

Meeting Agenda
State College Borough
Board of Health
July 31, 2020
Virtual Meeting / 9:00 a.m.

I. Call To Order

II. Roll Call

III. Approval Of Minutes

IV. Public Hour

V. Business Meeting

A. 2nd Quarter Report On Department Activity

B. Discuss The Proposed Borough COVID-19 Ordinance

VI. Other Matters Of Interest

VII. Adjournment

Documents:

July 31, 2020 Board of Health Meeting Agenda.pdf

Meeting Agenda
State College Board of Health
Regular Meeting
July 31, 2020
9:00 a.m., Remote Meeting via Zoom

ATTENTION:

Due to the ongoing COVID-19 pandemic, this meeting will be conducted electronically. The public is invited to participate in the meeting, but they must register to attend. More information is available on the Borough's website at the following link:

<http://www.statecollegepa.us/3162/A-Virtual-Meeting>

Call Borough Administration at (814) 234-7110 with any questions.

I. Call to Order

II. Roll Call & Introductions

Linda Greenly-Finch, Chairman
Thomas Daubert
James Edwards
Jacqueline Gardner

III. Approval of Minutes

Approval of minutes from the Board Of Health October 29, 2019 meeting

IV. Public Hour - Hearing of Citizens

V. Business Meeting

A. 2nd Quarter Report on Department Activity

B. Discuss the Proposed Borough COVID-19 Ordinance

VI. Other Matters of Interest

VII. Adjournment

**Meeting Minutes
State College Borough
Board of Health
Tuesday, October 29, 2019**

The State College Borough Board of Health (BOH) met on Tuesday, October 29, 2019, in Room 242 of the State College Municipal Building, 243 South Allen Street, State College, PA. Chairman Greenly-Finch called the meeting to order at 4:05 p.m.

Members Present: Chairman Linda Greenly-Finch, Thomas Daubert, Jacqueline Gardner and Dr. William Taylor

Also Present: Tom King, Assistant Borough Manager for Public Safety; Brian O'Donnell, Health Inspector/Ordinance Officer; and Sandy Lieb, Administrative Assistant

Approval of Minutes – April 30, 2019

Ms. Gardner made a motion to approve the Minutes as submitted. Mr. Daubert seconded the motion. The vote was unanimously in favor.

Business Meeting

Approval of 2nd and 3rd Quarter Reports

Mr. O'Donnell reported that there were no significant changes on the report. He added Weed Violations were down because there was not as much rain. He stated refuse violations were also down, but every quarter it had been trending downward.

Update on PA Inspection Reporting Database rollout in January

Mr. O'Donnell stated they were working on getting the businesses on the PA Inspection Database. He added that one of the requirements for the Database was inspections must be posted on the state website within 30 days.

Updated Facility Plan Review (FPR) Application and Temporary License Application

Mr. O'Donnell reviewed the updated FPR application and distributed it to the BOH to review the conditions of the application.

Discuss the 2020 Board of Health Work Plan

Mr. O'Donnell stated the Board needed to decide what they would like to include on the 2020 Work Plan. He added this should be something the Board would want us to work on. Mr. King said getting the inspections online should be on the work plan.

Mr. Daubert asked if the Cat Café was a health issue. Mr. O'Donnell replied there are 150 cat cafés in the United States. He stated there must be a complete separation in the ventilation system and the room for the cats. Mr. Daubert suggested putting together a cat ordinance would take more time than enacting the ordinance.

Chairman Greenly-Finch proposed putting cats on the work plan. Ms. Gardner said we should send a thank you letter to let them know we are going to look into the problem in Thompson's Woods.

Proposed 2020 Meeting Dates

The proposed meeting dates for 2020 was unanimously approved.

Adjournment

There being no further business, the meeting was adjourned at 5:10 p.m.

Respectfully submitted,

Sandy Lieb
Administrative Assistant

	Warnings	Warnings	Warnings		Violations	Violations	Violations
	2018	2019	2020		2018	2019	2020
Snow	202	369	169		59	90	28
Weeds/Grass	369	281	301		89	66	53
Brush	10	29	20		0	2	0
Refuse - General/Trash/Dumpster	24	3	18		5	12	4
Refuse - Cans Left at Curb	13	8	2		4	3	0
Refuse - Party Materials	0	0	31		36	48	27
Recycling - General	2	1	0		1	0	0
Recycling - Cans Left at Curb	0	1	0		0	1	0
Dog Complaints	5	1	6		1	1	1
Missing House Numbers	4	1	0		0	0	0
Missing Sewer Caps	3	4	6		0	0	0
Graffiti	0	0	5		0	0	1
Housing	4	6	0		0	0	0
Other	14	0	5		1	0	0
TOTAL	650	704	563		196	223	114
TOTAL Year to Date	977	1211	900		299	360	167

Other consists of: Animal Bites, Blocked Dumpster, Chicken Complaints, Mud on Street, Open Burning, Handbills, Storm Sewer Discharge, and Sidewalk/Street Obstruction, Overstuffed furniture on Porch, Overstuffed Furniture on Lawn.

Snow Contracts	0
Weed Contracts	6
Egregious Refuse Violation Citations	0

	5P	5A	10W	10S	C.A.P.'s
Nuisance Property Letters - 2020	1	5	0	0	5

Zoning	
Signs in ROW	22
Junk Vehicles	0
Banners	0
Over Occupancy	3
Student Home	0
Illegal Rental	1
Weekend/Tourist Home	2
Tent on Sidewalk / Commercial Dist.	0

Code Referrals	
Maintenance Issues	0
Life Safety / Fire Code	2

College twp. Housing	0
Patton Twp. Housing	2
Ferguson Twp. Housing	0

Tattoo Annual Inspection	0
Massage New Inspection	0

Harris Twp. Dogs		
At Large	0	
Barking	0	
Feces	0	
Dog Bite	1	
Cruelty	0	

College Twp. Dogs		
At Large	2	
Barking	1	
Feces	0	
Dog Bite	0	
Cruelty	1 (Unfnd)	

ORDINANCE NO. _____

A TEMPORARY EMERGENCY ORDINANCE OF THE BOROUGH OF STATE COLLEGE, PENNSYLVANIA TO REQUIRE THE WEARING OF FACE COVERINGS, SET MAXIMUM GATHERING SIZE, AND OTHER REGULATIONS TO REDUCE THE RISK OF TRANSMISSION OF THE COVID-19 VIRUS.

Legislative History

The Borough of State College is currently experiencing a pandemic as a result of the sharp and aggressive spread of the COVID-19 virus within the Borough. The state of Pennsylvania has declared that a State of Emergency exists which necessitates behavioral modifications and limitations as expressed herein. Given that, at present, the only method available to slow the rate of infection is to limit exposure. Since COVID-19 poses a risk of incapacitation and death to those who contract the disease, the measures described herein are an attempt to reduce infection rates, intended to minimize risk to the public health, reduce pressure on healthcare providers and pharmaceutical supplies by lowering the rate and risk of infection. Because the Federal Government, the State Government, the Centre County Government, and Centre Region Council of Governments (COG) have all issued State of Emergency orders and recommendations, the purpose of the within Ordinance is to clarify what is required going forward during the pandemic period. When the State of Emergencies issued have been lifted, the within Ordinance shall expire and no longer be of force and effect.

In order to protect, preserve and promote the health, welfare and safety for the residents, employees, and visitors to the Borough of State College, Council deems it is necessary and proper to adopt this temporary Ordinance.

NOW, THEREFORE, be it ordained by the Council of the Borough of State College, Centre County, Pennsylvania as follows:

SECTION 1. Definitions.

“**Business**” includes all commercial, retail, wholesale, professional, and service establishments, whether for profit or not for profit, if members of the public, guests, clients, customers, and/or persons who are not family or household members may enter or otherwise come into contact with owners, operators, or employees.

“**Face Covering**” means a clean cloth, fabric, or other soft or permeable material, without holes, that covers both the mouth and nose, including, but not limited to surgical masks, respirators, face shields, handmade or homemade masks, bandanas, neck gaiters, scarves, or wraps made up on tightly woven fabric such as denim or cotton.

“Household” means all persons living in the same dwelling unit. It does not include the residents of separate dwelling units at the same location, such as may be the case at a residence hall, apartment complex, or other multi-unit residence.

“In Contact” means coming within six (6) feet or closer.

“Person or persons” includes all persons not exempted from wearing face coverings or masks in this ordinance. The terms include business employees, as well as customers, visitors, guests, clients and invitees.

“Public Places” includes publicly-owned property, but also includes business properties to which members of the public and/or customers, clients or guests are allowed or invited.

SECTION 2. Wearing of Face Coverings.

All persons in the Borough of State College shall be required to wear a face mask when within six feet of another person as set forth herein in Section 2, Paragraphs A through G to wear face coverings at work when circumstances as described herein exist.

- A. Inside any building open to the public, such as, but not limited to, grocery stores, pharmacies, business locations, home improvement stores, retail stores, service establishments, and medical and dental treatment facilities.
- B. Inside all municipal and other governmental buildings.
- C. On all transport and transit vehicles, including, but not limited to, CATA bus, rideshare (such as Uber or Lyft) and shuttle vehicles.
- D. While waiting to enter any building open to the public, any municipal and other governmental building, or waiting to board any transport or transit vehicle, unless a distance of at least six feet is maintained from any person who is not that person’s family or household member, notwithstanding the prohibition of wait lines outside of government municipal offices, businesses, including hospitality establishments.
- E. When coming into contact with any person who is not that person’s family or household member, whether indoors or outdoors, including, but not limited to, contact during gatherings, curbside pickup, drive-thru and food truck purchases, deliveries, and service calls.
- F. While working in all jobs that entail coming into contact with any member of the public, including, but not limited to, all work, involving the preparation or packaging of food and/or beverage unless separated by a physical barrier between the employee and the public.

- G. Parents or guardians are responsible for ensuring that minor children wear face coverings, unless such children are exempt as set forth herein.

SECTION 3. Location Exemptions.

The wearing of face coverings may be advisable, but is not required:

- A. In personal private vehicles and private homes.
- B. In private business locations, or in individual private offices, at times when members of the public, clients, customers, guests, or other invitees are not present, as long as there is a distance of at least six feet maintained.
- C. While participating in recreational physical activities, whether outdoor or indoor.
- D. While with family members and/or members of the same household.

SECTION 4. Wearing of Face Coverings.

Wearing of face coverings shall not be required under the following circumstances:

- A. Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering, provided that said person provides documentation from a licensed medical professional of such medical, mental health, or disability. In the event that the person provides said documentation immediately, or within five days, the citation shall be not be issued.
- B. Persons whose religious beliefs prevent them from wearing a face covering.
- C. Persons who are hearing impaired, or who are communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication.
- D. Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state or federal regulators or workplace safety guidelines.
- E. Persons who are obtaining a service or treatment involving the nose or face or a medical procedure for which temporary removal of the face covering is necessary to perform the service.
- F. Persons who are seated at a restaurant or other establishment that offers food or beverage service, and all requirements as established by the Pennsylvania Department of Health are followed.

SECTION 5. Waiting Lines.

Persons waiting in line to enter businesses are prohibited in a public right-of-way.

- A. Lines shall be prohibited in the public right-of-way waiting to enter any business locations or other private property, except as follows:
- (1) No more than ten persons shall be allowed to wait outside of an establishment for not more than fifteen minutes.
 - (2) Persons waiting to enter as set forth above shall maintain a physical distance of not less than six feet and shall wear a face mask.
 - (3) Persons waiting to enter as set forth above shall not wait in front of any other business or property other than the business or property that they are waiting to enter.
 - (4) Businesses shall be responsible to monitor those persons waiting to enter to assure that no more than ten persons are waiting for the prescribed time and all other regulations are followed as set forth herein.
 - (5) If persons waiting do not respond to the business requests to disperse, wear face coverings, and maintain physical distance as set forth herein, the business shall notify the State College Police Department.

SECTION 6. Limitations on Gathering Size.

Gatherings of persons that are not from the same household shall be limited as follows:

- A. In all multifamily housing types, gatherings of more than five persons shall be prohibited.
- B. In all other housing types, gatherings of more than ten persons shall be prohibited.
- C. Gatherings at or in Borough of State College public parks and other municipal property of more than 25 persons shall be prohibited, and with approval of the Borough of State College.
- D. Gatherings at all other private commercial property of more than 25 persons shall be prohibited.
- E. The gathering size restrictions set forth in the Ordinance shall apply for gatherings both indoors and outdoors on the property.

- F. When the number of household members exceeds the limitations set forth in A. and B. herein, no additional persons shall gather at this property, either indoors or outdoors.

SECTION 7. Enforcement.

Law enforcement and other public safety, health officers, ordinance enforcement officers, and emergency management personnel charged with the enforcement of this ordinance.

- A. Any person found to have violated any mandatory provisions of Sections 2, 3, 4, or 5 of this Ordinance shall be found guilty of a civil infraction, punishable by a fine of \$300.
- B. The property owner(s) in the case of an owner-occupied property, or the tenants of a rental property where a violation of Section 6 of this Ordinance shall be found guilty of a civil infraction, punishable by a fine of \$300.
- C. Any business found not requiring their employees to comply with this Ordinance shall be found guilty of a civil infraction, punishable by a fine of \$300. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense.
- D. In addition to these enforcement measures, repeated violations by a person or business are hereby declared to be a public nuisance, which may be abated by the Borough through all other legal means.

SECTION 8. Severability.

If any subsection, sentence, clause, phrase, or word of this Ordinance or any application of it to any person, structure or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such holding shall not affect the validity of the remaining portions or applications of this Ordinance.

SECTION 9. Effective Date.

This emergency Ordinance shall take effect immediately upon adoption and shall remain in effect until the Pennsylvania Department of Health, and the Centre Region Council of Governments rescinds their Emergency Declarations or on January 31, 2021, whichever date is earlier.

ATTEST:

BOROUGH OF STATE COLLEGE

Sharon K. Ergler
Assistant Borough Secretary

By: _____
Jesse L. Barlow
President of Council

EXAMINED AND APPROVED as an Ordinance this ____ day of August 2020.

Ronald L. Filippelli
Mayor

DRAFT