

Ordinance 0004-20 – Safer Racine 2019 Novel Coronavirus Response

An ordinance to amend Chapter 54 of the Municipal Code of the City of Racine, Wisconsin.

Whereas, the United States of America and the State of Wisconsin have been affected by the worldwide pandemic of the 2019 novel coronavirus disease (COVID-19), which is a dangerous respiratory illness that can spread from person to person; and

Whereas, since well before March 2020, City of Racine public health officials been working to minimize the risk and threat of contagion related to the ongoing COVID-19 pandemic while enhancing the safety and health of city residents; and

Whereas, the COVID-19 pandemic and its prevalence in the southeastern Wisconsin region and throughout the United States continues to constitute a public health emergency; and

Whereas, the City of Racine has become a hot spot for infection related to the novel coronavirus. As of June 17, 2020, the City of Racine had a confirmed number of 1,411 positive COVID-19 cases. According to the Wisconsin Department of Health Services, the positive COVID-19 rate in Racine County is higher, per capita, than in any other county in Wisconsin. Almost 70 percent of the positive COVID-19 cases within Racine County are in the City of Racine; and

Whereas, the City of Racine continues to deal with this unprecedented threat to City residents, as well as the healthcare systems in place to respond. This time represents the most significant threat to public health that has occurred in the past 100 years; and

Whereas, response to public health crises is within the indisputable authority of local governments in the United States, and in Wisconsin, as part of the exercise of their police power; and.

Whereas, there exists a continuing public health emergency within the City of Racine as contemplated by in Wisconsin Statutes sections 323.11 and 323.14(4) and Racine Ordinance section 34-1.

NOW THEREFORE, the Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Chapter 54, Article II, of the Municipal Code of the City of Racine, Wisconsin, is amended as follows:

In each instance, the words “state department of health and social services” are deleted and the words “state department of health services” are substituted therefor.

Part 2: Chapter 54, Article II, Section 54-26, of the Municipal Code of the City of Racine, Wisconsin, is repealed and recreated as follows:

Sec. 54-26. - Statutory definitions.

Those diseases which are designated as communicable by DHS 145, appendix A, of the Wisconsin Administrative Code are hereby declared to be communicable within the meaning of this article.

Part 3: Chapter 54, Article II, Section 54-27, of the Municipal Code of the City of Racine, Wisconsin, is amended as follows:

Sec. 54-27. - State regulations apply.

The words “Wis. Stats. ch. 143” are deleted and the words “Wis. Stats. ch. 252” are substituted therefor.

Part 4: Chapter 54, Article II, Section 54-33, of the Municipal Code of the City of Racine, Wisconsin, is created as follows:

Sec. 54-33. – Safer Racine

- (a) The Safer Racine COVID-19 Pandemic Response Standards are adopted and the standards therein apply to business and public activities within the City of Racine. The Safer Racine COVID-19 Pandemic Response Standards shall be published on the City of Racine website and are incorporated into this section as if fully set forth herein.
- (b) The Common Council grants the Public Health Administrator authority to modify the Safer Racine COVID-19 Pandemic Response Standards as necessary to respond to changing COVID-19-related public health conditions. The Public Health Administrator must base any modifications on then-current guidance from the World Health Organization, the Centers for Disease Control and Prevention, and the Wisconsin Department of Health Services. The Public Health Administrator shall report any such modifications to the Common Council, in writing, within five days of the effective date of such modifications.
- (c) No later than August 5, 2020, the Public Health Administrator shall provide a full report to the Common Council regarding the state of the COVID-19 pandemic in

the City of Racine. The Common Council shall take action to extend, modify, or terminate the application of the Safer Racine COVID-19 Pandemic Response Standards to the City of Racine upon receipt of the Public Health Administrator's report hereunder.

Part 5: Chapter 54, Article II, Section 54-34, of the Municipal Code of the City of Racine, Wisconsin, is created as follows:

Sec. 54-34. – Safer Racine penalties.

Upon conviction, any person found to be in violation of Sec. 54-33 shall forfeit no more than \$250. For purposes of this section, each day a person is found to have been in violation of Sec. 54-33 shall be considered a separate violation.

Part 6: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: N/A