



**RESOLUTION 2020-166**

**RESOLUTION RELATED TO COVID-19 PREVENTION AND CONTROL IN THE CITY OF БЕЛОIT**

**WHEREAS**, in December, 2019 a novel strain of the coronavirus was detected, now named COVID-19, and it has spread throughout the world. COVID-19 was declared a Public Health Emergency of International Concern, the highest level of alarm, on January 30, 2020 and was ultimately declared a pandemic, a global spread of a new viral disease able to infect people easily and spread from person to person in an efficient and sustained way, on March 11, 2020; and

**WHEREAS**, in Wisconsin, on September 22, 2020, Governor Tony Evers issued Executive Order 90, declaring a public health emergency, and corresponding Emergency Order 1, regarding face coverings in certain situations for people over the age of 5. At a national level, President Donald Trump proclaimed a National Emergency concerning COVID-19 on March 13, 2020. At a local level, the Beloit City Council declared a state of emergency in the City of Beloit on March 16, 2020; and

**WHEREAS**, as of September 29, 2020 there were a cumulative total of 33.6 million laboratory confirmed cases of COVID-19 in the world with a total of 6.9 million in the United States. Wisconsin had over 115,000 cases. As of September 27, 2020, the City of Beloit had 953 laboratory confirmed cases, an increase of 70 over the prior week, of Rock County's total cases of 2,540. The percentage of cases in Beloit was 37.5% of Rock County totals although Beloit represents only 22% of the County population. The two-week positive test rate was 8.4% in Beloit and 12.4% in the rest of Rock County; and

**WHEREAS**, we know that the fight to contain COVID-19 is dynamic and ultimately is dependent long-term on the widespread availability of a vaccine and/or treatment; and we know that physical contact and close proximity to other individuals causes the spread of COVID-19, thereby endangering the public and placing undue strain on the healthcare system.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council for the City of Beloit, under its authority in Chapter 323 of the Wisconsin State Statutes and Section 1.10 of the Code of General Ordinances for the City of Beloit, hereby issues this Order to continue controlling COVID-19 disease transmission throughout the City of Beloit. This Order outlines the measures needed now in the City of Beloit based on the above-listed factors. The City focuses on the importance of continuation and resumption of businesses and activities for sectors of our economy which are able to operate with Physical Distancing and Protective Measure Requirements and safe business practices in place. Future decisions will be based on the COVID-19 data for the City of Beloit and upcoming orders, if any, will necessarily remain fluid and will be based on the above factors as well as emerging data and research.

- 1. DEFINITIONS.** The following words, terms, phrases, when used in this section, shall have the meanings ascribed to them in this Order, except where the context clearly indicates a different meaning.

**“Enclosed space”** shall mean a confined space open to the public where individuals congregate, including but not limited to outdoor bars, outdoor restaurants, taxis, public transit, ride-share vehicles, and outdoor park structures.

**“Mask/Face Covering”** shall mean a uniform, multi-layer piece of cloth, fabric, or other material that securely covers a person’s nose and mouth and remains affixed in place without the use of one’s hands. Mask/face covering includes, but is not limited to, medical masks, disposable or paper masks, cloth masks, scarves, provided it is worn such that it securely covers the person’s nose and mouth.

**“Physical Distancing”** shall mean maintaining at least six feet of distance from other individuals who are not members of a person’s household or living unit.

**“Protective Measure Requirements”** shall mean

- a. Washing hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer;
- b. Covering cough or sneezes (into the sleeve or elbow, not hands);
- c. Regularly cleaning high-touched surfaces;
- d. Not shaking hands;
- e. Following all other public health recommendations issued by State of Wisconsin Department of Health Services (“DHS”), Rock County Health Department and the U.S. Centers for Disease Control and Prevention (“CDC”).

## **2. FACE COVERING REQUIRED.**

- a. Every individual, age five and older, who is present in the City of Beloit shall wear a mask/face covering whenever the person is indoors or in an enclosed space with another person(s) who is not a member of that person’s living unit household. This section does not apply to a private residence.
- b. Masks/Face Coverings may be temporarily removed under the following circumstances:
  1. When consuming food or beverages when appropriate physical distancing can be achieved with persons outside of a person’s household or living unit with only infrequent or incidental moments of closer proximity, such as persons walking or passing by
  2. Whenever federal, state, or local law otherwise prohibit wearing a face mask or where it is necessary to evaluate or verify an individual’s identity
  3. While communicating with an individual who is deaf or hard of hearing where the ability to see the mouth is essential for communication and communication cannot be achieved through other means
  4. While obtaining a service involving the nose, mouth, or face for which temporary removal of the face covering is necessary to perform the service
  5. While a single individual is giving a religious, political, media, educational, artistic, cultural, musical, or theatrical presentation for an audience, the single speaker may remove the face covering when actively speaking. While the face covering is removed, the speaker must remain at least 6 feet away from all other individuals at all times
  6. While swimming or on duty as a lifeguard
  7. While sleeping
  8. When engaging in work where wearing a face covering would create a risk to the individual, as determined by government safety guidelines

- c. The following individuals are exempt from the above-stated mask/face covering requirement:
  - 1. Children, four years of age and younger. The CDC encourages children between the ages of 2 and 5 to wear a mask when physical distancing is not possible and does not recommend masks for children under the age of 2.
  - 2. Individuals who have trouble breathing.
  - 3. Individuals who are unconscious, incapacitated, or otherwise unable to remove the face covering without assistance
  - 4. An individual who falls within the CDC's guidance for those who should not wear a mask/face covering due to a medical condition, mental health condition, intellectual or developmental disability, or are otherwise covered under the Americans with Disabilities Act

### **3. PUBLIC SPACES BOTH INDOORS AND OUTDOORS AND PUBLIC BUILDINGS.**

- a. All public spaces, public buildings, and private buildings that are open to the public, shall meet the following public health and safety practices to prevent the spread of COVID-19:
  - 1. To the greatest extent feasible, use technology to avoid meeting in person, including virtual meetings, teleconference, and remote work.
  - 2. Review the Wisconsin Economic Development Corporation ("WEDC") guidelines on safe business practices available here: <https://wedc.org/reopen-guidelines/> .
  - 3. Comply with Physical Distancing and Protective Measure Requirements except for those contacts that are incidental and brief in nature. This shall not be construed to require physical distancing between individuals from the same living unit or household. If compliance with the Physical Distancing Requirements of 6 feet between all individuals cannot be maintained, use PPE or alternative physical distancing precautions recommended by the WEDC, DHS or CDC is required.
  - 4. Maintain physical distancing standards from other individuals who are not members of a person's household or living unit.
  - 5. Restrict the number of workers present on premises to no more than is strictly necessary to perform operations.
  - 6. Increase standards of facility cleaning and disinfection to limit worker and patron exposure to COVID-19, as well as adopting protocols to clean and disinfect in the event of a positive COVID-19 case in the workplace.
  - 7. Adopt policies to actively screen and prevent workers from entering the premises if they display symptoms identified by the CDC as symptoms related to COVID-19 or have had contact with a person with a confirmed diagnosis of COVID-19.
  - 8. Adopt policies to actively screen and prevent customers, visitors, guests from entering the premises if they display symptoms identified by the CDC as symptoms related to COVID-19 or have had contact with a person with a confirmed diagnosis of COVID-19.
  - 9. Consider establishing curbside pick-up to reduce in-store traffic and mitigate outdoor lines.
  - 10. Cease any self-service operations of any type of food or beverage.
  - 11. Except for grocery stores, prohibit customers from self-dispensing all unpackaged food.
  - 12. Establish lines to regulate entry in with markings for patrons to enable them to stand at least six feet apart from one another while waiting. Stores should also use alternatives to lines, including allowing customers to wait in their cars for a text message or phone call and scheduling pick-ups or entries to the store.
  - 13. Cooperate with public health investigations related to COVID-19 confirmed or suspected cases related to the business operations, including excluding employees based on public health recommendations and assisting public health with identifying and notifying contacts of cases.

- b. Where applicable, an individual shall comply with requirements and restrictions outlined in this section while present in public spaces, public buildings, and private buildings that are open to the public.
  - c. The above requirements shall not apply to those interactions that must occur for health and safety reasons.
- 4. SHARED SPACES.** Unless otherwise provided herein, all individuals present in the City of Beloit using shared spaces, outdoor spaces or any place other than their home or residence shall, to the extent possible, comply with Physical Distancing and Protective Measure Requirements.
- 5. MASS GATHERINGS.** Mass gatherings are those planned or spontaneous events with a large number of people in attendance that could strain the planning and response resources of the community hosting the event, such as a concert, festival, conference, or sporting event. Mass gatherings of more than 25 people are strongly discouraged. Gathering size for organizations that serve individuals who are at increased risk of severe illness, as that term is defined in section 7 of this Order, is strongly encouraged to not exceed 10 people. Mass gatherings are required to comply with the provisions outlined in Section 3 and 4 of this Order as well as the following COVID-19 mitigation strategies:
- a. Minimize sharing of frequently touched objects consistent with the community or individual's traditions and in consultation with local health officials as needed;
  - b. Food or beverage offerings should be provided in pre-packaged boxes or bags for each attendee to avoid possible COVID-19 transmittal from sharing common dishes at a buffet or family-style meal; and
  - c. Nothing in this Order prohibits the gathering of members of a single living unit or household.
- 6. FOLLOW DHS AND CDC GUIDELINES.** All individuals, organizations, government bodies, and any other group of individuals shall to the extent possible, follow all applicable DHS or CDC guidelines that are more restrictive than this Order when taking any action permitted under this Order. DHS guidelines are located here: <https://www.dhs.wisconsin.gov/covid-19/index.htm> and here <https://www.dhs.wisconsin.gov/covid-19/employers.htm>. CDC guidelines are located here: <https://www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html>.
- 7. VULNERABLE MEMBERS OF THE POPULATION SHOULD TAKE ADDITIONAL PRECAUTIONS.** People at increased risk of severe illness from COVID-19 and people who are sick are strongly encouraged to stay in their home or residence to the extent possible except as necessary to seek medical care. For the purposes of this Order, the City adopts the definition of the CDC of those individuals who are at increased risk for severe illness which includes the following:
- a. People 65 years and older
  - b. People who live in a nursing home or long-term care facility
  - c. People of all ages with underlying medical conditions, particularly if not well-controlled, including:
    - 1) People with chronic lung disease or moderate to severe asthma
    - 2) People who have serious heart conditions
    - 3) People who are immunocompromisedMany conditions can cause a person to be immunocompromised, including cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly

controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications

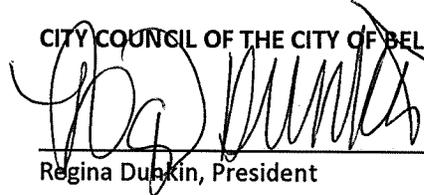
- 4) People with severe obesity (body mass index [BMI] of 40 or higher)
- 5) People with diabetes
- 6) People with chronic kidney disease undergoing dialysis
- 7) People with liver disease

- 8. PREVENTION OF DISEASE RECOMMENDATIONS.** For purposes of this Order, all residents are strongly encouraged to follow these guidelines when in private spaces including:
  - a. Maintaining distancing of six (6) feet between people;
  - b. Washing hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer;
  - c. Covering coughs or sneezes (into the sleeve or elbow, not hands);
  - d. Regularly cleaning of frequently-touched surfaces;
  - e. Not shaking hands; and
  - f. Following all other public health recommendations issued by DHS and the CDC
- 9. CITY FACILITIES AND SERVICES.** The City Manager may impose restrictions for city facilities, city property or services based upon the needs of a particular facility, property or service for protection of the public health, visitors, and city employees. Such restrictions shall be communicated to others and posted prominently at the facility, property or location of the service to advise the public of the restrictions.
- 10. ENFORCEMENT.** This Order is enforceable by any local law enforcement official. A violation may result in the issuance of a citation under Chapter 1.10 of Municipal Code.
- 11. LOCAL ORDERS.** This Order does not preclude local health officer from addressing localized outbreaks with a localized order. Such order may include instituting tailored restrictions based on the needs of a particular location. If there is a conflict between this order and an order from a local health officer, the more restrictive order shall control. Further, nothing in the Order prevents DHS and local health officials from issuing and enforcing isolation and quarantine order pursuant to Wis. Stat. ch. 252 and local ordinances.
- 12. PRIVATE BUSINESS OR ORGANIZATION POLICIES.** In addition to the responsibilities to adopt and implement policies related to addressing patron and employee safety outlined in Section 3 of this Order, private businesses or other organizations are strongly encouraged to develop plans or policies to address how to best combat the spread of COVID-19. A private business or organization may implement policies or plans that are more restrictive than this Order for the protection of the public health in its discretion. Any such policies implemented shall be clearly communicated to patrons and the public.
- 13. SEVERABILITY.** If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.
- 14. DURATION.** This Order shall become effective immediately. This Order shall remain in effect until 12:01 a.m. on Tuesday November 17, 2020. If a state or federal order or statute is more restrictive

than this Order, then the more restrictive order shall apply. Any superseding or subsequent order shall be based upon public health best practices, review of all available data, and may include the following indicia: availability of personal protective equipment; intensive care unit bed capacity; downward trajectory of positive tests as a percent of total tests within a 14-day period; treatment of all patients without crisis care; community testing of all symptomatic individuals, individuals involved in an outbreak, and individuals living and working in congregate settings.

Adopted this 5<sup>th</sup> day of October, 2020.

CITY COUNCIL OF THE CITY OF БЕЛОIT



Regina Dupkin, President

ATTEST:



Lorena Rae Stottler, City Clerk-Treasurer

# CITY OF BELOIT

## REPORTS AND PRESENTATIONS TO CITY COUNCIL



**Topic:** CONSIDERATION OF RESOLUTION 2020-166 RELATED TO COVID-19 PREVENTION AND CONTROL

**Date:** 10-05-2020

**Presenter:** Lori Curtis Luther

**Department:**

City Manager

### Overview/Background Information

In response to the Governor's order and reflective of data below, staff recommends Resolution 2020-166.

Local rates of infection and hospitalization are increasing. Furthermore, this action ensures that the City of Beloit is doing all that is possible to minimize spread of COVID-19, while maintaining local authority to enforce protective measures.

The City of Beloit has been committed throughout this crisis to safely reopening the economy while protecting the health of residents, businesses, and visitors. The City's local authority under Chapter 323 of the Wisconsin State Statutes and section 1.10 of the Code of General Ordinances for the City of Beloit provides the ability to establish requirements to provide for the health, safety, and welfare of residents.

As of September 29, 2020 there were a cumulative total of nearly 33.6 million laboratory confirmed cases of COVID-19 in the world with a total of 6.9 million in the United States. Wisconsin had over 115,000 cases. As of September 29, 2020, the City of Beloit had 953 laboratory confirmed cases of Rock County's total cases of 2,540. The percentage of cases in Beloit was 37.5% of Rock County totals although Beloit represents only 22% of the County population. The current two-week positive test rate in Beloit is 8.4% as opposed to 12.4% for the rest of Rock County.

### Key Issues

The proposed resolution addresses the risks of COVID-19 via the following:

1. Requires face coverings indoors except in limited cases.
2. Physical distancing was redefined as maintaining six feet of distance from individuals who are not members of a person's household or living unit; the 144 square foot requirement was eliminated for consistency in recommendations.
3. Requiring any buildings or spaces that are open to the public to meet public health and safety practices, including (but not limited to) the requirement of face coverings and physical distancing. Note this section of the resolution applies to all public spaces, including in businesses such as bars, salons and barber shops, as well as churches.
4. Requiring all individuals in the City of Beloit to comply with physical distancing requirements and protective measurements when in shared or public spaces outside of their own homes.
5. Strongly discouraging mass gatherings of over 25 individuals; mass gatherings of over 25 individuals in city-owned facilities and spaces, including parks, will be prohibited

### Conformance with Strategic Plan

Approval of this action would conform with the stated purpose of the following strategic goal:

- Goal #1 - Create and Sustain Safe and Healthy Neighborhoods
- Goal #2 - Create and Sustain a High Performing Organization
- Goal #3 - Create and Sustain Economic and Residential Growth
- Goal #4 - Create and Sustain a High Quality of Life
- Goal #5 - Create and Sustain High Quality Infrastructure and Connectivity
- Goal #6 - Create and Sustain a Positive Image, Enhance Communications and Engage the Community

### Sustainability

(If applicable, briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment. Consider whether the policy or program will reduce dependence upon fossil fuels, reduce dependence on chemicals and other manufacturing substances that accumulate in nature, reduce dependence on activities that harm life sustaining eco-systems, and/or meet the hierarchy of present and future human needs fairly and efficiently. Write N/A if not applicable)

This resolution provides clarity during uncertain times and provides for economic and health sustainability.

### Action Required/Recommendation

Staff recommends approval of the proposed resolution.

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| <b>Fiscal Note/Budget Impact</b> |
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| N/A |
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| <b>Attachments</b> |
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| Resolution |
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| COVID-19 case update |
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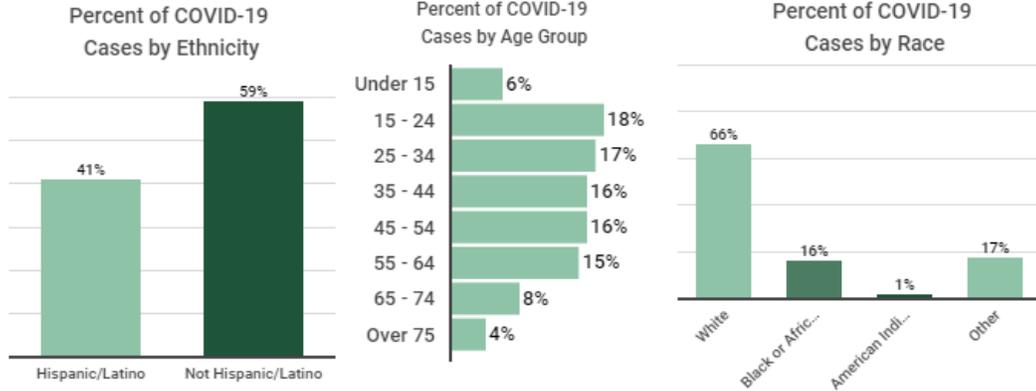
Revised 05-24-2018

# Beloit



|                               | Total as of 9-28-20 | Increase since this data was updated on 9-21-20 |
|-------------------------------|---------------------|---|
| Laboratory Confirmed Cases    | 953                 | +70 Confirmed Cases                             |
| Probable Cases                | 127                 |   |
| Number of Recovered           | 790                 | +33 Recovered Cases                             |
| Negative Test Results         | 11,075              | +674 Negative Test Results                      |
| Total number of people tested | 12,711              |   |
| Mortality Rate                | 1.12%               |   |

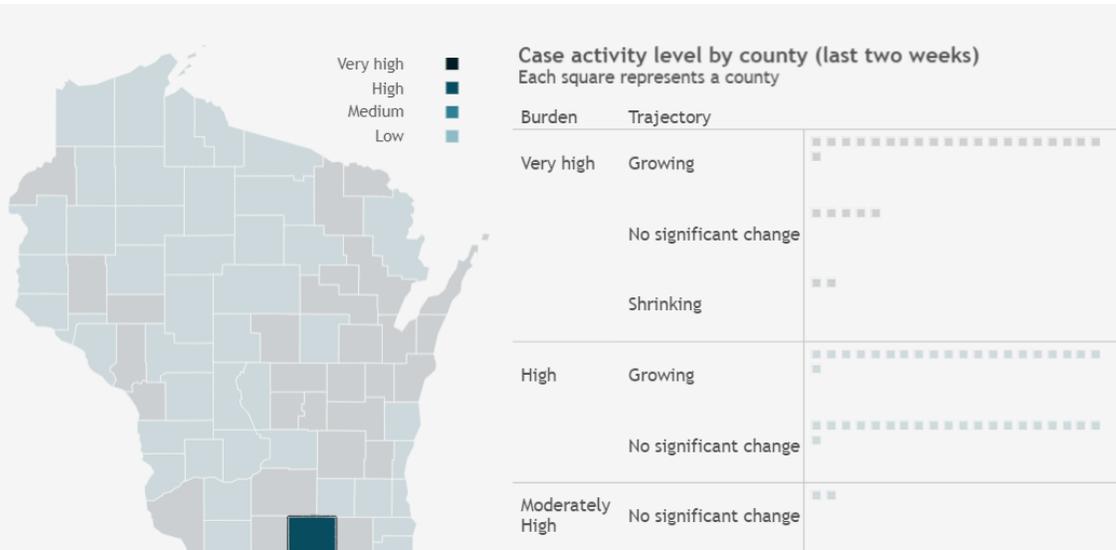
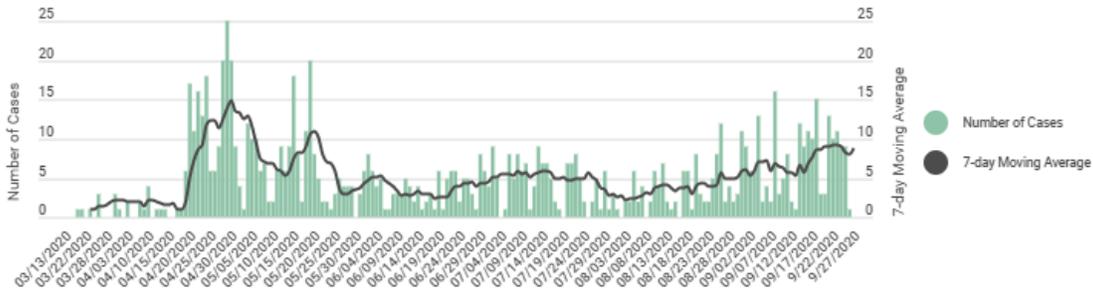
## Demographic Information of those lab-confirmed COVID-19



## Number of Daily New Cases based on when Individuals were Tested

8 records did not include date of when individual was tested

\*Note: due to lag in laboratory reporting, this data reflects all of the records that have been reported to RCPHD at the time this report was updated



## Rock County data (last two weeks)

