

City of Edina
DRAFT Emergency Public Health Order
June 29, 2020

1. Purpose, Effective Area. This Emergency Public Health Order of the Mayor of Edina is being issued to limit the negative health impacts of COVID-19. This Order sets forth requirements and guidelines for group gatherings, business operations, personal responsibility, and additional guidance to slow the spread of COVID-19. This Order is effective within the City of Edina, Minnesota.

2. Effective Date and Time, Limitations. The Public Health Order will become effective at 12:01 a.m. on July 6, 2020, unless otherwise specifically provided for herein, and will remain in effect until 11:59 p.m. August 6, 2020, unless extended, rescinded, superseded, or amended in writing.

3. Findings and Intent. As of June 1, 2020, there are _____ known cases of COVID-19 in Minnesota; _____ Minnesotans have been hospitalized and _____ Minnesotans have died from COVID-19. There is clear evidence that some individuals who contract COVID-19 have no symptoms or have very mild symptoms, which means they are likely unaware they carry the virus. Asymptomatic individuals can transmit the disease, and evidence shows the disease is easily spread, so gatherings of people facilitate transmission of COVID-19.

There are visitors from many communities throughout the state and the country in Edina that if unregulated, may introduce increased illness into the community, imposing burdens on the local economy, local workers, our health care system, public services, first responders, food supplies and other essential services during the ongoing COVID-19 pandemic.

Further, in the absence of a widely available vaccine and/or treatment, we must use other tools, such as physical distancing and face coverings, to mitigate the spread of COVID-19 to protect health and save lives.

The intent of this Order is to minimize contact among individuals and reduce the public's exposure to the novel coronavirus, while lifting some of the existing restrictions on social, civic, businesses and commercial activities.

4. Legal Authority. This Order is adopted pursuant to the legal authority set forth in Minnesota Statutes 12.29 and Edina City Code section 14-23 as well as all other applicable laws, rules, regulations, orders and declarations. Under this authority, the Mayor has the authority to promulgate regulations in an emergency to establish, maintain, and enforce isolation and quarantine; to exercise physical control over the property and over the persons of the people within the City of Edina; and to prohibit the gatherings of people to protect the public health; all as the Mayor may find necessary for the protection of the public health. Issuance of this Order is deemed reasonable under the existing circumstances and necessary for the immediate preservation of the public health, safety and welfare.

5. Most Restrictive Standard Controls. To the extent any State and/or Federal orders or laws are more restrictive than what is set forth herein, such orders control. Individuals should be aware that new orders from Governor Walz and the Minnesota Department of Health (MDH) are being issued on a

regular basis, and all members of the public are responsible for following the Governor's orders, MDH orders, and local orders. The more restrictive City of Edina provisions expressly provided below shall control.

6. Incorporation of State Orders. All Executive Orders issued by the Governor and all MDH Orders are hereby adopted and deemed incorporated herein. This Public Health Order is intended to clarify and harmonize this City of Edina Public Health Order with all of the State's orders.

For purposes of this order, the term "Physical Distancing Requirements" shall have the same meaning as the State defined term "Social Distancing Requirements".

7. Five Commitments of Containment. Preventing a resurgence of COVID-19 in the City of Edina requires all individuals and businesses to comply with the mandatory provisions of this Order. In addition, all persons in Edina are strongly encouraged to assume additional personal responsibility and adopt the Five Commitments of Containment to keep transmission of illness low. These are:

- a. I will maintain 6 feet of physical distance from other individuals.
 - i. Physical distance is one of the most effective COVID-19 prevention measures.
 - ii. I will keep this distance from any person who is not from my household.
- b. I will wash my hands frequently and thoroughly for at least 20 seconds.
 - i. Hand washing is especially important after visiting public settings and businesses and before eating or touching my face.
- c. I will cover my face in public.
 - i. I will wear a face covering whenever I am outside and may not be able to maintain 6 feet of physical distance from others.
 - ii. I will wear a face covering whenever I am in indoor areas open to the public.
 - iii. Face coverings are not a substitute for maintaining physical distance.
- d. I will stay home when I am sick.
 - i. Isolating myself from others, including household members, will help protect others and limit the spread.
- e. I will get tested immediately if I have COVID-19 symptoms.
 - i. Testing early after COVID-19 symptoms develop can provide valuable information to help prevent spreading COVID-19 to other people and to inform public health officials about the extent of disease spread in the community.

8. Physical Distancing Protocol (formerly known as Social Distancing Protocol).

- a. All Critical Businesses, Critical Government Functions, Non-Critical Office Based Businesses, Critical and Non-Critical Retail, Limited Healthcare Settings, Restaurants, Houses of Worship, Non-Critical Manufacturing, Personal Services, Outdoor Recreation, Personal Recreation, Children's Day Camps, Youth Sports Day Camps and Exempt Single Skill Building Youth Camps, prior to performing operations or services, complete the online Summit County Business Physical Distancing Protocol Form. The completed form must be posted at or near the entrance of the establishment and shall be easily viewable by employees, customers, clients and others

on site. The completed form must also be posted on the establishment's website, if the establishment has a website.

b. All aforementioned entities must also comply with all applicable Governor's order, CDPHE orders, and DORA and State rules, regulations and guidance.

9. Employee Health Surveillance for Restaurant and Lodging Workers. All Restaurants and other places of public accommodation permitted to offer food and beverages for on-site consumption pursuant to the rules and regulations of the MDH and all lodging operators shall maintain a record of the following employee information, for the purposes of contact tracing activities in the event of a suspected or confirmed outbreak of COVID-19:

a. Current contact information for all employees,

b. Dates of all shifts worked by all employees, dating back to re-opening, and 4

c. Other known places of employment for each employee.

10. Public Transportation Services.

a. Agencies or individuals providing public transportation, including rideshares, taxis and hotel shuttles must follow the MDH COVID-19 Guidelines for Public Transportation Providers as may be amended. Appropriate Physical Distancing Requirements and other administrative operational directives and permissions may be issued by the City of Edina; members of the same household may sit together.

b. All transportation services riders and operators ages 3 and older must wear face coverings at all times and follow appropriate Physical Distancing Requirements to the greatest extent possible.

11. Municipal Services and Property

a. All persons seeking services or assistance from City of Edina employees, except for emergency public safety or health services, within or upon municipal property shall comply with the provisions of section 13 of this order. Failure to comply with the provisions of section 13 of this order may result in the denial of service by City employees.

b. Any person who fails to comply with the provisions of this Order within or upon municipal property will be asked to leave the property. If the person asked to leave the property does not leave the property, the person will be deemed to be trespassing and may be subject to criminal penalties as provided in law.

12. Isolation and Quarantine Requirements for Symptomatic Persons and Exposures

a. For purposes of this Order, the following definitions shall apply:

i. "Self-Isolate" is specific to a person with illness and means to stay at home, maintain distance (minimum of 6 feet) away from other household members, do not share a bedroom or bathroom, wear a mask to cover your mouth and nose when in common areas within the household, and do not leave the home unless seeking medical care.

ii. "Self-Quarantine" is specific to a person who does not have symptoms but has been exposed to someone confirmed to have COVID-19 or who is experiencing symptoms, and means to stay home, do not go to public places unless seeking medical care, and avoid contact with other people until the incubation period for COVID-19 is over, for 14 days.

b. Individuals experiencing symptoms of COVID-19 must Self-Isolate as defined in Section 11(a), above, for a minimum of ten (10) days from the start of symptoms AND 72 hours until fever free (without the use of any fever-reducing medications), PROVIDED that such symptoms are significantly improving. This obligation to self-isolate includes people that have tested positive, people awaiting their test results, and people who have symptoms but have not been tested.

c. Individuals in close contact with someone with confirmed COVID-19 disease, or a person who has symptoms consistent with COVID-19 but who has not been tested, must Self-Quarantine, as defined in Section 11(a), above, for 14 days at their place of residence. For healthcare workers and others responding to the COVID-19 pandemic, Summit County Public Health will provide more specific guidance.

d. Employers do not need to and should not require negative test results or a medical release for anyone that has completed the Self-Isolation requirements in subsection 11(b), above, or the Self-Quarantine requirements in subsection 11(c), above, each as applicable.

e. In the event an employee has confirmed COVID-19 or has symptoms but was not tested, employers should not require testing for any other employees as a condition of employment.

f. Employers should not otherwise require a negative test result as a condition of employment.

13. Face Coverings.

a. Individuals must wear face coverings that cover nose and mouth whenever:

i. In indoor areas open to the general public or

ii. Outdoors whenever at least 6 feet of separation cannot be maintained among all individuals.

iii. Exceptions: cloth face coverings do not need to be worn by persons who are consuming food or beverages, young children under the age of 2, persons with medical conditions that make it difficult to breathe or persons otherwise unable to remove the mask without assistance.

b. In order to ensure that sufficient supplies of medical face masks are available to health care workers, members of the public are strongly encouraged to use non-medical cloth face coverings, unless a medical face mask is medically necessary.

c. Employers and operators of places of public accommodation, and those authorized on their behalf, shall have discretion to deny admittance or service and require the removal of any individual who fails to wear a medical or non-medical face covering. Such action shall be applied in a manner consistent with the American Disabilities Act (42 U.S.C. § 12101 *et seq.*), Title VII of

the Civil Rights Act (42 U.S.C. § 2000e *et seq.*), the Colorado Anti-Discrimination Act (C.R.S. § 24-34-401 *et seq.*), and any other relevant federal or state law.

14. Additional Information, Recommendations and Requirements for all Persons.

a. Importance of Public Actions: These actions are some of the most readily available and effective tools to help slow the spread of the virus in our community – and, importantly, to reduce the number of potential deaths caused by COVID-19. By slowing the spread, we protect our family, friends, and neighbors. In particular, this includes all adults over age 65 and anyone with an underlying health condition.

These actions will limit the cascading impacts on critical services due to high absenteeism if large numbers of workers become ill. This Order and the actions required or recommended herein will help hospitals, first responders, and other health care services continue to provide services for those who need them (along with utilities, human services, and businesses) in the coming months. Collective action can save lives and is in support of the most vulnerable in our community. The more united we can be in preventing the spread, the greater the benefit for the whole community.

b. Importance of Business Actions: The actions listed in this Order are some of the most readily available and effective tools to help slow the spread of the virus in our community – and, importantly, to reduce the number of hospitalizations and deaths caused by COVID-19. By slowing the spread, businesses protect their workers and customers and our local economy.

Businesses shall not require, incentivize, encourage or coerce employees, contractors or subcontractors into risking their health by violating this Order, including by working while sick, working without a face covering, working in close quarters with others, or working without proper protective equipment or protocols.

Businesses are strongly encouraged to be supportive of employees who are ordered to self-isolate or quarantine, including by paying them to stay home. Summit County Public Health may publish information about any outbreak at a business so that the public is aware of the extent and nature of disease spread in the community.

15. Penalties. A violation of this Emergency Public Health Order may be enforced by the issuance of warning letter(s), administrative citation to City-licensed businesses, and/or misdemeanor prosecution under Minnesota State Statutes 12.45.

By: _____

Mayor James Hovland

City of Edina, MN

June 29, 2020