

EMERGENCY ORDINANCE UNDER SECTION 2.15 OF THE MANKATO CITY CHARTER RELATING TO ADMINISTRATIVE REVIEW OF CERTIFICATE OF DESIGN COMPLIANCE, CERTAIN CONDITIONAL USE PERMITS, AND ADMINISTRATIVE PENALTIES AND ENFORCEMENT DURING THE COVID-19 PANDEMIC (#2020-5)

WHEREAS, on March 13, 2020, Governor Tim Walz issued Emergency Executive Order 20-01, declaring a Peacetime Emergency and coordinating Minnesota's strategy to protect from the infectious disease known as COVID-19, an act of nature that has been detected in countries and territories, including the United States; and

WHEREAS, the US Department of Health and Human Services Secretary has declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19, and the World Health Organization has recently assessed that this outbreak can be characterized as a pandemic; and

WHEREAS, control measures, such as reducing social interaction, have been taken to reduce the spread of COVID-19 as the safety of our residents, especially the seniors and those residents with underlying health issues which make them particularly vulnerable to illness is a top priority; and

WHEREAS, the City Manager and other appropriate city staff are directed to request and coordinate appropriate aid and resources from surrounding jurisdictions, Blue Earth County, the State of Minnesota, and the Federal government, as needed; and

WHEREAS, per [Section 3.04](#), Powers and Duties of the City Manager, the City Manager is the Chief Administrative Officer of the city and responsible to the Council for the administration of all city affairs placed in his charge under the charter (1-10); and

WHEREAS, the City Council cancellation of all non-emergency public meetings remains in effect for the duration of the emergency; and

WHEREAS, the commercial and industrial development sector continues to need reviews in order to begin work in a timely manner and minimize delays due to measures in place due to the COVID-19 pandemic; and

WHEREAS, it is important that enforcement activities, including administrative penalties, and fees, not affecting the health or safety of residents, be adjusted based on the current COVID-19 pandemic; and

WHEREAS, the City Council has the authority to enact an emergency ordinance under Section 2.15 of the Mankato City Charter.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mankato, that the City of Mankato does hereby temporarily amend Chapter 10 of Mankato City Code, by imposing the following processes for commercial and industrial zoning districts reviews of Certificates of Design Compliance, conditional uses for reuse of existing buildings, and for conditional uses allowing expansion to existing building:

1. All commercial and industrial zoning districts (B-1, B-2, B-3, CBD-C, CBD-F, P-I, M-1, and M-2 zoning designations) reviews of Certificates of Design Compliance, conditional uses for reuse of existing buildings, and conditional uses for expansion to existing buildings will be forwarded to the Site Plan and Traffic Advisory Committee, to the utility companies, and state entities for review and comment.
2. The City of Mankato will provide a 15-day comment period for all properties within the notification area as defined by Chapter 10.92 of Mankato City Code. Comments made be submitted via email, by phone, or by United States Postal Service.
3. The Mankato Planning Commission will be forwarded a report with the recommended action, and will be provided an opportunity to comment within three (3) days of said request.
4. The City Manager or designee shall provide a response to the request within the 60 day review period that approves the request, approves the request with conditions, or denies the request. The response will be sent via mail or email to the applicant.
5. The applicant will be required to acquire a building permit prior to commencement of construction activities. The submission for the building permit shall address the comments and conditions of the aforementioned reviews.

BE IT FURTHER ORDAINED a pandemic emergency exists and the following administrative declarations be enacted by the City Council of the City of Mankato and that the City of Mankato does hereby temporarily authorize the City Manager to amend other ordinances, not affecting the health or safety of residents, related to enforcement activities, administrative penalties, and fees be adjusted, including, but not limited to:

1. The City of Mankato has adopted a COVID-19 preparedness plan in place that complies with Emergency Executive Order 20-74 requiring all Minnesota businesses to establish and implement a COVID-19 preparedness plan. This plan continues to address closure and occupancy of city buildings and vehicles, work place accommodations, the need for virtual public meetings per Minnesota State Statute 13D.021, and other requirements to prevent the spread of COVID-19 throughout the duration of the pandemic. The plan provides protocols and equipment for remote worksites and adjusted operating standards in order to assure public service while prioritizing activities, employees and public health.

As part of that plan the City Manager may enact emergency personnel actions, including but not limited to modified travel policies, self-quarantine and isolation (with guidelines), a no travel or modified leave policy, requirements for those that become sick, as well as health care coverage and furlough or lay-off provisions due to work impacts. In addition, emergency administration of collective bargaining agreements may be invoked as necessary to address the state of emergency. During the period of this emergency, the city and labor unions may temporary suspend collective bargaining, negotiations, grievance processing, and labor management committee meetings;

2. Suspension of any utility shut-offs for non-payment through August 7, and creation of payment plans and other financial options for account holders facing economic hardship regarding outstanding balances;

3. Suspension, delay, repayment, for permits, and associated enforcement activities, related to Special Event Permit applications (CDC and/or state guidelines for social distancing may require that no events be authorized, or events be modified to meet current guidance for safe gatherings);

4. Suspend any new late fees and penalties for liquor licenses and create options for payment plans to be made available once due;

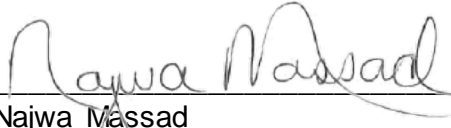
5. Limiting animal impound services to reuniting of lost animals during regular business hours, and only responding to emergency calls;


6. Any other administrative enforcement activities, administrative penalties, and fees as they arise and are deemed necessary based on the existing emergency.

This Ordinance shall, in accordance with the provisions of Section 2.15 of the Mankato City Charter, become effective immediately and shall be published and printed as prescribed for other adopted ordinances.

This Ordinance shall stand repealed as of September 5, 2020 unless it is extended, rescinded, superseded, or amended as adopted by the City Council.

Adopted this 13th day of July, 2020.


Najwa Massad
Mayor

ATTEST: 
Renae Kopischke, MMC
Designated City Clerk