

**CITY OF LEXINGTON  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**ORDINANCE #20-06**

**AN EMERGENCY ORDINANCE TO ASSIST BUSINESSES AND ESTABLISHMENTS  
DURING THE COVID19 PANDEMIC**

**WHEREAS**, the Mayor and members of the City Council convened an emergency session of the City Council on March 19, 2020, where they enacted a PROCLAMATION AND DECLARATION OF EMERGENCY.

**WHEREAS**, previously, on March 13, 2020, Governor Tim Walz declared a Peacetime State of Emergency to authorize and require that all necessary resources be used in support of the COVID-19 response; and

**WHEREAS**, on May 13, 2020, Governor Tim Walz, in Executive Order 20-56, declared that bars and restaurants may reopen effective June 1, 2020, pursuant to Plans adopted by the Commissioners of Health and Economic Development; and

**WHEREAS**, pursuant to said Plans, bars and restaurants may reopen to accommodate customers in outdoor seating with limited occupancy.

**MOREOVER**, all businesses and establishments in the City, including bars and restaurants, have suffered extreme economic loss due to the COVID-19 pandemic; and

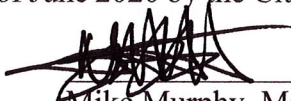
**WHEREAS**, the City Council can authorize City Staff to assist its businesses and establishments to safely reopen pursuant to the Governor's Executive Order by temporarily reconfiguring its ordinances and authorizing City action to allow businesses to conduct and maximize their operations during the COVID-19 pandemic.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LEXINGTON ORDAINS, DECLARES, AND DIRECTS AS FOLLOWS:**

1. A section or subsection of the City Code of Ordinances shall be suspended only where necessary for action specifically pursuant to, and in conformity with this ORDINANCE.
2. City Staff is Ordered to assist businesses and establishments to reopen and operate in a manner which obeys State Orders and Plans for the lawful operation of business during the COVID19 pandemic while also allowing them to maximize their business operations; to wit:
  - a. Signage standards pursuant to Lexington Code of Ordinances Chapters 10 and 11, may be relaxed or not enforced if defined in a Zoning Permit issued by the City;
  - b. Zoning and performance standards pursuant to Lexington Code of Ordinances Chapter 11, may be relaxed or not enforced if defined in a Zoning Permit issued by the City; and,

- c. Businesses and establishments may conduct business in City Lands, including but not limited to easements and rights of way, if approval is stated in a Zoning Permit issued by the City.
3. All existing Licenses issued by the City and the State of Minnesota for the consumption of alcoholic beverages issued pursuant to Lexington Code of Ordinances Chapter 5 and Minnesota Statutes Chapter 340A and are deemed APPROVED for temporary modifications and revisions which meet the following conditions:
  - a. Each establishment must document and define a new Licensed Premises located anywhere on their premises, parcel, or on contiguous lands;
  - b. Each establishment must document that any changes to their License are approved by their insurer; and,
  - c. Meet any other conditions deemed appropriate by the City.
4. The City Administrator shall oversee and administer any revision and modification to a License, issuance of a Zoning Permit, or permission to operate on City Lands, which, in his discretion, will allow a business or establishment to obey State Orders and Plans for the lawful operation of business during the COVID19 pandemic while also allowing them to maximize their business operations. These actions of the City Administrator pursuant to this ORDINANCE are deemed APPROVED by this Council, and thereafter, the Administrator shall report his approvals to the Council for their consent at their next regularly scheduled meeting.
5. City action pursuant to this ORDINANCE shall be effective ONLY during the period when the PROCLAMATION AND DECLARATION OF EMERGENCY issued by the City remains effective, or at such other time as an action pursuant to this ORDINANCE is repealed by the Council.
6. City action pursuant to this ORDINANCE shall be free, no fee shall be imposed for action pursuant to this ORDINANCE.
7. Effective Date: This ORDINANCE shall be effective immediately upon its publication.

PASSED AND DULY ADOPTED this 4<sup>th</sup> day of June 2020 by the City Council of the City of Lexington.

  
Mike Murphy, Mayor

Attest:

  
Bill, Petracek, City Clerk

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