Sponsored by: J. Erickson, Borough Manager
Introduced: 04-07-2020
Public Hearing Date: 04-07-2020
Date of Approval: 04-07-2020

CITY AND BOROUGH OF YAKUTAT
EMERGENCY ORDINANCE 20-667

AN EMERGENCY ORDINANCE INSTITUTING A 14-DAY SELF-QUARANTINE FOR INTRASTATE TRAVELERS INTO THE CITY AND BOROUGH OF YAKUTAT, AND REQUIRING THAT PLANS FOR CRITICAL INFRASTRUCTURE TRAVEL INTO THE BOROUGH BE SUBMITTED TO THE BOROUGH FOR APPROVAL

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

WHEREAS, on March 11, 2020, the World Health Organization ("WHO") declared the virus a pandemic; on the same day, Alaska Governor Dunleavy issued a declaration of public health disaster emergency in response to the anticipated outbreak of COVID-19 in Alaska; and on March 13, 2020, President Trump declared a national emergency in response to the virus pandemic; and

WHEREAS, on March 19, 2020, the Borough Assembly issued a Local Emergency Declaration for the Borough in regard to the outbreak; and

WHEREAS, Governor Dunleavy has issued a number of health mandates, including State Health Mandates #10.1, implementing a 14-day self quarantine requirement for interstate travelers, and Health Mandate #12, which prohibits all in-state travel between communities in Alaska, except for travel to meet critical personal needs and travel for work in critical infrastructure jobs; and

WHEREAS, Health Mandate #12 allows small communities with a population under 3000 to impose further in-state travel restrictions; and

WHEREAS, due to the isolated location of Yakutat, off the roaded system, and the lack of sufficient local health care providers and provisions should the virus continue to spread, it is necessary for the Borough to impose such additional restrictions in order to protect residents during this outbreak; and

WHEREAS, Borough Charter Section 4.04 and Borough Code Section 1.20 provide for Emergency Ordinances to meet a public emergency. An Emergency Ordinance may be adopted, amended and adopted, or rejected at the meeting at

which it is introduced, and is repealed by resolution or automatically expires in sixty days; and

WHEREAS, an emergency exists as the Borough must respond quickly to the evolving public health crisis and there is insufficient time to follow ordinary ordinance adoption procedures in the existing time frame.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF YAKUTAT, as follows:

Section 1. No Codification. This ordinance is not of a general and permanent nature and shall not be codified.

Section 2. Finding of Emergency. The Assembly finds that an emergency exists in the State of Alaska and the City and Borough of Yakutat due to the outbreak of COVID-19, which has been declared a global pandemic and a public health disaster emergency.

Section 3. Purpose: The purpose of this Emergency Ordinance is to adopt a 14-day self quarantine requirement for intrastate travelers entering the Borough, and to mandate that any business engaged in critical infrastructure within the Borough submit a travel plan to the Borough for approval, prior to arrival.

Section 4. Substantive Provisions:

Intrastate Travel 14-day self-quarantine requirement.

1. Effective 12:01 am on Wednesday, April 8, 2020, all persons arriving in the Borough, either by air or marine travel and whether resident, worker or visitor, are required to self-quarantine for 14 days and monitor for illness. The Borough may require submittal by a traveler of a Borough Travel Declaration Form, which sets out the name of the traveler and the designated place of quarantine. The Form shall be prepared by the Borough Manager with the assistance of the Borough Attorney.

2. The following are exempt from the quarantine requirements of Section 1 above:

   a. Emergency First Responders (includes fire, ambulatory services, and similar emergency first responders;

   b. Law Enforcement acting within their official duties (this includes federal, state, and local law enforcement personnel);

   c. Office of Children's Services personnel responding to reports of child abuse and neglect and insuring child safety; and

   d. Workers in Critical Infrastructure, but only to the limited extent set out in Section 4(d) below.

3. Travelers must proceed directly from the airport or place of moorage to his or her designated quarantine location. If the traveler is a resident, the designated quarantine location is the traveler's residence. If the traveler is a visitor or worker, the designated quarantine location is the traveler's hotel room or other rented lodging. If the traveler arrived by marine travel, the quarantine location may be the vessel.

a. The traveler may leave the designated quarantine location only for medical emergencies or to seek medical care.

b. The traveler may obtain groceries and other supplies only by delivery.

c. The traveler is prohibited from allowing other persons into the designated quarantine location, other than health care providers or an individual authorized by the State of Alaska Unified Command or Borough Emergency Personnel.

d. The traveler is to comply with all rules and protocols related to the quarantine imposed by the hotel or rented lodging, except as they conflict with this Ordinance.

e. If there are other persons residing at the traveler's residence, hotel or rented lodging, the traveler must comply with all CDC-recommended social distancing and hygiene guidelines.

f. After completion of the 14-day self quarantine period, the traveler must comply with all social distancing requirements of State of Alaska Health Mandates #11.

4. If a business providing critical infrastructure, as defined herein, has workers traveling into the Borough from another community within Alaska, the following rules shall apply. "Critical Infrastructure" is defined to mean the U.S. Department of Homeland Security, Division of Cybersecurity and Infrastructure Security Agency (CISA)'s comprehensive list of Critical Infrastructure Sectors, including without limitation barge services, public utilities, public works construction, airport operations, roads and highways, trucking and shipping companies, transportation services of passengers or goods, including the Alaska Marine Highway System, internet and telecommunications systems, commercial fishing, and critical government functions.

a. The business must submit to the Borough for approval, at least 48 hours prior to the arrival of any workers into the Borough, a proposed Travel Plan. Proposed Travel Plans shall be submitted at admin@yakutatak.us. In the case of emergency travel, where less than 48 hours can be provided, the business should contact the Borough Manager directly (at manager@yakutatak.us or (907) 784-3323 ext. 103) to obtain further information regarding submittal of the Plan. Travel plans will be kept confidential to the maximum extent provided by law for other than enforcement purposes.

The Travel Plan must include the following:

i. A detailed description of the purpose of the travel, and how the business meets the definition of critical infrastructure;

ii. A listing of the names of all workers coming into the Borough, the designated supervisor of those workers, and the contact number of the designated supervisor;

iii. The dates of arrival and departure of the workers; If overnight stay in the Borough is required, the location of worker lodging;

iv. A detailed description of the location of all work to be performed within the Borough;

v. If work needs to commence immediately, the protocols which will be implemented in order to avoid the spread of COVID-19 and ensure the safety of the community; and

vi. If workers are coming in over time, a description of how newly-arrived workers will be segregated from those already on site; if segregation is not possible, the 14-day period for all workers shall commence upon the arrival of the last worker.

b. Except for paragraph d below, workers shall complete a 14-day self quarantine period in compliance with the provisions of Section 3 above.

c. Time at sea on a commercial fishing vessel will count towards the 14-day self quarantine period, provided that no one aboard the vessel entered into another community during the voyage or demonstrated symptoms of COVID-19. If the vessel entered into another community during the voyage, the 14-day period shall commence upon the vessel's exit from the last community visited. If anyone aboard experienced fever, cough or shortness of breath during the voyage, all must remain on the vessel and the harbormaster's office (907-410-7306) contacted for further instructions. Travel Plans for fishing vessels shall be submitted by the captain, for an individual vessel, or by the processor or parent company, on behalf of contracted crews or vessels.

d. If critical infrastructure work needs to commence immediately upon arrival within the Borough, or within less than 14 days after arrival, workers are permitted to leave their designated quarantine location during work hours in compliance with the approved Travel Plan, however such workers shall self-quarantine at the designated lodging during non-work hours in compliance with Section 3 above.

e. The Borough shall review Travel Plans for compliance and contact the business to address questions or inform of required changes.

<u>Penalty for Noncompliance with this Ordinance.</u>

A violation of this Ordinance, or a violation of a provision of a Travel Plan submitted under this Ordinance, which occurs during the effective period of this Ordinance shall subject a person or business to a civil fine of One Thousand Dollars ($1000). Each day, or part thereof, that a violation continues shall constitute a separate violation.

Section 5. Severability: If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application of other persons or circumstances shall not be affected.

Section 6. Effective Date: This Ordinance shall be effective immediately upon adoption.

Section 7. Effective Period. Pursuant to the provisions of CCBY 1.20.040(C), this ordinance is effective for a period of sixty (60) days.

PASSED AND APPROVED THIS 7th DAY OF April, 2020.

CITY AND BOROUGH OF YAKUTAT, ALASKA

C. Bremner

CINDY BREMNER
MAYOR

ALFREDO MUNOZ JR.
ACTING CLERK
YakCode\Ord279

CITY AND BOROUGH OF YAKUTAT
Corporate Seal Alaska
09/22/1992