

EMERGENCY EXECUTIVE ORDER 2022-3

I, Melvin Carter III, Mayor of the City of Saint Paul, on January 5, 2022, 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. That Executive Order has expired.

On March 15, 2020, Saint Paul Mayor Melvin Carter 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. This Emergency Declaration has been extended and remains in effect.

The U.S. Centers for Disease Control and Prevention ("CDC") identified new variants of the COVID-19 virus which are present in the United States and medical experts determined that some of these variants are significantly more contagious than previously known variants. The COVID-19 Delta variant has been determined by the CDC to be a "variant of concern" due to its high transmissibility and continues to account for a large number of new cases sequenced in Minnesota and Ramsey County, thereby substantially increasing the potential risk of infection and the spread of the virus through the community. The COVID-19 Omicron variant, which has been identified in Ramsey County, has been determined by the CDC to be a "variant of concern" and appears to be easily transmitted. The Omicron variant accounts for 68% of the cases in Minnesota.

Since the beginning of the pandemic there have been more than 5,617 COVID-19 hospitalizations and 1,090 COVID-19 deaths in Ramsey County. Case rates are now at an extremely high level of approximately 536 new COVID-19 cases per 100,000 people per day in Ramsey County, which places Ramsey County in the Centers for Disease Control and Prevention's high transmission category (which includes any location over 100 or more cases per 100,000). The positivity rate in Ramsey County is currently more than 13%.

COVID-19 infection is transmitted predominately by inhalation of respiratory droplets and studies show that masks and face coverings block the release of respiratory droplets into the environment and can also reduce the wearer's exposure to droplets from others because COVID-19 viral particles spread between people more readily indoors and when people are closer together for longer periods of time indoors. Inside activities, and in particular inside activities where individuals gather without masks and where individuals gather for extended periods, or both, increase the likelihood of the spread of COVID-19. Studies have indicated and public health experts have concluded that indoor dining is a significant driver of the COVID-19 pandemic, in part because it is not possible to wear a mask while eating or drinking.

The WHO and the U.S. Centers for Disease Control and Prevention have advised all individuals to take measures to reduce their risk of COVID-19, especially the Delta and Omicron variants, including proven public health and social measures such as wearing well-fitting masks, hand hygiene, physical distancing, improving ventilation of indoor spaces, avoiding crowded spaces, and getting vaccinated.

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.”

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

Executive Orders 2022-1, and 2022-2 related to mask requirements are rescinded and replaced with this Executive Order on the below-listed effective date.

Regulations:

1. Individuals, regardless of vaccine status, at City-Controlled Property: Must wear a face covering indoors at all times. Employees who are not in a congregate setting and are alone in their assigned workspace may refrain from wearing a face covering.
2. Individuals are not required to wear a face covering while outdoors, unless at an activity specifically designated and posted by the City as requiring a face covering.
3. Businesses Licensed by the City of Saint Paul: Must require all Individuals to wear a face covering indoors at all times when social distancing of at least 6 feet is not maintained, except for temporary removal of face covering when eating or drinking.
4. Athletes, performers, and supporting staff competing or performing at indoor spaces that are licensed or controlled by the City of Saint Paul are not subject to this regulation.
5. All Businesses: Strongly encouraged to continue to require that all individuals, regardless of vaccine status, wear a face covering indoors at all times when social distancing of at least 6 feet is not maintained.

Terms:

1. Individual: all persons except young children at risk of suffocation and persons who cannot medically tolerate wearing a face covering.
2. City-Controlled Property: includes park facilities, libraries, and City offices and workplaces.

3. Congregate setting: an environment where a number of people work, meet, or gather in close proximity for either a limited or extended period of time. Any specific regulations for individual City-controlled spaces will be published on the City website and posted at each location.
4. Face Covering: includes manufactured or homemade cloth face coverings. Face coverings must fully cover an individual's nose and mouth. Face coverings are not required to be medical-grade masks, but are strongly encouraged.

Enforcement:

1. Any Individual who fails to comply with this requirement will be asked to leave any City-controlled property. Any individual who subsequently refuses to leave said property upon request will be deemed to be trespassing and may be subject to criminal penalties as provided by law.
2. Any business licensed by the City of Saint Paul found in violation of this requirement may face adverse licensing action and penalties under Chapter 310 of the Saint Paul Legislative Code.

Pursuant to Chapter 13 of the Saint Paul Legislative Code, this Executive Order will take effect at 5:00 pm on January 6, 2022 following 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.

Signed: January 5, 2022



Mayor Melvin Carter III