

EMERGENCY EXECUTIVE ORDER 2020-36

I, Melvin Carter III, Mayor of the City of Saint Paul, on November 21, 2020, pursuant to Saint Paul Legislative Code Section 13.06, do hereby issue the following Executive Order:

On March 13, 2020, Minnesota Governor Tim Walz issued Executive Order 20-01 declaring a Peacetime Emergency and coordinating Minnesota's strategy to protect Minnesotans from COVID-19" pursuant to Minn. Stat. § 12.31, Subd. 2. This Declaration has been extended and remains in effect.

On March 15, 2020, I issued an Emergency Declaration in response to the COVID-19 pandemic" pursuant to Minn. Stat. § 12.29; which the City Council consented to on March 17, 2020, and which I extended and such extension was approved by the City Council on June 10, 2020.

Saint Paul Leg. Code Chapter 13.06(b) provides that, "whenever necessary to meet an emergency ... the mayor may by executive order promulgate regulations ... for which adequate regulations have not been adopted ... respecting 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; and all other matters which are required to protect public safety, health and welfare in emergencies."

During the course of the Declared Emergency, I have issued several Executive Orders. Executive Order 2020-5 amended skyway hours to allow individuals with responsibility for a portion of the skyway system to close their portion of the skyway for which they are responsible at 7 p.m., provided that notice of the revised hours is posted in conspicuous locations.

Executive Order 2020-5 was issued based on findings that:

- Buildings and residences in downtown Saint Paul are connected by a robust skyway system which both allows downtown residents to move between buildings and provides downtown residents with access to essential businesses.
- The hours of the skyway system are governed by Saint Paul Legislative Code §140.10 which sets the General Hours of Operation and requires that "all parts of the skyway system shall be open to the public every day between the hours of 6:00 a.m. to 12:00 a.m."
- Compliance with the skyway hours of operation requires monitoring by both Saint Paul Police and building owners.
- Allowing Downtown building owners to close their area of the skyway at 7:00 p.m. seven days a week will increase the number of officers available to patrol the streets, provide relief by reducing financial and staffing burdens on building owners, and assist in reducing the incidents of vandalism in the skyway system that are believed to be attributed to the decrease in use by the general population.

On August 21, 2020 I issued Emergency Executive order 2020-22 extending and amending Executive Order 2020-5 to allow skyway closure hours at 7:00 p.m. through Labor Day, but then allow closure 10:00 p.m. starting Labor Day. That order was based on the City's Department of Safety and Inspections contact with the Skyway Governance Advisory Committee ("Committee") regarding ongoing skyway hours. At that time, the Committee requested that the skyway closure option remain in place with a 7:00 p.m. closure until Labor Day, August 31, 2020, and then be extended to a 10:00 pm closure time.

After Executive Order 2020-22 was issued, the Department of Safety and Inspections engaged in further discussions with the Skyway Governance Committee as well as individual owners of downtown businesses and learned that several downtown hospitality businesses remain closed or with reduced hours and that several other businesses with office workers are still largely working remotely. The traffic in skyways remains very low and is not expected to increase significantly after Labor Day.

Therefore, the Skyway Governance Committee held a meeting and voted to ask the City to return to the 7:00 p.m. closing hours rather than extending those hours to 10:00 p.m. Keeping the closing hours at 7:00 pm. will continue to allow an increase in the number of officers available to patrol the streets, provide relief by reducing financial and staffing burdens on building owners, and assist in reducing the incidents of vandalism in the skyway system that are believed to be attributed to the decrease in use by the general population.

On September 4, 2020 I issued Executive Order 2020-25 which kept the skyway closing hours at 7:00 p.m.

On October 14, 2020 I issued Executive Order 2020-30 which extended Executive Order 2020-25 and kept the skyway closing hours at 7:00 p.m.

On November 10, 2020, Governor Walz issued Executive Order 20-99 which further restricted bar and restaurant hours as well as social gatherings due to the upward trend of COVID-19 cases.

On November 10, 2020, the Chair of the Skyway Governance Advisory Committee, the President of Greater Saint Paul BOMA and the President of the St. Paul Downtown Alliance met and discussed skyway use and the 7:00 p.m. closing hours. With the restrictions on the hospitality industry outlined in Governor Walz Executive Order 20-96 and the upward trend of COVID-19 cases, several downtown hospitality businesses will remain closed or have reduced hours. Several other businesses' office workers will continue to work remotely. Traffic in skyways remains low. Therefore, they are requesting that the skyway closing hours remain at 7:00 p.m.

NOW, THEREFORE, I, Melvin Carter III, Mayor of the City of Saint Paul, do hereby issue the following Emergency Executive Order:

Section 140.10 (a) of the Saint Paul Legislative Code pertaining to the general hours of skyway operation is hereby amended during the current emergency to allow an individual with responsibility for a portion of the skyway system to close their portion of the skyway for which they are responsible at 7:00 p.m. provided that notice of the revised skyway hours are posted in conspicuous locations.

Pursuant to Chapter 13 of the Saint Paul Legislative Code, this Executive Order is in immediate effect upon my signature and, if not sooner rescinded or later extended, shall expire at the end of forty (40) days after its effective date or at the end of the declared local emergency to which it relates, whichever occurs first.

Dated November 21, 2020

Signed:


Mayor Melvin Carter