

## **EMERGENCY EXECUTIVE ORDER 2020-29**

### **SUSPENDING CERTAIN REQUIREMENTS OF THE ZONING CODE PERTAINING TO CONSENT PETITIONS**

I, Melvin Carter III, Mayor of the City of Saint Paul, on October 8, 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.

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 and Leg. Code § 13.06(a) to which the City Council consented to on March 17, 2020 and which remains in effect having been duly extended.

The March 15, 2020 Emergency Declaration at Paragraph 2 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.

The Planning Administrator, through the Director of the department of planning and economic development, in continuing response to the directive in the Emergency Declaration, has advised that certain City zoning ordinances require zoning permit applicants to first obtain the consent of owners of property located near the zoning applicant's property in order for their zoning applications to be considered by the City. This zoning code requirement necessitates face-to-face meetings and the exchange of documents between individuals.

In light of the continuing public health emergency created by the COVID-19 pandemic, the Planning Administrator recommends that the consent petition requirements under the City's zoning ordinances be suspended in the interests of public health and safety during the emergency created by the COVID-19 pandemic as the Planning Administrator advises that notice of public hearings for these zoning applications will continue to be mailed to property owners within 350 of the subject property providing ample opportunity for these property owners near zoning project sites to indicate their consent to a zoning project during the public hearing process required for these zoning applications.

Leg. Code Chapter 13.06(b) provides, "whenever necessary to meet an emergency ... for which adequate regulations have not been adopted ... , the mayor may by executive order promulgate regulations ... respecting ... the use of property during emergencies ... 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:

1. That the consent petition requirement under the following zoning ordinances 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:

- A. Leg. Code § 62.109(a)(7)
- B. Leg. Code § 62.109(b)(6)
- C. Leg. Code § 62.109(d)(8)
- D. Leg. Code § 62.109(e)(5)
- E. Leg. Code § 65.121(b)
- F. Leg. Code § 65.132(e)

2. 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, 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: October 8, 2020

  
\_\_\_\_\_  
Mayor Melvin Carter