

EMERGENCY EXECUTIVE ORDER 2020-44

I, Melvin Carter III, Mayor of the City of Saint Paul, on December 29, 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 20-10 Declaring a Peacetime Emergency and Coordinating Minnesota's Strategy to Protect Minnesotans from COVID-19 pursuant to Minn. Stat. § 12.31, Subd. 2 This emergency 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 has been extended on three occasions, with such extensions being approved by the City Council on June 10, 2020, and September 9, 2020, and December 2, 2020.

My March 15, 2020 Emergency Declaration directed City departments to review ordinance and regulatory requirements that can and should be adjusted or suspended, or to enact emergency regulations to support the residents of the City during the COVID-19 pandemic.

On March 16, 2020, Minnesota Governor Tim Walz issued Executive Order 20-04 which ordered the temporary closure of Minnesota restaurants and bars to dine-in customers and also ordered the temporary closure of places of public accommodation and amusement, including but not limited to: theatres, museums, fitness centers, and community clubs; and Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, clubs, and other places of public accommodation that offer alcoholic beverages for on-premises consumption until April 10, 2020. On April 8, 2020, Minnesota Governor Tim Walz issued Executive Order 20-33 which extended Executive Order 20-04 until May 4, 2020. These Executive Orders have partially or fully closed or otherwise significantly impacted many Saint Paul Businesses.

On November 18, 2020, Minnesota Governor Tim Walz issued Executive Order 20-99 which closed restaurants, food courts, cafes, coffeehouses, bars, taverns, breweries, microbreweries, distilleries, brewer taprooms, micro distiller cocktail rooms, tasting rooms, wineries, cideries, clubhouses, dining clubs, tobacco product shops, hookah bars, cigar bars, vaping lounges, and other Places of Public Accommodation offering food, beverages (including alcoholic beverages)...to ingress, egress, use, and occupancy by members except for take-out dining options and on and on December 16, 2020 Minnesota Governor Tim Walz issued Executive Order 20-103 which extended Order 20-99 with modification to allow for outdoor dining but still prevents indoor dining.

The issue of PFAS in compostable food packaging became a significant regional conversation and challenge as many of the molded fiber compostable products currently on the market experienced changes to their third-party certification through BPI on January 1, 2020. The market uncertainty of available compostable options resulted in winter delays for scheduling Packaging Resources Fairs.

In March, the start of the COVID pandemic placed excessive demands and uncertainties on businesses. This was compounded by incidents of civil unrest incidents of property damage.

Food and beverage related businesses (those most impacted by the new Sustainable Food Packaging ordinance) were required to close and/or dramatically and repeatedly change their business operations as required by various Government and Mayor Executive Orders.

In addition, COVID related restrictions on social gatherings prevented many types of in person resources fairs that were planned. Subsequently, efforts to conduct Food Packaging Fairs were put on hold until 1) businesses are able to focus on changing out their food packaging to meet the ordinance and 2) gathering restrictions are changed to accommodate packaging resource fairs.

Studies have shown that this pandemic will likely force many businesses to close permanently; and many employees at these businesses have been affected severely. Many have lost their jobs or had their hours reduced, leaving the businesses with less capacity to implement the required changes.

Saint Paul businesses impacted by the Governor's Executive Orders contribute to the vitality of Saint Paul, provide employment opportunities and services to residents, grow the City's tax base, and increase our sense of community. Easing the burden on these businesses will assist them in survival and recovery and in turn assist the City in its recovery. Delaying the effective date of the Ordinance until January 1, 2022 may assist the affected businesses in the survival and recovery process. It is my intention to assist food establishments in their recovery.

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

The effective date of Saint Paul Legislative Code Chapter 236 is delayed from January 1, 2020 for as long as this Emergency Executive Order, and any extensions of this order, remain in effect.

I request that the Saint Paul City Council take immediate action by Ordinance to delay the effective date of Saint Paul Legislative Code Chapter 236 until January 1, 2022 so all impacted businesses will be given an additional year to comply with the provisions of Saint Paul Legislative Code Chapter 236.

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.

December 29, 2020
Date



Mayor Melvin Carter