



CITY OF SAINT PAUL ALASKA

EMERGENCY ORDINANCE 20-97

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 orders which include directives on International and Interstate Travel; allowing Small Communities to Implement Further Restrictions; and establishing Protective Measures for Essential Workers and Independent Commercial Fishing Vessels; Protective Plan for Independent Commercial Harvesters; and Protective Measures for Seafood Processing Workers;

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 Saint Paul Island'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: Requirements for all Travelers Entering Saint Paul Island

- (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) Pre-travel Molecular-based Test for SARS-CoV2 with Negative Results:
 - (1) All individuals permitted to travel to Saint Paul Island whether for essential travel or for critical personal needs must submit to the City a negative test result from a test taken within 72 hours of departure to Saint Paul Island.
 - (2) A second test taken between five and 14 days after arrival is recommended, but not required.
- (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 48 hours of travel to document that they have a plan in place, developed with the City, for safe entry/return and quarantine.
- (f) Prior Confirmed Positive Results Within 90 Days of Departure:
 - (1) No molecular-based test for SARS-CoV2 is required for any traveler, either immediately before travel or upon arrival, if all three of the following conditions are met:
 - (i) The traveler provides proof of a previously positive result of molecular-based test for SARS-CoV within 90 days of departure; and
 - (ii) The traveler is currently asymptomatic; and
 - (iii) The traveler can provide documentation to the City of recovery from a medical provider or a public health official indicating the traveler has been released from isolation.

Section 3: Essential Workers and Critical Infrastructure Workforce

- (b) The following persons are recognized as essential workers and/or critical infrastructure workforce:
 - (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 engaged in education, which shall be limited to instructional staff and administrative support staff.

(7) Persons employed in the following categories:

- (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.

(c) These exceptions shall be narrowly construed to protect Saint Paul Island residents from the COVID-19 pandemic.

Section 4: Self-Quarantine and Self-Isolation

- (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/worksites.
- (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.
- (h) All individuals that test positive for COVID-19 must self-isolate for 10 days in a location not in contact with other individuals. Upon completing the 10-day isolation period, individuals shall provide documentation from a medical provider or a public health official indicating the traveler has been released from isolation to the City.

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, Orders, and/or Mandates while on Saint Paul Island, whether now existing or issued following the effective date of this Ordinance.
- (b) In the event State-issued health alerts, orders, and/or mandates expire and/or there is no emergency declaration in place, the requirements set forth in this Ordinance shall remain operative to the fullest extent permitted by law.

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 Requirement

- (a) Businesses, public and private organizations and government institutions may 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) Face masks shall be required at the following locations:
 - (1) Aleut Community Store and Bulk Sale by store personnel and customers;
 - (2) US Post Office, Saint Paul Island by US Postal Service personnel and customers;
 - (3) City Hall Cashier Office by customers using the service and City personnel while customers are in the building;
 - (4) City Gas Station by gas station personnel and customers;
 - (5) All persons using the Saint Paul Island airport terminal (known as POSS Camp) and on Saint Paul Island airport property; and
 - (6) All persons in the Saint Paul Harbor area.
- (c) 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.
- (d) 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: Community/Workforce Protective Plans

- (a) All persons or entities excepted from Section 3 or traveling to Saint Paul Island for essential purposes shall submit to the City, at least five (5) business days prior to travel, a Community/Workforce Protection Plan.
- (b) The requirement to submit a plan to the City is independent of any reporting requirement to the State of Alaska as specified in COVID-19 Outbreak Health Order No. 05.
- (c) All businesses or entities shall submit a Community/Workforce Protection Plan to the City containing, at a minimum:
 - (1) Contact Information and Travel Information
 - (i) Company name, address, phone number, email, essential traveler(s) name(s), work location, purpose, and travel itinerary.
 - (2) Employee Screening Requirements
 - (i) Plan for daily temperatures and monitor symptoms on a provided log.
 - (ii) Plan to limit interactions and follow strict social distancing.
 - (iii) Plan to notify management if they exhibit any symptoms and not report to work.
 - (3) Travel Requirements
 - (i) Procedures to maintain physical distancing 6-foot guidelines, and as much as practical on airplanes and vehicles during transit.
 - (ii) Plan to wear a cloth face covering when in enclosed spaces including buildings, planes, and vehicles, or other times when social distancing 6-foot guidelines cannot be met.
 - (iii) Plan to maintain standard personal hygiene and wash hands frequently.
 - (iv) Plan to maintain quarantine while on travel layovers.
 - (4) Self-Quarantine Details
 - (i) Housing details.
 - (ii) Plan for not entering private homes, or public/private facilities during their 14-day quarantine period.
 - (5) Workplace Protective Measures
 - (i) Plan for limiting travel on Island during their 14-day quarantine period to travel between provided housing to work site and outdoors if they are alone.
 - (ii) If provided a vehicle for work, a plan for daily cleaning of vehicle.
 - (iii) Plan for limiting interaction with other employees.
 - (iv) Plan for wearing a face mask while at work if working with others.
 - (6) Procedures to Protect Customers/Public
 - (i) Plan for how community will be informed that there are protective measures in place for employee.
 - (ii) Plan for how other staff are required to wear a mask in public spaces.
 - (iii) Plan for how community workspaces are cleaned and sanitized every 2 hours.

- (iv) Plan for self-quarantine for 14-days during non-work hours.
- (7) Procedures for Employees Who Become Ill
 - (i) Plan for notifying manager if employee becomes ill.
 - (ii) Plan for isolating in provided housing until a negative COVID test result is confirmed and symptoms are resolved.
 - (iii) Awareness of community resources for groceries and medical care for those in isolation.
 - (iv) Plan for employee to stay isolated for 14 days and retested before returning to work if COVID result is positive.
- (8) Notification Protocol for Ill Workers
 - (i) If molecular-based test for SARS-CoV2 results are positive, a plan for notification will be provided to the State of AK through established procedures.
 - (ii) If employee tests positive, a plan for how the Saint Paul Island Unified Command Team will be notified, to enact City protocols for community safety in the event of a positive case.
 - (iii) If employee tests positive, a plan for how SCF clinic administrator and medical director will be notified, as well as clinic team. Testing will be provided to all staff in contact with employee.
 - (iv) Plan for completing OSHA 300A log, if applicable.
- (9) Continued Maintenance/Operation of Critical Infrastructure-dependent on Worksite
 - (i) Describe plan in place to continue work if employee becomes ill.
 - (ii) Company policies and procedures to refer to if needed
- (d) 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 three (3) business days 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 reason for any denial or modification.
- (e) School districts must follow the guidance published by the Alaska Department of Education and Early Development (DEED), and submit required protective plans to DEED at: AKsmartstart2020@alaska.gov and to the City.
- (f) Arriving or transiting aircrew members must follow the procedures in the Federal Aviation Administration (FAA) Safety Alert for Operators (SAFO) 20009 and all future revisions. In lieu of a CWPP, air carriers are required to submit an affidavit to the City.
- (g) Seafood processing companies are still required to develop and submit CWPPs to the City. The CWPP must meet or exceed the requirements of State of Alaska COVID-19 Outbreak Order No. 5, Appendix 01.
- (h) Independent commercial fishing vessels must enact protective measures and procedures described in State of Alaska COVID-19 Outbreak Order No. 5, Appendix 02. Independent commercial fishing vessels are not required to develop or submit a stand-alone CWPP. Appendix 5-02 serves as their CWPP.

- (i) Independent commercial fishing harvesters must enact protective measures and procedures described in State of Alaska COVID-19 Outbreak Order No. 5, Appendix 03. Independent commercial fishing vessels are not required to develop or submit a stand-alone CWPP. Appendix 5-03 serves as their CWPP.

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 of Alaska COVID-19 Outbreak Order No. 5, Appendix 02.
- (b) All vessel captains and crewmembers shall comply with all sections of this Ordinance.
- (c) The State of Alaska Acknowledgement Form – Health Order No. 5, Appendix 4 shall also be submitted to the City to snpccovid19@stpaulak.com.

Section 10: Protective Plan for Independent Commercial Harvesters

- (a) All commercial fishing harvesters on Saint Paul Island shall adhere to State of Alaska COVID-19 Outbreak Order No. 5, Appendix 03.
- (b) All commercial fishing harvesters, their vessel captains and crewmembers, shall comply with all sections of this Ordinance.
- (c) The State of Alaska Acknowledgement Form – Health Order No. 5, Appendix 4 shall also be submitted to the City to snpccovid19@stpaulak.com.

Section 11: Protective Measures for Seafood Processing Workers

- (a) All resident employees and all workers traveling to Saint Paul Island to work in a shore-based seafood processing plant or onboard a processor or catcher-processor vessel shall adhere to State of Alaska COVID-19 Outbreak Order No. 5, Appendix 01.
- (b) All resident employees and all workers traveling to Saint Paul Island to work in a shore-based seafood processing plant or onboard a processor or catcher-processor vessel shall comply with all sections of this Ordinance.
- (c) The State of Alaska Acknowledgement Form – Health Order No. 5, Appendix 4 shall also be submitted to the City to snpccovid19@stpaulak.com.

Section 12: Protective Measures for Saint Paul Harbor

- (a) Prior to entering the Saint Paul Harbor all vessels must:
 - (1) Seek approval from the Harbormaster.
 - (2) 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) All personnel are required to wear face coverings.
 - (2) 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:
 - (i) Life and safety emergencies; and
 - (ii) Approved medical appointments at the Saint Paul Health Center; and

- (iii) Loading of crab pots for crab fishing vessels. Crew on the docks loading crab pots are required to wear face coverings and not allowed to leave the immediate dock area.
 - (3) Access of all vessel personnel to grocery stores, gas stations, and other essential facilities or services is prohibited.
 - (4) All personnel must comply with State Health Order 05 and its appendices, including the requirement to self-quarantine for 14 days if staying on Saint Paul Island.
 - (5) Vessels permitted entry remain subject to existing State health orders and 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 12.

Section 1: 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; engaging in subsistence activities; pursuing formal (primary, secondary or collegiate) education or educational research; applying for a job; traveling for voting; and the inspection and maintenance of personal property.
 - (3) “isolation” means self-quarantining after you have a positive test result.
 - (4) “molecular-based test for SARS-CoV2” means a PCR test or rapid test (e.g. Abbott IDNow).
 - (5) "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.

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

Section 14: Appeal

- (a) Denials of a travel and/or Community/Workforce Protection Plans 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 travel and/or Community/Workforce Protection Plans.

Section 15: 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 16: Delegation

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

Section 17: Effective Date

- (a) This Emergency Ordinance shall become effective immediately upon adoption and remain in effect for 60 days pursuant to CCO 1.01 Code Adoption.

Section 18: Supersede or Replace

- (a) This Emergency Ordinance supersedes or replaces City of Saint Paul Resolution 20-06 and Emergency Ordinances 20-92, 20-93, 20-94, 20-95, and 20-96.
- (b) Any provisions or sections of this Ordinance that are in conflict with future State Health Alerts, Orders, and/or 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 19: 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 18th DAY OF NOVEMBER 2020 BY ____ IN FAVOR ____ OPPOSED AND ____ ABSTAIN.

ATTEST:

Jacob N. Merculief, Mayor

Monique Baker, City Clerk