

CITY OF DILLINGHAM, ALASKA

EMERGENCY ORDINANCE NO. 2020-09

AN EMERGENCY ORDINANCE OF THE DILLINGHAM CITY COUNCIL REQUIRING QUARANTINE AND ISOLATION MEASURES TO PREVENT THE SPREAD OF COVID 19

BE IT ENACTED BY THE DILLINGHAM CITY COUNCIL:

Section 1. Legislative Findings:

The legislative findings contained in Emergency Ordinance 2020-07 Section 1 numbered 1-46 are adopted by reference as if fully set forth herein. In addition Council makes the following legislative findings:

47. As of May 5, 2020 Dillingham still had 0 reported cases of COVID-19.

48. As of May 5, 2020 there had been 371 reported cases of COVID-19 in the State of Alaska.

49. As of May 5, 2020, the number of confirmed cases of COVID-19 infections in Oregon, Washington and California was:

- California - 54,937
- Oregon - 2,759
- Washington - 15,594

Section 2. Finding of Emergency. The City Council hereby finds the facts set forth in Section 1 constitute an emergency.

Section 3. Authority. This ordinance is enacted pursuant to the general police powers of the City of Dillingham to protect the public health and general welfare of persons in Dillingham and the City's authority to regulate use of public facilities such as streets and highways and the Dillingham Small Boat Harbor.

Section 4. Mandatory Quarantine. This ordinance imposes a fourteen day self-quarantine on the following identified group of individuals arriving in Dillingham from places outside the Dillingham Census Area:

A. Any person who has not completed their quarantine immediately prior to arrival in Dillingham and; 1) is required to quarantine by Health Mandate 10 or Health Mandate 17 as of May 5, 2020; or 2) is a critical infrastructure worker as identified by the State of Alaska Essential Services and Critical Workforce Infrastructure Order dated April 10, 2020 and has traveled to Dillingham from elsewhere in Alaska.

B. Persons required to quarantine in Dillingham shall quarantine in one of the following locations on land or water:

1. On a commercial fishing vessel, conex, or fishing encampment owned or operated by them or by their employer provided not more than three persons shall be allowed to complete a quarantine on the same vessel.

2. At a designated quarantine site managed and supervised by their employer and identified in their employer's COVID-19 protection plan approved by the State of Alaska a copy of which shall be provided to the Emergency Operations Center not later than 48 hours before the person's arrival in Dillingham.

3. At a designated quarantine site managed and supervised by the City of Dillingham or an authorized representative of the City of Dillingham if available.

4. At a Dillingham residence.

5. At their employer's Dillingham residence.

C. Time spent in quarantine on a vessel or at an employer designated and supervised quarantine site immediately prior to arrival in Dillingham after initially entering Alaska shall be credited towards completion of the required quarantine.

D. Any person traveling to Dillingham for Critical Personal Needs as defined in Emergency Ordinance 2020-07 Section 8(C)(1) shall quarantine at their place of residence.

E. Quarantine requirements established by this ordinance shall survive any subsequent changes to or suspensions of Health Mandates 10, 12 or 17.

F. The 14 day quarantine in Dillingham can be waived upon two negative COVID-19 tests which must be administered no less than ten days apart. One COVID-19 test must be done in Dillingham no less than 72 hours after arrival.

G. People who have maintained 14 days quarantine or have had two negative COVID-19 test and have stayed in the Dillingham Census Area or in the Nushagak/Igushik Fishing District or the Wood/Tikchik State Park and Nushagak river system will not have to quarantine again upon entry to Dillingham.

H. If quarantine is being completed while in Dillingham a COVID-19 test must be taken in Dillingham on the thirteenth day of quarantine. Persons shall continue in quarantine for an additional day after this test is administered unless the test is positive in which case the person will be placed in isolation until such time as a subsequent test is negative for COVID-19.

Section 5. Social Distancing During Quarantine.

A. All persons in quarantine shall practice social distancing at their quarantine location to the maximum extent possible.

B. All persons entering a quarantine location shall practice social distancing while at the quarantine location to the maximum extent possible.

C. For purposes of this ordinance social distancing is defined as maintaining a distance of six feet or greater from any individuals with whom you do not currently reside.

Section 6. Limitation on Leaving Quarantine Location.

A. Any person required to quarantine shall not leave their quarantine location during their quarantine period for any reason other than to:

1. receive non-elective medical care.
2. go to their place of employment.
3. use designated portable toilets and shower facilities.
4. be tested for COVID-19.
5. leave Dillingham.

B. Any authorized travel while in quarantine other than to use portable toilets is limited to a single trip each day directly to and from the quarantine location.

C. Person who have left a quarantine location to be tested for COVID-19 shall not leave the quarantine location for any reason other than to use designated portable toilets until they have received negative test results.

Section 7. Limitation on Entry to Quarantine Location.

A. No person shall enter a quarantine location unless:

1. they are in quarantine at that location.
2. they own or operate a commercial fishing vessel or commercial fishing equipment stored at that location.
3. they are providing services to a commercial fishing permit holder or operator stored at that location
4. they are providing goods or materials to a commercial fishing, set net, or permit holder whose vessel or equipment is stored at that location that cannot be delivered to a designated delivery area immediately adjacent to that location.
5. the quarantine location is their usual place of residence.
6. they are providing medical services to a person in that location.

Section 8. Face Mask Requirement. All persons within a quarantine location other than their residence or their employer's residence must wear face masks covering their nose and mouth to provide additional protection from spread of COVID-19. The face coverings need not be medical-grade masks or N95 respirators, but can be cloth face coverings. A cloth face covering is 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.

Section 9. Court Hearing. Any person required to quarantine by this ordinance may request a court hearing to challenge the limitations imposed by this order within forty-eight hours after their arrival in Dillingham or being first subject to the quarantine provisions of this ordinance using procedures set forth in AS 18.15.385(f), (g) and (h) incorporated herein by reference.

Section 10. Mandatory Isolation and Evacuation.

A. Any person required to quarantine by this ordinance who tests positive for COVID-19 shall immediately self-isolate at a designated self-isolation location and monitor for signs of sickness.

B. Persons required to isolate in Dillingham shall isolate at one of the following locations:

1. At a designated isolation site managed and supervised by their employer and identified in their employer's COVID-19 protection plan approved by the State of Alaska a copy of which shall be provided to the Emergency Operations Center not later than 48 hours before the person's arrival in Dillingham.

2. At a designated isolation site managed and supervised by the City of Dillingham or an authorized representative of the City of Dillingham if available.

3. In a room within their residence which no other person is allowed to enter.

4. In a room at their employer's residence which no other person is allowed to enter.

5. At a location outside the boundaries of the City provided the person must again quarantine upon return to Dillingham unless they have isolated at a location within the Dillingham Census Area.

C. The period of isolation shall be a minimum of; 1) seventy-two hours since the person has had resolution of a fever without use of fever-reducing medications and has improvement in respiratory symptoms (cough, shortness of breath); and 2) ten days after the date of the persons first positive COVID-19 diagnostic test without developing symptoms of COVID-19.

D. Any person required to isolate who has entered Dillingham from outside the Dillingham Census Area and does not have permission to use any isolation site identified in subsections (B) 1-4 above must fly out of Dillingham within twenty-four hours after receipt of a positive COVID-19 test result unless immediate hospitalization is required.

Section 11. Enforcement. Violations of this Emergency Ordinance shall be a Minor Offense. In accordance with AS 29.25.070(a), citations for violation of this ordinance may be disposed of as provided in AS 12.25.195 through 12.25.230, without a court appearance, upon payment of a one-hundred dollar (\$100) fine for a first offense, a five-hundred dollar (\$500) fine for a second offense and a one-thousand dollar (\$1,000) fine for all subsequent offenses, plus the state surcharge required by AS 12.55.039 and 29.25.074. Fines must be paid to the court. The Alaska Court System's Rule of Minor Offense Procedures applies. This fine may not be judicially reduced. Each day of violation shall be considered a separate offense.

Section 12. Code Provisions Superseded. This ordinance supersedes any inconsistent ordinances, rules, or regulations of the City of Dillingham including the mandatory quarantine requirements of Section 15 of Emergency Ordinance No. 2020-07.

Section 13. Effective Date. This ordinance is effective May 11 at 11:59 p.m. and shall continue in effect until June 29, 2020 unless extended by action of the city council. The effective date of Section 4(H) shall be May 22, 2020. The adoption of this ordinance shall not in any manner affect any prosecution for violations of any other Emergency Ordinance) committed prior to the effective date hereof.

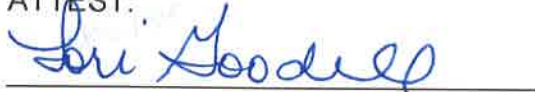
PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on May 8, 2020.

SEAL:



Alice Ruby, Mayor

ATTEST:



Lori Goodell, City Clerk