

Sponsored by:
Jon Erickson, Borough Manager
Introduced:
05-21-2020
Public Hearing Date:
05-21-2020
Date of Approval:
05-21-2020

CITY AND BOROUGH OF YAKUTAT
EMERGENCY ORDINANCE 20-672

AN EMERGENCY ORDINANCE PROVIDING FOR THE SUBMITTAL OF COVID-19
MITIGATION PLANS TO THE BOROUGH AND ESTABLISHING A TERMINATION
DATE FOR EMERGENCY ORDINANCE #20-667

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

WHEREAS, on April, 7, 2020, the Borough Assembly, in response to spread of the virus into Alaska, adopted Emergency Ordinance #20-667, which instituted a 14-day self-quarantine for all intrastate travelers into the City and Borough of Yakutat and required the filing of critical infrastructure travel plans with the Borough; and

WHEREAS, the economic impact of the outbreak, and the state and local shelter-in-place and quarantine orders responding to the outbreak, has been significant, and many residents of the Borough have suffered, and will continue to suffer, substantial adverse financial consequences;

WHEREAS, since April 7th, the spread of the virus within the State of Alaska has been slowed, and the Governor, through SOA Health Mandate #16, has begun a phased economic re-opening of Alaska; and

WHEREAS, the Assembly has determined that it is in the best interests of the Borough and its residents to be able to participate in this phased re-opening, while at the same time ensuring that the COVID-19 Mitigation Plans developed by businesses are capable of being fully implemented; and

WHEREAS, the Assembly has further determined that it is appropriate to establish a date of earlier termination of the provisions of Emergency Ordinance #20-667, rather than have the Ordinance expire at the end of the 60-day period; and

WHEREAS, Borough Charter Section 4.04 and Borough Code Section 1.20 provide for Emergency Ordinances, to be adopted, amended and adopted, or rejected at the meeting at which introduced; and

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

THEREFORE, 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 a public health and economic emergency exists in the State of Alaska and the City and Borough of Yakutat due to the outbreak of COVID-19 and the necessary measures taken to control spread of the outbreak.

Section 3. Purpose. The purpose of this Emergency Ordinance is to require a business to submit to the Borough the COVID-19 Mitigation Plan that is required under SOA Health Mandate #016, and demonstrate to the Borough the ability to achieve full compliance with the Plan; and to provide for a date of termination of Emergency Ordinance #20-667.

Section 4. Substantive Provisions:

A. Mitigation Plans. If a business within the Borough is re-opening or otherwise operating under the provisions of Attachments D through U (excepting Attachment M) of State of Alaska Health Mandate #016, the business must submit to the Borough a copy of its COVID-19 Mitigation Plan, and demonstrate to the satisfaction of Borough Incident Command that the business (i) has fully trained its employees on the requirements and obligations of the applicable Attachment and the Mitigation Plan, (ii) has on hand, or has the ability to obtain when necessary, the sanitation supplies and personal protection equipment called for in the applicable Attachment and the Mitigation Plan, and (iii) has established an appropriate protocol for non-compliant patrons.

B. Sunset Clause. The provisions of Emergency Ordinance #20-667 shall terminate, when State of Alaska Health Mandate 016 is either rescinded or modified, or as of May 22, 2020 at 11:59 p.m.

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 is intended to be retroactive, as of May 11th 2020.

PASSED AND APPROVED THIS 21st DAY OF MAY, 2020.

CITY AND BOROUGH OF YAKUTAT, ALASKA

C. Bremner

CINDY BREMNER
MAYOR

Alfredo Munoz Jr.

ALFREDO MUNOZ, JR.
BOROUGH CLERK

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