays 0

STATE OF MINNESOTA)
) ss.
County of Hubbard)

Office of the Coordinator

I, Eric Nerness, Hubbard County Coordinator, certify the above is a full, true, and correct copy of a Resolution duly adopted by the Hubbard County Board of Commissioners at its regular meeting held June 2, 2020.

Eric Nerness
Hubbard County Coordinator