

**CITY AND BOROUGH OF SITKA
EMERGENCY ORDINANCE NO. 2020-25**

**AN EMERGENCY ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING
EMERGENCY ORDINANCE NO. 2020-14 BY ADDING AN EXCEPTION TO THE 14-DAY
SELF-QUARANTINE REQUIREMENT WHEN PEOPLE ARRIVING IN SITKA ARE WORKING
AT PUBLIC WORKS PROJECTS, COMMUNITY-BASED GOVERNMENT FUNCTIONS AND
OPERATIONS, OR PRIVATE CONSTRUCTION PROJECTS AS APPROVED BY THE
MUNICIPAL ADMINISTRATOR**

BE IT ENACTED by the Assembly of the City and Borough of Sitka as follows:

1. CLASSIFICATION. This emergency ordinance is not of a permanent nature and is not intended to be a part of the Sitka General Code of the City and Borough of Sitka.

2. SEVERABILITY. If any provision of this emergency ordinance and application thereof to any person and circumstances is held invalid, the remainder of this emergency ordinance and application thereof to any person and circumstances shall not be affected thereby.

3. PURPOSE. The purpose of this emergency ordinance is to amend Emergency Ordinance No. 2020-14. The purpose of that emergency ordinance, and the legislative findings made therein, are hereby restated and incorporated herein by reference. The Assembly makes the additional legislative findings as follows:

- a. The Assembly recognizes that the governmental response to the COVID-19 pandemic is necessarily evolving.
- b. On April 22, 2020, the Governor of the State of Alaska issued COVID-19 Health Mandate 16, which is a first in a series of mandates “intended to reopen Alaska responsibly.”
- c. Since enactment of Emergency Ordinance No. 2020-14, the Assembly now recognizes that the rule therein of no exception to the 14-day self-quarantine (except for “critical healthcare workers”) is unduly restrictive as it prohibits newly arrived workers that work in a public works project, a community-based government operation and function, or a private construction project from working in an approved workplace until they have completed the required 14-day period. This restriction is believed to be undue when balancing the ongoing need to maintain diligent efforts to slow and disrupt the rate of infections with the corresponding critical need to resume economic activity in a reasonable and safe manner.
- d. By enacting this emergency ordinance, the Assembly seeks to relax the strict self-quarantine protocols for workers in a public works project, a community-based government operation and function, or a private construction project for work time only, for individuals/businesses that qualify and are approved by the Municipal Administrator, while continuing to responsibly address the public health risk.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that Emergency Ordinance No. 2020-14 is hereby amended under Section 1 “Self-Quarantine” by adding the exception as follows: A person arriving in Sitka to support the construction, operation, inspection, and maintenance of public works projects, community-based government operations and functions, or private construction projects may go to work immediately, provided the worker applies in writing for and obtains written approval from the Municipal Administrator or designee, which approval shall be issued at the discretion of the Municipal Administrator or designee, provided the applicant provides sufficient information to support a reasonable conclusion that (1) the applicant is a worker for a public works project, a

community-based government operation and function, or a private construction project and (2) the protocol proposed is satisfactory and can be implemented and followed to address the public health risk. All approved workers shall observe self-quarantine protocols in their non-work times until they complete the required 14-day period. Applications shall be submitted by email or facsimile to COVID-19.Action_Plans@cityofsitka.org or 907-747-7403. Applications should be submitted before the worker(s) arrive in Sitka. A decision shall be made within 72 hours, unless extended for good cause. Businesses may submit a single application to cover all workers for their business, provided that all workers are identified by name on the application. The Municipal Administrator or designee may impose reasonable restrictions on approval of an application. The decision shall be the final municipal action on the application. Any appeal shall be to the Superior Court of the State of Alaska in Sitka.

This emergency ordinance amends Emergency Ordinance No. 2020-14 and, except as amended, Emergency Ordinance No. 2020-14 remains in full force and effect until it expires in accordance with the expiration date referenced therein.

5. **EMERGENCY DECLARATION:** The Assembly hereby finds that the facts and legislative findings set forth above in Section 1 constitute an emergency as required by the Home Rule Charter of the City and Borough of Sitka, Section 3.03 "Emergency Ordinances."

6. **EFFECTIVE DATE.** This emergency ordinance shall become effective on the day it is adopted.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka this 5th day of May, 2020.

Gary L. Paxton, Mayor

ATTEST:

Sara Peterson, MMC
Municipal Clerk

1st and final reading – Emergency Ordinance 5/5/2020 in accordance with Home Rule Charter, Section 3.03.

Re-enactment of Emergency Ordinance No. 2020-14 pre-scheduled for 6/9/2020 to consider extending the 61-day expiration.

Sponsors: Christianson / Mosher