



# City of Bloomington Common Council

## **Legislative Packet -2<sup>nd</sup> Addendum** (Issued on Wednesday, 22 July 2020)

**For meetings on  
Wednesday, 22 July 2020**

*Regular Session - 6:00 PM*  
*Committee discussions – following Regular Session*

Revised Resolution 20-11 and additional background materials contained herein.

*For a schedule of upcoming meetings of the Council and the City's boards and commissions, please consult the City's [Calendar](#).*

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## **RESOLUTION 20-11**

### **SUPPORTING A PUBLIC HEALTH ORDER AND REGULATION OF THE MONROE COUNTY HEALTH DEPARTMENT AND AN EXECUTIVE ORDER OF THE MAYOR**

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and can be easily spread from person to person; and

WHEREAS, on March 6, 2020, the Governor declared that a public health emergency exists in Indiana due to COVID-19; and

WHEREAS, the Governor's declaration of a public health emergency has been repeatedly renewed and currently extends to at least August 3, 2020; and

WHEREAS, to help slow the spread of COVID-19, the Centers for Disease Control and Prevention recommend wearing face coverings in public and when around non-household members, especially when other social distancing measures are difficult to maintain; and

WHEREAS, on July 17, 2020, in light of the ongoing COVID-19 pandemic, the Monroe County Health Department issued a public health order that requires face coverings be worn in certain circumstances effective July 17, 2020, and that new regulations regarding the size of gatherings and service in bars, restaurants, and nightclubs be in effect July 31, 2020 ; and

WHEREAS, on July 20, 2020, Mayor Hamilton issued Executive Order 20-02 stating that the City wholeheartedly supports the provisions of the County order but moves the effective date of the new regulations on the size of gatherings and service in bars, restaurants, and nightclubs to July 23, 2020; and

WHEREAS, on July 21, 2020, the Monroe County Board of Health approved a public health regulation that supports the July 17 Monroe County Health Department public health order; and

WHEREAS, the Common Council concurs that it is in the best interests of the public health, safety, and welfare of the residents of the City of Bloomington to follow the Monroe County Health Department's public health order, the Board of Health's public health regulation, and Executive Order 20-02 issued by the Mayor, and that these orders and regulations be supported to help prevent the spread of coronavirus within our community.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT;

SECTION 1. The City of Bloomington hereby expresses its approval and support for the Monroe County Health Department's public health order, the Board of Health's public health regulation, and the Mayor's Executive Order 20-02 and urges individuals within the city to follow the requirements contained within these documents..

SECTION 2. The City of Bloomington reserves the right to adopt an ordinance or to issue an order imposing additional regulations needed to protect the health, safety, and welfare of city residents.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
STEPHEN VOLAN, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

#### SYNOPSIS

This resolution expresses approval and support for the Monroe County Health Department's Public Health Order issued July 17, 2020, the Mayor's Executive Order 20-02 issued July 20, 2020, and the Monroe County Board of Health's Public Health Regulation issued July 21, 2020.

*Note: This resolution was revised after release in the Council Legislative Packet but before introduction at the July 22 Regular Session. The revisions included adding language to support the Mayor's Executive Order 20-02 and to support the Board of Health's regulation passed July 21.*



**JOHN HAMILTON  
MAYOR**

CITY OF BLOOMINGTON

401 N Morton St, Suite 210  
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OFFICE OF THE MAYOR

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mayor@bloomington.in.gov

## EXECUTIVE ORDER 20-02

### CITY OF BLOOMINGTON EFFECTIVE DATES FOR MONROE COUNTY PUBLIC HEALTH ORDER DATED JULY 17, 2020

PURSUANT TO STATE AND LOCAL LAW,  
INCLUDING INDIANA CODE §§ 36-8-2-4 and 5, and § 36-1-3 *et seq.*

WHEREAS, the City of Bloomington, Indiana (“City”) recognizes the significant challenges presented by the novel coronavirus disease, also known as “COVID-19,” which has posed a serious public health threat to our community and was declared a global pandemic by the World Health Organization on March 11, 2020; and

WHEREAS, Indiana’s Governor declared a statewide disaster emergency pursuant to Indiana Code 10-14-3 in his Executive Order 20-02, which has been renewed four times, most recently in Executive Order 20-34 which expires on August 3, 2020; and

WHEREAS, on Friday, July 17<sup>th</sup>, the Monroe County Health Department issued a Public Health Order (“County Order”), citing “the ongoing COVID-19 pandemic, the recent increase of new cases nationwide with a trend towards cases in a younger population, Monroe County’s increasing and dynamic population, and [the need] to ensure that physical distancing and preventive measures vital to the mitigation of the pandemic remain in place;” and

WHEREAS, the County Order was effective Friday, July 17, 2020 at 5:00 p.m., with the exception of measures outlined in Paragraphs 7-9 of the County Order, which have an effective date of July 31<sup>st</sup> at 12:00 noon; and

WHEREAS, the City wholeheartedly supports the provisions of the County Order, but believes that due to circumstances and conditions within its boundaries, including its population mix of full-time residents and Indiana University students hailing from across the country, the lack of sufficient testing to meet the demand for tests in Monroe County, and the fact that off campus students enrolling at Indiana University for the fall semester of 2020 will not be required to undergo COVID testing prior to their arrival in Bloomington, the City must expedite the effective dates for the requirements of Paragraphs 7-9 of the County Order for the protection of the community.

NOW, THEREFORE, by virtue of the authority vested in me as the Mayor of the City of Bloomington, Indiana, it is hereby ordered:

- 1. Within the City of Bloomington, the requirements of Paragraph 7 of the County Order shall be effective on July 23, 2020 at 12:00**



**p.m. (noon).** As of that date and time, gatherings at all non-commercial events held within the boundaries of the City of Bloomington shall be limited to no more than fifty (50) persons. Such gatherings include private gatherings or those held at a personal residence (including fraternities and sororities located in the City of Bloomington and on or off the Indiana University campus). All other provisions of Paragraph 7 of the County Order except for the effective date and time shall remain as set forth in the County Order. Face covering and physical distancing requirements apply to these gatherings.

**2. Within the City of Bloomington, the requirements of Paragraph 8 of the County Order shall be effective on July 23, 2020 at 12:00**

**p.m. (noon).** As of that date and time, gatherings at all commercial events held within the boundaries of the City of Bloomington, or those held at venues that are, in the normal course of business, offered to the general public for rent or use within the boundaries of the City of Bloomington, shall be limited to no more than one hundred (100) people if the gathering is held inside, or one hundred fifty (150) people if the gathering is held outside. All other provisions of Paragraph 8 of the County Order except for the effective date and time shall remain as set forth in the County Order. Face covering and physical distancing requirements apply to these gatherings.

**3. Within the City of Bloomington, the requirements of Paragraph 9 of the County Order shall be effective on July 23, 2020 at 12:00**

**p.m. (noon).** As of that date and time, restaurants, bars and nightclubs within the boundaries of the City of Bloomington must have and require table-top seating for all patrons and must require patrons to remain seated at tables, and may not have bar-top service. They must follow the following requirements:

- a. They are encouraged to use outdoor seating as much as possible.
- b. Groups of patrons must be spaced at least six (6) feet apart.
- c. Party size must be limited to ten (10) people or fewer at each table.
- d. Air ventilation should be increased to maximum capacity, or at least six (6) air changes per hour.

4. Except as set forth above, all other provisions of the County Order shall be applicable in the City of Bloomington as written in the County Order.



**JOHN HAMILTON  
MAYOR**

CITY OF BLOOMINGTON

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5. Executive Order No. 20-02 is hereby established and is effective immediately. This Order shall expire on August 1, 2020, or if the County Order is amended to extend the effective date of July 31, 2020 for Paragraphs 7-9, then on such later date as contained in the amendment.

DATED this 20<sup>th</sup> day of July, 2020.

CITY OF BLOOMINGTON, INDIANA

By:   
John Hamilton, Mayor

APPROVED AS TO FORM AND LEGALITY:

By:   
Philippa Guthrie, Corporation Counsel



## Monroe County Health Department

Monroe County, Indiana

Health Department

119 W. 7th Street  
(812) 349-2543

Futures Family Planning Clinic

119 W. 7<sup>th</sup> Street  
(812) 349-7343

Public Health Clinic

333 E. Miller Drive  
(812) 353-3244

### PUBLIC HEALTH REGULATION

effective Wednesday, July 22, 2020 at 12:00 p.m./Noon (unless otherwise stated below, as in Paragraphs 7-9)

*While a face shield is made of a harder, plastic-like material, an acceptable face covering or mask under this Order means a covering made of cloth, fabric, or other soft or permeable material that completely covers the nose and mouth and surrounding areas of the lower face. .*

**This face covering requirement generally applies in all situations below, unless specifically and explicitly exempted below.**

*up to and including closure*



**Face covering and physical distancing requirements in Paragraph 1 apply to these gatherings.**

**Face covering and physical distancing requirements in Paragraph 1 apply to these gatherings.**