



RESOLUTION 2020-127

**RESOLUTION EXTENDING AND MODIFYING RESOLUTION 2020-103
RELATED TO COVID-19 PREVENTION AND CONTROL IN THE CITY OF БЕЛОIT**

WHEREAS, on 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 on January 30, 2020 and was ultimately declared a pandemic on March 11, 2020; and

WHEREAS, in Wisconsin, Governor Tony Evers declared a public health emergency on March 12, 2020 and directed all agencies to support efforts to respond to and contain COVID-19 in Wisconsin. 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, at its regular meeting on July 6, 2020 the Council restated guidelines related to the COVID-19 emergency in Resolution 2020-103; and

WHEREAS, as of July 29, 2020 there were a cumulative total of nearly 16.8 million laboratory confirmed cases of COVID-19 in the world with a total of 4.3 million in the United States. Wisconsin had over 50,000 cases. As of July 24, 2020, the City of Beloit had 610 laboratory confirmed cases of Rock County's total cases of 1,301. The percentage of cases in Beloit was 47% of Rock County totals although Beloit represents only 22% of the County population. The positive test rate in Beloit is 9% as opposed to 6% for 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 may cause 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 extends the Order in Resolution 2020-103 with the following amendments listed herein.

Section 1. Section 1 of Resolution 2020-103 shall be deleted and replaced with the following:

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, bandanas, medical masks, disposable or paper masks, cloth masks, scarves, and neck gaiters, 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 coughs 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”).

Section 2. Section (2)(a)3 of Resolution 2020-103 shall be deleted and replaced with the following:

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 of PPE or alternative physical distancing precautions recommended by the WEDC, DHS or CDC is required.

Section 3. Section (2g) of Resolution 2020-103 is created and inserted as follows:

2g. 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

Section 4. If a state or federal order or statute is more restrictive than this Order, then the more restrictive order shall apply.

Section 5. The Order shall remain in effect until 12:01 a.m. Wednesday September 9, 2020 unless otherwise terminated by further action of the City Council.

BE IT FURTHER RESOLVED that the City Council acknowledges that the City Manager has established appropriate policies that address the COVID-19 emergency for all city employees and affirms said actions. The City Manager shall further establish policies to ensure that precautionary measures are put in place to minimize exposure to COVID-19 by city employees and the public visiting city facilities. Such policies may include appropriate face coverings, physical distancing, physical barriers, or other workplace safety precautions for all persons present on the premises of any city facility. If a state or federal order or statute is more restrictive than such policy, then the more restrictive policy, order, or statute shall apply.

Adopted this 3rd day of August, 2020.

CITY COUNCIL OF THE CITY OF BELOIT



Regina Dunkin, President

ATTEST:



Lorena Rae Stottler, City Clerk-Treasurer

CITY OF БЕЛОИТ

REPORTS AND PRESENTATIONS TO CITY COUNCIL



| | | | |
|-------------------|--|--------------------|--------------|
| Topic: | RESOLUTION 2020-127 EXTENDING AND MODIFYING RESOLUTION 2020-103 RELATED TO COVID-19 PREVENTION AND CONTROL IN THE CITY OF БЕЛОИТ | | |
| Date: | 08/03/2020 | | |
| 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 2020-127 amending and extending resolution 2020-103.

There is a continued lack of a reliable cure, vaccine or herd immunity, as well as increased rates of local infection and hospitalizations. This action ensures that the City of Beloit is compliant with the Governor's order and that physical distancing and protective requirements remain in place to minimize spread.

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 July 19, 2020, the City of Beloit had 588 laboratory confirmed cases compared to a cumulative of 1,143 laboratory confirmed in Rock County. This equated to 51% of the total cases in Rock County. On July 24, of the positive cases, 49% identified as Hispanic/Latino ethnicity and 20% were African American. As of July 24, 2020, a cumulative of 610 laboratory confirmed cases were in Beloit compared to a cumulative of 1,301 laboratory confirmed cases in all of Rock County. This equated to 47% of total cases in Rock County even though Beloit only represents 22% of the population. Even though numbers continue to rise, the percentage of cases in Beloit, as compared to the remainder of Rock County, may be on a downward trend because of the actions taken by the Council with this initial resolution.

Please see the attached report with additional details.

Key Issues

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

1. Requires face coverings indoors except in limited cases.
2. 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.
3. 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.
4. 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.

Fiscal Note/Budget Impact

N/A

Attachments

Resolution
COVID-19 Case Update

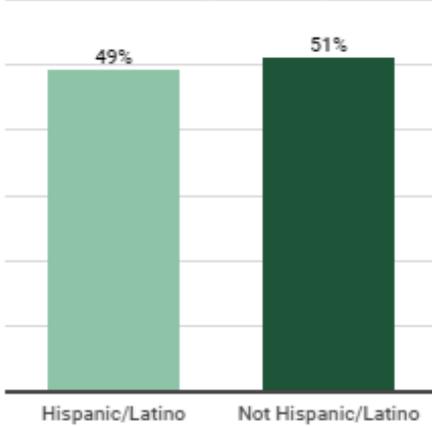
Revised 05-24-2018

Beloit

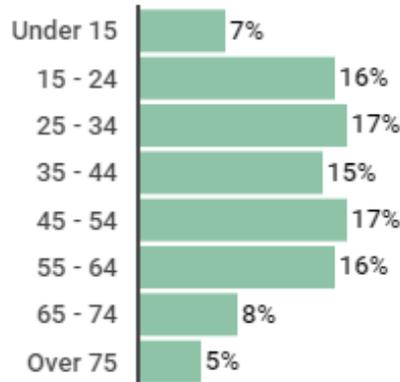
Laboratory Confirmed Cases: 610 (36 additional cases since data was updated on 7-20)
 Probable Cases: 47 (thought to have COVID-19 by their doctor, not laboratory confirmed)
 Number of Recovered: 478
 Negative Test Results : 6,878
 Total number of people tested (Includes positive, negative and pending results): 7,661
 Mortality Rate: 1.64% (10 deaths)
 Data updated 7-27-20

Demographic Information of those lab-confirmed COVID-19

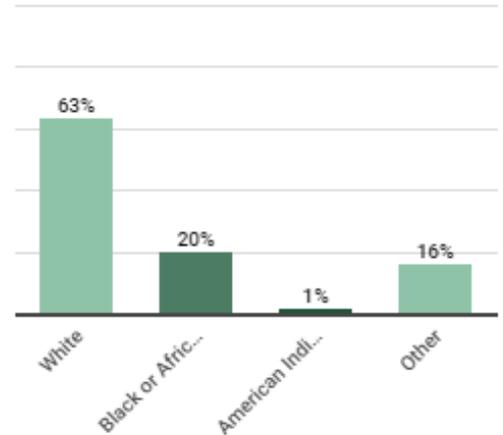
Percent of COVID-19 Cases by Ethnicity



Percent of COVID-19 Cases by Age Group



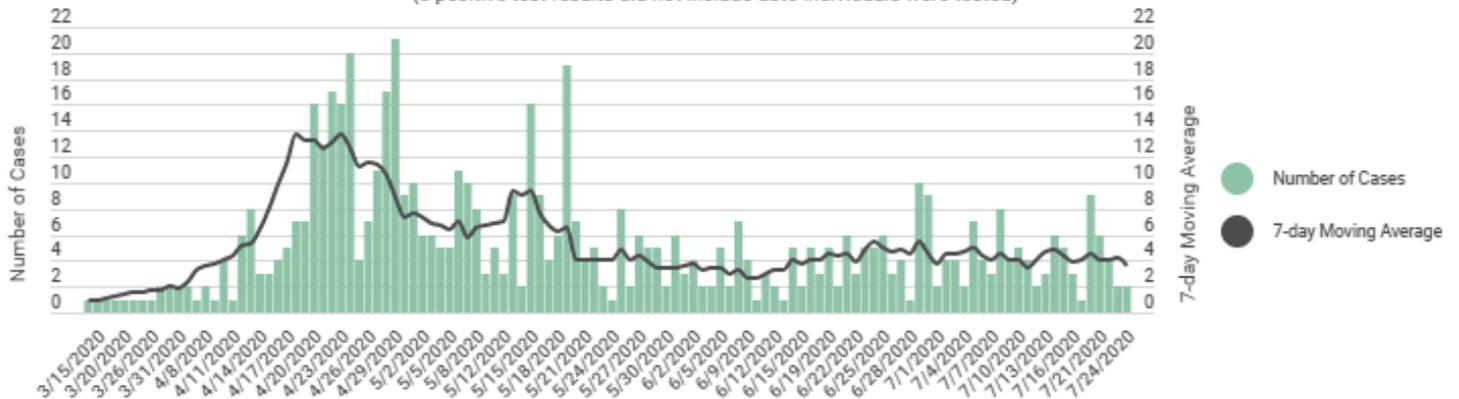
Percent of COVID-19 Cases by Race



Number of Daily New Cases based on when Individuals were 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

(3 positive test results did not include date individuals were tested)



COVID-19 Case Indicators (last 2 weeks)

Updated: 7/29/2020

Select area

- County
- HERC Region

Activity level

- High

COVID-19 activity level

Highlight area

Highlight Area

Click on a county or region on the map to filter data below.



Burden (case rate), trajectory (percent case change), and activity level

| Area | Count | Burden | Trend | Activity level | | |
|------|-------|--------|-------|----------------|---|------|
| Rock | 244 | 150 | High | -34 | ▼ | High |

8846
JUL 6 2020
CITY OF БЕЛОIT
CITY CLERK

RESOLUTION 2020-103

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

WHEREAS, on 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 on January 30, 2020 and was ultimately declared a pandemic on March 11, 2020; and

WHEREAS, in Wisconsin, Governor Tony Evers declared a public health emergency on March 12, 2020 and directed all agencies to support efforts to respond to and contain COVID-19 in Wisconsin. 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 Monday, June 29, 2020, there were a cumulative total of nearly 10.2 million laboratory confirmed cases of COVID-19 in the world with a total of 2.5 million in the United States. Wisconsin had over 28,000 cases; Rock County had 853; Beloit had 484. This was an increase of 32 new positive cases in Beloit and 62 new positive cases in Rock County in one week. The percentage of cases in Beloit was 57% of Rock County totals although Beloit represents only 22% of the County population; and

WHEREAS, the City of Beloit continues to see high numbers of positive cases in our Hispanic/Latinx Community. According to data from the Rock County Health Department 51% of the cases in Beloit identified as Hispanic/Latinx and 22% of cases in Beloit identified as African American. The data also shows 47% of the cases in Beloit are between the ages of 35 and 64 and a total of 13% of the cases are over the age of 65.

WHEREAS, as a novel disease with uncertain immunity and no vaccination currently available, all of the population is at risk; and

WHEREAS, we know that the fight to contain COVID-19 is dynamic and is ultimately dependent long-term on the widespread availability of a vaccine and/or treatment; and

WHEREAS, we know that physical contact and close proximity to other individuals may cause the spread of COVID-19, thereby endangering the public and placing undue strain on the healthcare system; and

WHEREAS, "physical distancing", meaning a distance of six (6) feet is maintained between all individuals, is a public health tool that may be used to limit the spread of disease and it is essential to use all available tools as is reasonable and necessary to stop the transmission of COVID-19; and

WHEREAS, Wisconsin state law provides broad authority and power for local governments to provide for health, safety and welfare; and

WHEREAS, the Wisconsin Department of Health Services provides communicable disease prevention and control and social distancing guidelines informed by Wisconsin public health experts and consistent with recommendations by the U.S. Centers for Disease Control.

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 replaces Resolution 2020-089, as amended by Resolution 2020-094 and Resolution 2020-102, with this Resolution 2020-103 setting forth the City of Beloit's plan 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. Recognizing that the City of Beloit has made progress in flattening the curve, we focus on the importance of continuation and resumption of businesses and activities for sectors of our economy that 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. **DEFINITION.** For purposes of this Order and to the extent possible under applicable laws, including but not limited to, the Americans with Disabilities Act, "*Physical Distancing and Protective Measure Requirements*" means:
 - a. Maintaining physical distancing of six (6) feet between people not residing in a single living unit or household.
 - 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 high-touched surfaces;
 - e. Not shaking hands;
 - f. Use of a mask or cloth face covering; and
Note: The use of masks or cloth face coverings is strongly recommended but shall not be required due to equity concerns regarding the challenges that either may cause for individuals because of disabilities and/or shortages of Personal Protective Equipment ("PPE").
 - g. 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. **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 Requirements and Protective Measure Requirements of 6 feet between all individuals on the premises including but not limited to employees, customers, and members of the public and limit the number on the premises, both indoors and outdoors to meet this physical distance requirement, 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 of PPE or

alternative physical distancing precautions recommended by the WEDC, DHS or CDC is required.

4. Allot 144 square feet¹ of space per living unit or household in a business, both inside and outside and including decks and patios, which shall not in any event exceed an occupancy limit established by building code.
 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 COVID-19-like symptoms 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.
3. **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.
4. **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

¹ This amount is based upon a calculation of the physical distancing requirements of 6 feet between individual (or living unit or household) in each direction.

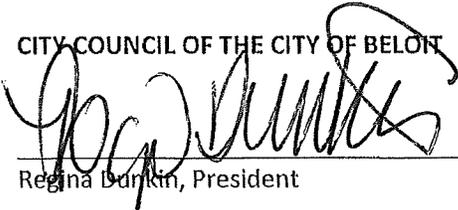
that serve individuals who are at increased risk of severe illness, as that term is defined in section 7 of this Order, is strongly encouraged to not exceed 10 people. Mass gatherings are required to comply with the provisions outlined in Section 2 and 3 of this Order as well as the following COVID-19 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.
5. **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>
6. **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 immunocompromised
Many 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
7. **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 U.S. Centers for Disease Control
8. **CITY FACILITIES AND SERVICES.** The City may impose restrictions for city facilities, city property or services based upon on the needs of a particular facility, property or service for protection of the public health, visitors, and city employees. Such restrictions shall be posted prominently at the facility, property or location of the service to advise the public of the restrictions.
9. **ENFORCEMENT.** This Order is enforceable by any local law enforcement official. A violation may result in the issuance of a citation.
10. **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 this Order prevents DHS and local health officials from issuing and enforcing isolation and quarantine orders pursuant to Wis. Stat. ch. 252 and local ordinances.
11. **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 2 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.
12. **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.
13. **DURATION.** This Order shall become effective immediately. This Order shall remain in effect until 12:01 a.m. on Tuesday August 4, 2020. The availability of a cure or vaccine will further guide the need for physical distancing and protective measure requirements to remain in place.

Adopted this 6th day of July, 2020.

CITY COUNCIL OF THE CITY OF BELoit


Regina Durkin, President

ATTEST:


Lorena Rae Stottler, City Clerk-Treasurer