



**Eau Claire Chamber asks city, county  
to withdraw health ordinances**

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The Eau Claire Area Chamber of Commerce is asking Eau Claire County and the City of Eau Claire to withdraw their proposed health ordinances until a broader community consensus can be reached on what they should contain.

At the same time, the statement adopted by the Chamber emphasizes the need to respond to COVID-19 to limit the spread in order to avoid overwhelming the health care system and keep businesses open. The Chamber has been active in the Chippewa Valley Economic Recovery Task Force and has encouraged best practices including mask wearing, physical distancing and good hygiene. “As a result, businesses, K-12 schools and higher education have been able to be open, albeit with challenges and limitations. The community has experienced relatively lower numbers compared to other metro areas, and local health orders have not included categorical closing of business or education sectors. However, case numbers have increased and there continue to be challenges to address,” the Chamber’s statement notes.

In asking they be withdrawn, the Chamber expressed concerns with the ordinances as drafted, citing them as too vague and ambiguous, expressing member concerns about the potential for ordering closure of entire business categories, a lack of clearly defined enforcement limits, and insufficient legislative oversight.

The statement asks the city and county to withdraw the ordinances and take them back to the drawing board: “If brought back forward, the business community, educational institutions, health care organizations and others should be consulted so that a consensus can be reached on the appropriate approaches to orders of general application, emergency powers, legislative oversight, and enforcement.”

*See full statement on next page...*



## STATEMENT OF THE EAU CLAIRE AREA CHAMBER OF COMMERCE

Re: Proposed health ordinances being consider by the City of Eau Claire and Eau Claire County  
Adopted by the Board of Directors, October 5, 2020

The COVID-19 pandemic is a serious health issue that has had economic, social and other health consequences. From the business community's perspective, it's important to respond to the health crisis in a way that will limit the spread and its impact on health care availability. Successful management of the disease will have the effect of helping to keep businesses open and reducing the negative economic and other consequences.

Eau Claire community's response to COVID-19 has generally been marked by cooperation and communication, including the Chippewa Valley Economic Recovery Task Force, in which the Chamber and its members play an active part. As a result, businesses, K-12 schools and higher education have been able to be open, albeit with challenges and limitations. The community has experienced relatively lower numbers compared to other metro areas, and local health orders have not included categorical closing of business or education sectors. However, case numbers have increased and there continue to be challenges to address.

From a broader perspective, there are wider consequences than strictly management of the response to the disease. This includes an appropriate but difficult-to-achieve balance of public health response, economic impact, and non-disease factors such as mental health, access to care, etc. Elected policy makers have a role to play to make these broader judgement calls.

There may be a need to clarify enforcement powers and penalties so that irresponsible parties do not negatively affect their sectors, but it must be done in a way that has limits and does not make it harder on organizations who are trying to do the right thing.

### Primary concerns with the proposed ordinances

- By trying to apply to every possible future situation, the ordinances are vague, ambiguous and overbroad.
- Businesses are uncomfortable with an ordinance that allows for the closure of businesses by category.
- Proposed enforcement and penalties do not have clearly defined limits.
- The legislative oversight is too passive and applies only when an emergency declaration is not in effect.
- The ordinances were drafted and introduced without input, notice or consensus from key stakeholders including the business community, education and health care.

### Recommendations

- The ordinances should be withdrawn and taken back to the drawing board.
- If brought back forward, the business community, educational institutions, health care organizations and others should be consulted so that a consensus can be reached on the appropriate approaches to orders of general application, emergency powers, legislative oversight, and enforcement.
- From the Chamber's perspective, any ordinance must address the concerns noted about the current drafts, including shorter limits on the length of emergency orders, no categorical closures of sectors, timely and affirmative legislative oversight, and clearly defined limits on enforcement powers and penalties. In general, the Chamber prefers Direct Legislation by elected policy makers rather than passive legislative oversight. It should be possible to have provisions to call emergency City Council and County Board meetings for this purpose.