



Legislation Text

File #: Ord 22-11, **Version:** 1

Amending Section 13.06 of the Legislative Code to establish certain emergency regulations and related to the length of time Emergency Executive Orders remain in effect.

SECTION 1

WHEREAS, during the course of the COVID-19 emergency, certain Emergency Executive Orders were adopted; and

WHEREAS, included in those orders were two orders, originally 2020-4 and 2020-38 that may be necessary in any future emergency in order to provide critical facilities during various types of emergencies; and

WHEREAS, Emergency Executive order 2020-4 orders:

1. All sections or regulations contained in the City's zoning code that permit or regulate medical facilities such as clinics, hospitals, and medical laboratories, as to their permitted location and operations, are hereby suspended effectively immediately as of the date and time of execution of this Emergency Executive Order, the effect of which shall continue until as provided herein.
2. Alternative Care Sites ("ACS") shall be treated as a use similar to a medical facility and are therefore subject to this Emergency Executive Order so that they can be rapidly and effectively established to reduce the morbidity, mortality, and the social impact on the City from the COVID-19 Pandemic, provided; that the location, occupancy, and operation of any ACS facility shall be subject to the prior written approval from the Zoning Administrator, the Building Official, and the Director of the department of emergency management and that these approvals may each contain reasonable conditions in keeping with the protection of the health, welfare, and safety of the public.

;and

WHEREAS, Emergency Executive Order 2020-38 waives all requirements of the Saint Paul Zoning Code to allow for the establishment and opening of emergency cold weather shelters ("emergency shelters") in City-owned property to serve people experiencing unsheltered homelessness in the City of Saint Paul;

WHEREAS, currently, Emergency Executive Orders remain in effect for 40 days and, after that time, either expire or must be renewed; and

WHEREAS, the renewal tracking, drafting, and publishing has taken a significant amount of staff time and

resources; now, therefore be it

RESOLVED, that the Council of the City of Saint Paul does hereby ordain:

SECTION 2

Chapter 13.06 of the Saint Paul charter/admin/leg is hereby amended as follows:

13.06 Emergency Regulations:

(a) *Mayor may declare emergency.* When necessary to prevent or respond to emergencies or disaster, and pursuant to state statutes, the mayor has authority to declare a local emergency. A declared local emergency may not continue for more than three (3) days except by or with the consent of the city council. Such a declaration must be given promptly to the city council, filed promptly by the city clerk per Minn. Stat. 12.29, and given prompt general publicity.

(b) *Mayor may promulgate regulations.* Whenever necessary to meet an emergency or to prepare for such an emergency for which adequate regulations have not been adopted by the governor or the city council, the mayor may by executive order promulgate regulations, consistent with applicable federal or state law or regulation, respecting: the sounding of alarms; the conduct of persons and the use of property during emergencies; the repair, maintenance and safeguarding of essential public services; emergency health, fire and safety regulations; trial drills or practice periods required for preliminary training; and all other matters which are required to protect public safety, health and welfare in emergencies.

(c) *Form of executive order and notice.* Every emergency regulation shall be in writing and signed by the mayor, shall be dated, shall refer to the particular declared local emergency to which it pertains, if so limited, and shall be filed in the office of the city clerk, where a copy shall be kept posted and available for public inspection during business hours. If possible, emergency orders and regulations shall also be posted electronically and be made available by electronic access. Notice of the existence of such regulation and its availability for inspection at the clerk's office shall be conspicuously posted at the front of the city hall or other headquarters of the city and at such other places in the affected area as the mayor shall designate in the executive order. Thereupon the regulation shall take effect immediately or at such later time as may be specified in the order. By like proclamation the mayor may modify or rescind any such regulation.

(d) *Council may rescind; expiration date.* The city council may rescind any such regulation by resolution at any time. If not sooner rescinded, every such regulation shall expire as provided in the order or at the end of forty (40) days after its effective date or at the end of the declared local emergency to which it relates, including any extensions of such emergency, whichever occurs first. Any ordinance, rule or regulation inconsistent with an emergency regulation ordered by the mayor shall be suspended during the period of time and to the extent that such conflict exists.

(e) *Emergency Regulations applicable to all emergencies.* The following regulations take effect upon declaration of a local emergency and remain in effect during that emergency.

1. Zoning regulations.

a. All sections or regulations contained in the City's zoning code that permit or regulate medical facilities such as clinics, hospitals, and medical laboratories, as to their permitted

location and operations, are suspended.

b. Alternative Care Sites ("ACS") will be treated as a use similar to a medical facility so that they can be rapidly and effectively established to reduce the morbidity, mortality, and the social impact on the City, provided; that the location, occupancy, and operation of any ACS facility is subject to the prior written approval from the Zoning Administrator, the Building Official, and the Director of the Department of Emergency Management and that these approvals may each contain reasonable conditions in keeping with the protection of the health, welfare, and safety of the public. For the purposes of this subsection (e), the term "alternative care site" or "ACS" is herein intended to be broadly defined to include any building or structure that is temporarily converted or newly erected specifically to expand healthcare capacity and provide needed care to patients during a public health emergency.

2. Emergency Shelters. All requirements of the Saint Paul Zoning Code related to the establishment and opening of emergency shelters are waived for City-owned property.

SECTION 2

This Ordinance shall take effect and be in force thirty (30) days following passage, approval, and publication.