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Issuer: City of Saint Paul, Minnesota (Office of the Mayor; Emergency Management)

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City of Saint Paul Emergency Executive Order 2020-40 (December 4, 2020)

Executive Order December 4, 2020, 2020-40

EMERGENCY EXECUTIVE ORDER 2020-40

I, Melvin Carter III, Mayor of the City of Saint Paul, on December 4, 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 Declaration has been extended and remains in effect.

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 Declaration has been extended and remains in effect. 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 all other matters which are required to protect public safety, health and welfare in emergencies".

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 March 18, Governor Walz signed Executive Order 20-08 clarifying that Executive Order 20-04 also applied to salons, barbershops and other similar establishments.

On April 24, 2020, in an effort to ease the financial burden and aid in the recovery of Saint Paul businesses impacted by Minnesota Governor Walz's Executive Orders, I signed Emergency Executive Order 2020-08 which provided a 25% one-time reduction for license types listed in the order and a one-time ninety day extension of the due date for payment of their next renewal license fees for all license holders whose renewal date was before August 1, 2020.

On November 18, 2020 Minnesota Governor Tim Walz issued Executive Order 20-99 which ordered the temporary closure of Minnesota 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 (as defined the EO 20-99) offering food, beverages (including alcoholic beverages), or tobacco products for on-premises consumption to ingress, egress, use, and occupancy by members of the public. Such establishments are encouraged to offer food and beverage using delivery services, window service, walk-up service, drive-through service, or drive-up service. EO 20-99 also ordered the temporary closure of public pools, gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor climbing facilities, trampoline parks, indoor and outdoor exercise facilities, martial arts facilities, dance and exercise studios, venues providing indoor events and entertainment (such as theaters, cinemas, concert halls, festivals, fairs, vendor fairs, museums, performance venues, stadiums, arcades, and bowling alleys), venues providing outdoor events and entertainment (such as racetracks, paintball, go-karts, mini-golf, performance venues, festivals, fairs, vendor fairs, and amusement parks). These temporary closures are to be effective until December 18, 2020 at 11:59 p.m.

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. Many Saint Paul businesses who have been impacted by the Governor's Executive Orders hold business licenses which must be renewed annually. License renewal requires that license holders pay fees. Presently, license holders who, due to the COVID-19 pandemic, are not presently engaged in a certain licensed activity cannot request that their license be held in an inactive status. An impacted license holder who fails to pay license fees or renew a license is subject to adverse action and license suspension. An impacted license holder who cancels their license in order to conserve resources will need to go through the license application process, which includes public notice when they wish to begin the licensed activity again. Providing the opportunity for an impacted license holder to request that their license renewal and license renewal fees be held until they are again able to utilize the impacted license will assist in their recovery.

On November 21, 2020 I signed Emergency Executive Order 2020-37 which stated that upon the request of an impacted license holder attesting that the licensed business will not be in operation during the temporary closure, the Department of Safety and Inspections may place the impacted license into an inactive status. The license will remain in the inactive status and the business may not be in operation until the expiration of the closure ordered under Governor Walz Emergency Executive Order 20-99 or such time as the impacted license holder requests that the license be reinstated, whichever occurs first.

There is a benefit to license holders to allow them to extend their ability to place impacted licenses into an inactive status until Emergency Executive order 20-10, issued by Minnesota Governor Tim Walz, expires, is rescinded or such time as the impacted license holder requests that the license be reinstated, whichever occurs first.

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

Emergency Executive Order 2020-37 is rescinded.

Upon the request of an impacted license holder attesting that the a particular license held by a licensed business will not be in use during the course of Executive Order 20-10 issued by Minnesota Governor Tim Walz Declaring a Peacetime Emergency, the Department of Safety and Inspections may place the impacted license into an inactive status. The license will remain in the inactive status and the activity allowed by the license may not be engaged in by the licensee until the expiration of the Peacetime Emergency declared by Governor Walz Emergency under Executive order 20-10 or such time as the impacted license holder requests that the license be reinstated, whichever occurs first.

This Executive Order applies to the following license types:

Bowling Centers

Cabaret - Class A

Cigarette/Tobacco-Product Shop

Dance or Rental Halls

Entertainment (A)

Entertainment (B)

Entertainment (C)

Gambling Location

Health/Sport Club

Health/Sport Club-Exercise Only Facility

Liquor - Microdistillery Cocktail Room

Liquor Catering (State Cater/City Liq)

Liquor On Sale - 100 seats or less

Liquor On Sale - 101-180 Seats

Liquor On Sale - 181-290 Seats

Liquor On Sale - 2 AM Closing

Liquor On Sale - 291 or more Seats

Liquor On Sale - Theater

Liquor On Sale-Club 201-500 Mbrs - B

Liquor On Sale-Club 501-1000 Mbrs - C

Liquor On Sale-Club under 200 Mbrs - A

Liquor-Outdoor Service Area (Patio)

Liquor-Outdoor Service Area (Sidewalk)

Malt On Sale (3.2)

Malt On Sale (Brewery Taproom)

Malt On Sale (Strong)

Theaters and Movie Theaters

Wine On Sale

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.