



# CITY OF SAINT PAUL ALASKA

## EMERGENCY ORDINANCE 20-96

### AN EMERGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF SAINT PAUL REGARDING PROTECTIVE MEASURES TO PREVENT THE SPREAD OF COVID-19 THROUGHOUT SAINT PAUL ISLAND

**WHEREAS**, the World Health Organization (WHO), Alaska Governor Michael Dunleavy, and President Donald Trump have designated the outbreak of COVID-19 as a global, national, and state public health emergency;

**WHEREAS**, in response to the public health emergency, the State of Alaska issued health mandates and alerts which include directives on International and Interstate Travel (010); allowing Small Communities to Implement Further Restrictions (012); and establishing Protective Measures for Independent Commercial Fishing Vessels (017);

**WHEREAS**, the St. Paul Island Local Emergency Planning Committee met to discuss COVID-19 prevention measures and the City Manager activated the City's Incident Command System per City Code of Ordinance 8.10; and,

**WHEREAS**, the City of Saint Paul and Aleut Community of Saint Paul Island formed the St. Paul Island Unified Command to work together to prepare for and respond to COVID-19; and,

**WHEREAS**, the City Council adopted Resolutions 20-06, and 20-07, and Emergency Ordinance 20-92, which respectively ban all non-essential travel; approve the City of Saint Paul's COVID-19 Emergency Management Plan; and close the Saint Paul Harbor for 30 days; and,

**WHEREAS**, COVID-19 is highly contagious and the most effective way to prevent its introduction to the Saint Paul Island is through restricting non-residents from entering and interacting with the City's uninfected residents; and,

**WHEREAS**, the St. Paul Island Unified Command has taken a proactive approach by developing and implementing a COVID-19 Self-Quarantine Plan to allow residents to stay at designated housing units; and,

**WHEREAS**, a proactive approach taken by individual residents and the community to slow down the rate of COVID-19 infections will attenuate negative impacts on St. Paul's health care infrastructure.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAINT PAUL:**

#### **Section 1: Finding of Emergency**

- (a) The facts and circumstances referenced in this Ordinance are adopted and recognized that the COVID-19 pandemic is an ongoing emergency.

## **Section 2: Travel**

- (a) All travel to Saint Paul Island is prohibited except for (1) essential travel for Essential Services and Critical Infrastructure workforce as identified in Section 3 below and (2) for critical personal needs as defined in Section 11.
- (b) Only residents of Saint Paul Island may travel for critical personal needs.
- (c) All individuals permitted to travel to Saint Paul Island whether for essential travel or for critical personal needs must submit to a COVID-19 test before leaving the departure location.
- (d) All individuals permitted to travel to Saint Paul Island are to self-quarantine for 14 days pursuant to Section 4 below.
- (e) All individuals traveling to Saint Paul Island must complete and submit to the City the attached COVID-19 Travel Form within 24-48 hours of travel to document that they have a plan in place, developed with the City, for safe return and quarantine.

## **Section 3: Essential Travel**

- (a) The following persons are recognized as essential travelers:
  - (1) Emergency first responders.
  - (2) Law enforcement acting within their official duties.
  - (3) Office of Children's Services personnel responding to reports of abuse and neglect.
  - (4) Essential Government Services Personnel needed to ensure the continuing operations of government agencies to provide for the health, safety, and welfare of the public.
  - (5) Persons engaged in subsistence fishing and the commercial fishing industry including fisherman, processors and transporters of fish and those providing contract services to fishermen, processors and transporters related to maintenance and operation of commercial fishing vessels and processing facilities.
  - (6) Persons employed in the following categories identified in the list of Alaska Essential Services and Critical Workforce Infrastructure Order as amended April 10, 2020:
    - (i) Healthcare Operations and Public Health
    - (ii) Public Works, including water, sewer, gas, electrical, roads and highways, public transportation, and solid waste collection and removal
    - (iii) Technology/Communications
    - (iv) Essential Construction
    - (v) Critical Manufacturing
    - (vi) Food and Agriculture
    - (vii) Home Emergency and Safety
    - (viii) Utility Operations and Maintenance (whether public or private).
    - (ix) Air Transportation/Logistics
    - (x) Plumbers, electricians, mechanics and other service providers who provide services that are necessary to maintain the safety, sanitation and essential

operation of residences, transportation, and commercial fishing infrastructure.

- (xi) Supply of fuel (including heating oil, diesel fuel, aviation fuel, propane and gasoline)
- (xii) Businesses providing mailing and shipping services, including post office boxes

- (b) These exceptions shall be narrowly construed to protect Saint Paul Island residents from the COVID-19 pandemic. For example, a seasonal environmental remediation project pertaining to contaminated soils is not needed to ensure the continuing operations of government agencies to provide for the health, safety and welfare of the public but responding to an ongoing discharge of oil into waters or onto land in Saint Paul Island will be essential travel.

#### **Section 4: Self-Quarantine**

- (a) Individuals permitted to travel for critical personal needs are required to self-quarantine for 14 days upon arrival. All individuals residing with the arriving individual are also required to self-quarantine for 14 days with the arriving individual.
- (b) Individuals that become symptomatic for COVID-19 anytime while in self-quarantine shall contact a health care provider and follow the provider's instructions.
- (c) Individuals permitted to travel for Essential Services and Critical Infrastructure workforce are to self-quarantine for 14 days upon arrival, meaning they shall not interact with City residents or go to any public space for 14 days but are permitted to leave their temporary residence *only* to go to and from their workstation.
- (d) All individuals traveling to Saint Paul Island and anyone with whom they are sharing quarantine facilities will not be allowed to go to the Aleut Community Store, US Post Office, Bulk Sale, City Cashier Office, and other public facilities that may be open to the general public until they have successfully completed the 14-day self-quarantine period.
- (e) Individuals required to self-quarantine can contact the Store and Bulk Sale for ordering groceries and other essentials for delivery and can obtain gasoline from the Gas Station but must remain in their vehicle and ask for assistance.
- (f) All individuals who develop a cough or shortness of breath, or at least two of the following: fever, chills, repeated shaking with chills, muscle pain, headache, sore throat, or new loss of taste or smell (collectively "Symptoms") while in Saint Paul Island are required to stay home except to seek and obtain medical care.
- (g) All individuals who have been in contact with someone who has tested positive for COVID-19 must self-quarantine for 14 days following contact with the individual.

#### **Section 5: Compliance with State Mandates**

- (a) All persons permitted to travel to Saint Paul Island, and all individuals on Saint Paul Island, shall comply with all State of Alaska Health Alerts and Mandates while on Saint Paul Island, whether now existing or issued following the effective date of this Ordinance.

#### **Section 6: Social Distancing Recommendation and/or Requirement**

- (a) On occasions when individuals leave their home, they should maintain physical distancing of at least six feet from any person outside their household whenever possible.

- (b) A business owner or operator may refuse admission or service to any individual who fails to social distance as required by this Ordinance.
- (c) Individuals shall adhere to all guidelines and requirements set forth in the Saint Paul Island Unified Command COVID-19 Strategic Reentry Plan regarding social distancing.

**Section 7: Face Mask Recommendation and/or Requirement**

- (a) Businesses, public and private organizations and government institutions may recommend or require that all customers and visitors to their facilities wear face masks covering their nose and mouth to provide additional protection for employees and customers. The face coverings need not be medical-grade masks or N95 respirators but can be cloth face coverings.
- (b) The businesses, public and private organizations and government institutions owner or operator may refuse admission or service to any individual who does not follow the face covering rules established by the said entity.
- (c) Individuals shall adhere to all guidelines and requirements set forth in the Saint Paul Island Unified Command COVID-19 Strategic Reentry Plan regarding use of face masks.

**Section 8: Alaska Critical Infrastructure Community/Workforce Protective Plans**

- (a) In addition to submitting the State required plans to the City, all persons or entities excepted from Section 3 or traveling to Saint Paul Island for essential purposes or their employers shall submit to the City, at least five (5) business days prior to travel, the plan or protocol submitted to the Department of Commerce, Community and Economic Development pursuant to State of Alaska Health Mandates 010 and pursuant to this Emergency Ordinance as provided below.
- (b) Unless addressed in the State plan or protocol, all businesses or entities shall submit a supplemental public health protection plan to the City containing, at a minimum:
  - (1) How they intend to quarantine personnel who develop Symptoms while in Saint Paul Island;
  - (2) How they intend to provide medical evacuation;
  - (3) Agreeing to screen for symptoms a minimum of 48 hours prior to travel to Saint Paul Island and agreeing to prohibit symptomatic individuals from traveling to Saint Paul Island;
  - (4) Agreeing to submit to health screening in Saint Paul Island, if requested;
  - (5) Agreeing that all personnel will self-quarantine for 14 days after arrival in Saint Paul Island;
  - (6) Agreeing that all personnel be prohibited from entering residences in Saint Paul Island that are not their own lodgings.
  - (7) How to minimize interaction with the public, what PPE personnel will use during their work, whether some or all of the work can be completed remotely or without interaction with the public, and how to obtain food and essential supplies for personnel without interacting with the public.
- (c) The City Manager shall review the plan and provide a written determination as to whether the travel is permitted under Section 2 or Section 3 of this Ordinance within one (1) business day from the date the plan is submitted. If travel is permitted the written determination may

approve the public health protection plan, disapprove the plan or require modifications to the plan. Any decision on the public health protection plan shall be in writing and state the reasons, therefore.

**Section 9: Protective Measures for Independent Commercial Fishing Vessels**

- (a) All persons engaged in independent commercial fishing vessels on Saint Paul Island shall adhere to State Health Mandate 017.
- (b) Required Protective Measures/Plans
  - (1) Independent commercial fishing vessels operating in Saint Paul Island, surrounding Alaskan waters and Saint Paul Harbor must enact the protective measures and procedures described in Appendix 01, the Alaska Protective Plan for Commercial Fishing Vessels.
  - (2) Vessel captains must enact controls on their vessel to ensure crewmember compliance with this Mandate.
- (c) Travel and Access
  - (1) All vessel captains and crewmembers shall comply with all sections of this Ordinance regarding travel and protective plans.
- (d) Compliance and Penalties
  - (1) Vessel captains are required to maintain documentation as directed by Appendix 01, Paragraph I, and must provide a copy of the Mandate 017 Acknowledgement Form (Appendix 02) upon request by any seafood purchasing agent or Federal, State, or local authority, to include law enforcement and fisheries regulators.
  - (2) Mandate 017 Acknowledgement Forms shall also be submitted to the City to [snpcovid19@stpaulak.com](mailto:snpcovid19@stpaulak.com).

**Section 10: Protective Measures for Saint Paul Harbor**

- (a) Prior to entering the Saint Paul Harbor all vessels must:
  - (1) Seek approval from the Harbormaster.
  - (2) Submit travel plan or protocol that the business submitted to the Alaska Department of Commerce, Community and Economic Development pursuant to Health Mandate 010, and to City of Saint Paul via email to [snpcovid19@stpaulak.com](mailto:snpcovid19@stpaulak.com).
  - (3) Provide plan for quarantining personnel that develop Symptoms while on Saint Paul Island.
  - (4) Provide plan for how vessel intends to provide for medical evacuation of its personnel.
  - (5) Provide proof of screenings for all vessel personnel for Symptoms a minimum of 48 hours (“Health Screening”) prior to entering Saint Paul Island; any personnel manifesting Symptoms during screening is prohibited from entering Saint Paul Island.
- (b) Vessels permitted entry remain subject to further regulation as reasonably necessary to protect the health and safety of Saint Paul Island residents which shall include:
  - (1) A Health Screening (if reasonably available) and prohibit personnel who manifest Symptoms from staying on Saint Paul Island.

- (2) All personnel are required to wear face coverings as recommended in Health Alert 010.
  - (3) All personnel are required to remain on the vessel while docked. Under no circumstances shall personnel leave the vessel except with prior permission of the Harbormaster, which permission is limited to life and safety emergencies.
  - (4) Access of all personnel to grocery stores, gas stations, and other essential facilities or services is prohibited.
  - (5) All personnel must comply with State Health Mandate 010, including the requirement to self-quarantine for 14 days upon arrival.
  - (6) Vessels permitted entry remain subject to existing State health mandates and further regulation by the City as reasonably necessary to protect the health and safety of Saint Paul Island residents.
- (c) Vessels with emergent medical or mechanical needs:
- (1) In addition to the above requirements, vessels that have emergent medical or mechanical needs may enter the port but must adhere to the following protocol:
    - (i) Follow procedures in the above Sections of this Emergency Ordinance.
    - (ii) Follow all instructions given by Saint Paul Department of Public Safety personnel (police officers, EMS personnel, harbormaster).
    - (iii) Identify last port of call name and date, last crew change, any sick crew members and symptoms, patient symptoms and care provided to date.
    - (iv) The City **WILL NOT ALLOW ENTRY** to anyone that is presumed positive or **POSITIVE FOR THE CORONAVIRUS**.
- (d) Local small vessels that do not travel to other ports shall be exempt from Section 10.

## **Section 11: Definitions**

- (a) For the purposes of this Emergency Ordinance the following definitions shall apply:
- (1) “cloth face covering” means a material that covers the nose and mouth. It can be secured to the head with ties or straps or simply wrapped around the lower face. It can be made of a variety of materials, such as cotton, silk, or linen. A cloth face covering may be factory-made or sewn by hand or can be improvised from household items such as scarfs, T-shirts, sweatshirts or towels.
  - (2) “critical personal needs” is defined as those needs that are critical to meeting a person’s individual or family needs. Those needs include buying, selling, or delivering groceries and home goods; obtaining fuel for vehicles or residential needs; transporting family members out-of-home care, essential health needs, or for purposes of child custody exchanges; receiving essential health care; providing essential health care to a family member; obtaining other important goods; to meet educational needs; and engaging in subsistence activities.
  - (3) "resident" means a person who meets the qualifications for receipt of the 2020 Alaska Permanent Fund Dividend and lists Saint Paul Island as their mailing address on their most recent PFD application.

- (4) “social distancing” means maintaining a distance of six feet or greater from any individuals with whom you do not currently reside.

**Section 12: Appeal**

- (a) Denials of a public health protection plan by the City Manager may be appealed to the City Council by submitting a written notice of appeal.
- (b) The City Council's decision on appeal shall be the final City action on the travel plan.

**Section 13: Enforcement and Penalties**

- (a) The Saint Paul Department of Public Safety is authorized to enforce individual compliance with this Emergency Ordinance, with the primary focus being on education and voluntary compliance before civil penalties or criminal charges. The Saint Paul Department of Public Safety will respond to complaints and educate the public when they see violations that jeopardize the safety of individuals or the community. However, individuals who violate the Emergency Ordinance risk civil fines and criminal prosecution.
- (b) The Saint Paul Department of Public Safety will first attempt to enforce this Emergency Ordinance through education. In the event education does not result in voluntary compliance, the Saint Paul Department of Public Safety is authorized to:
  - (1) Issue a verbal or written warning and opportunity to correct actions.
  - (2) Issue a citation to Saint Paul Island Tribal Court for Civil Mischief for members of the Aleut Community of Saint Paul Island.
  - (3) Issue a citation for a Level III offense punishable in accordance with CCO 09.05.020 resulting in mandatory fines increasing in increments of \$50.00 up to the maximum of \$300.00.
- (c) Nothing in this Emergency Ordinance shall limit the Saint Paul Department of Public Safety's enforcement responsibilities to enforce State COVID-19 Health Mandates and applicable Alaska Statutes, including but not limited to Reckless Endangerment pursuant to AS 11.41.250.

**Section 14: Delegation**

- (a) The City Manager is authorized to take necessary actions to enforce this Emergency Ordinance to the maximum extent allowed by law.

**Section 15: Effective Date**

- (a) This Emergency Ordinance shall become effective immediately upon adoption and remain in effect for 30 days pursuant to CCO 1.01 Code Adoption.

**Section 16: Supersede or Replace**

- (a) This Emergency Ordinance supersedes or replaces City of Saint Paul Resolution 20-06 and Emergency Ordinance 20-92, Emergency Ordinance 20-93, and Emergency Ordinance 20-94.
- (b) Any provisions or sections of this Ordinance that are in conflict with future State Health Mandates issued after the effective date of this Ordinance or are found to be invalid in no way affect, impair or invalidate any other provisions or sections of this Ordinance and shall

nevertheless remain in full force and effect.

**Section 17: Renewal**

- (a) This Emergency Ordinance may be reauthorized or extended by the Council of the City of Saint Paul by an additional emergency ordinance adopted at a meeting held prior to its expiration.

PASSED AND ADOPTED BY APPROVAL OF THE COUNCIL OF THE CITY OF SAINT PAUL  
THIS 27<sup>TH</sup> DAY OF AUGUST 2020 BY \_\_\_\_ IN FAVOR \_\_\_\_ OPPOSED AND \_\_\_\_ABSTAIN.

ATTEST:

\_\_\_\_\_

Jacob N. Mercurief, Mayor

\_\_\_\_\_  
Monique Baker, City Clerk