



City of Hoonah

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EMERGENCY RESOLUTION NO. 21-05-04

AN EMERGENCY RESOLUTION OF THE CITY OF HOONAH FINDING THE EXISTENCE OF A PUBLIC HEALTH EMERGENCY RELATED TO THE COVID-19 OUTBREAK; AMENDING EMERGENCY RESOLUTION NOS. 20-03-05, 20-03-04, AND 20-04-06 AND EMERGENCY ORDER NO. 03-26-20; INCORPORATING BY REFERENCE EMERGENCY RESOLUTION NOS. 20-03-02 AND 20-03-03 AND THE DECLARATION OF LOCAL EMERGENCY ORDER NO. 03-20-20, ISSUED BY THE MAYOR AND CITY ADMINISTRATOR ON March 20, 2020; SEEKING STATE AND FEDERAL FUNDING ASSISTANCE; AND ISSUING CERTAIN HEALTH ADVISORIES AND REQUESTS CONSISTENT WITH STATE AND FEDERAL LAW.

WHEREAS: the City Council, the Mayor and the City Administrator issued Emergency Resolution Nos. 20-03-02, 20-03-03, and 20-04-06 and the Declaration of a Local Emergency Order No. 03-20-20 related to the outbreak of COVID-19 (herein together, the "Emergency Resolutions and Emergency Order"), consistent with all powers and duties conferred to them under the Hoonah City Code, Title 29 of Alaska Statutes, and other State and Federal Law; and

WHEREAS: the City of Hoonah concurs with all statements and findings contained in the Emergency Resolutions and Emergency Order, and seeks to fully incorporate them by reference into this Emergency Resolution as Appendix A; and

WHEREAS: under AS 29.25.030, "to meet a public emergency," the Hoonah City Council "may adopt an emergency [resolution] effective upon adoption," provided such ordinance or resolution contains a finding by the City Council that an emergency exists and may be adopted, amended and adopted, or rejected at the meeting at which it is introduced; and

WHEREAS: the Hoonah City Council seeks to exercise the maximum degree of local authority available to the City of Hoonah in order to contain and mitigate the outbreak of COVID-19 in the City of Hoonah and its surrounding communities; and

WHEREAS: the Hoonah City Council seeks to amend and restate City of Hoonah Emergency Resolution Nos. 20-03-04, 20-03-05, and 20-04-06 and Emergency Order No. 03-26-20 with this Resolution; and

WHEREAS: the residents of Game Creek Farm, which is outside the City of Hoonah boundaries shall be treated and considered residents of the City of Hoonah for the purpose of this Emergency Resolution.

WHEREAS: on February 14, 2021, the State of Alaska identified that non-residents traveling into the State no longer had to pay the \$250 for a COVID-19 test upon arrival and fully vaccinated people did not have to follow strict social distancing requirements while awaiting test results.

WHEREAS: while more community members are getting vaccinated for COVID-19, the State and the community of Hoonah have not reached herd immunity, children are not eligible for vaccines, and a variant of concern (B.1.1.7) has recently been detected in Juneau.

WHEREAS: the State continues to experience a substantial increase in COVID-19 cases, like the rest of the United States, with multiple regions in Alaska at a high alert level.

WHEREAS: imposing a traveler testing mandate in Hoonah best balances the desire to open the economy while monitoring public health information to protect the health, safety, and welfare of the community of Hoonah from COVID-19.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOONAH, ALASKA:

Section 1. Finding of Local Disaster Emergency. The Hoonah City Council hereby adopts and incorporates by reference the Emergency Resolutions and Emergency Order. A copy of this Emergency Resolution and Appendix A shall be filed promptly with the Alaska Division of Homeland Security and Emergency Management.

Section 2. Request for State and Federal Funding Assistance. The City of Hoonah requests that the Governor of Alaska provide such State assistance as may be available to meet the ongoing emergency created by COVID-19 and to request additional assistance from Federal agencies where State capability is not adequate.

Section 3. Civil Immunity Asserted. In adopting and enforcing this Emergency Resolution, the City of Hoonah and its councilmembers, agents, officers, and employees assert and maintain all immunities and indemnifications provided for under AS 09.65.070, under the Hoonah Municipal Code, and any other immunities or indemnifications available in law or equity.

Section 4. Travel Restrictions. To prevent the spread of COVID-19, and consistent with all current State and Federal health laws, advisories, mandates, and guidelines to protect the public health and welfare, the Hoonah City Council advises and requires that:

- a) Upon entering the City of Hoonah by land, sea or air from another community within Alaska, state or nation, travelers (resident, non-resident, worker or visitor) must self-quarantine, as described herein at Section 4, paragraph b, for fourteen (14) days unless travelers fall under one of the following categories:
 - i) Molecular based/antigen test for SARS-CoV2: Travelers, ages sixteen (16) years and older, produce a molecular-based/antigen test for SARS-CoV2 result showing that travelers tested negative for COVID-19 within seventy-two (72) hours before departure to Hoonah or travelers obtain a molecular-based/antigen test for SARS-CoV2 upon arrival in Hoonah, and intrastate travelers obtain a second molecular-based/antigen test for SARS-CoV2 not sooner than seventy-two (72) hours of arrival in Hoonah and interstate/international travelers obtain a second molecular-based/antigen test for SARS-CoV2 not sooner than one hundred twenty (120) hours of arrival in Hoonah. Travelers must practice strict social distancing, until: (A) travelers receive negative results from the second test for SARS-CoV2 (COVID-19); (B) for fourteen (14) days after arrival; or (C) travelers depart Hoonah, whichever is soonest. When practicing strict social distancing travelers are allowed to be in an outdoor public place, but travelers must remain six feet away from anyone not in their immediate household, and travelers must wear a face covering. Travelers may arrange curbside shopping or have food delivery. When practicing strict social distancing travelers cannot enter restaurants, bars, gyms, community centers, sporting facilities (i.e., gymnasiums), office buildings, and school

or daycare facilities. Do not participate in any group activities, including sporting events and practices, weddings, funerals, or other gatherings. If the molecular-based/antigen test for SARS-CoV2 comes up positive, travelers must isolate at their own expense, and will not be able to travel unless cleared by public health;

ii) Prior confirmed positive results: No molecular-based/antigen test for SARS-CoV2 is required for either immediately before travel or upon arrival, if all three (3) of the following conditions are met:

(1) Travelers show evidence of previously positive results of a molecular-based/antigen test for SARS-CoV2 that occurred at least three weeks prior to arrival in Hoonah;

(2) Travelers are currently asymptomatic; and

(3) Travelers can show a medical provider's note of recovery; and

iii) Exemption for Fully-Vaccinated Individuals: Fully-vaccinated travelers are exempt from the quarantine requirements and testing requirement of this resolution. All fully-vaccinated travelers must provide proof they are fully-vaccinated by presenting: (1) their original Centers for Disease Control and Prevention COVID-19 Vaccination Card ("Vaccination Card"); or (2) a certified record from their healthcare provider or State of residence showing they've been fully-vaccinated ("Certified Vaccination Record"); or (3) a downloaded electronic version or digital picture of their Vaccination Card or Certified Vaccination Record on their phone or other electronic device. Fully-vaccinated is defined as more than two weeks following receipt of the second dose in a two-dose vaccine, or more than two weeks following receipt of one dose of a single-dose vaccine.

b) Travelers that decide to self-quarantine must comply with the following:

i) Travelers must proceed directly from travelers point of arrival in the City of Hoonah to travelers designated quarantine location, which is the location identified and affirmed by travelers on the mandatory State of Alaska Travel Declaration Form. If travelers are residents of Hoonah, travelers designated quarantine location is traveler's residence. If travelers are visitors, travelers designated quarantine location is traveler's hotel room or rented lodging.

ii) Travelers must remain in traveler's designated quarantine location for a period of fourteen (14) days, or the duration of travelers stay in Hoonah, whichever is shorter, and ;

iii) Travelers may not allow visitors in or out of their designated quarantine location other than a physician, healthcare provider, or individual authorized to enter the designated quarantine location by Unified Command;

iv) Travelers must comply with all rules or protocols related to their quarantine as set forth by their hotel or rented lodging;

v) If travelers are required to self-quarantine and there are other individuals in traveler's residence, hotel room, or rented lodging, travelers are required to comply with social distancing guidelines;

- vi) If travelers are not able to self-quarantine at traveler's place of residence because of the proximity of other persons, all persons at the residence must immediately and voluntarily self-quarantine for a period of fourteen (14) days;
 - vii) If a person enters a place of residence where travelers are in self-quarantine, the person must immediately and voluntarily self-quarantine for a period of fourteen (14) days; and
 - viii) Self-quarantine is defined as using standard hygiene and washing hands frequently, not sharing things like towels and utensils with other household members, staying at your place of residence, not going to public places, not having visitors at your place of residence, and staying at least six feet from other people in your household.
- c) Travelers four (4) years of age and under are exempt from the testing requirement described herein. However, untested travelers four (4) years of age and under with a parent or guardian must remain in the same status for the same duration as the parent/guardian (self-quarantine and/or strict social distancing).
 - d) Travelers between the ages of five (5) to fifteen (15) years traveler must submit to a molecular-based/antigen test for SARS-CoV2 upon arrival in Hoonah, but are not required to practice strict social distancing while they await negative results from the test for SARS-CoV2 (COVID-19). If travelers between the ages of five (5) to fifteen (15) years receive a positive test for SARS-CoV2 (COVID-19), they must quarantine, as described herein at Section 4, paragraph b, for fourteen (14) days, and, if necessary, seek medical care.

Section 5. Social Distancing. To prevent the spread of COVID-19, and consistent with all current State and Federal health laws, advisories, mandates, and guidelines to protect the public health and welfare, the Hoonah City Council recommends that all persons in the City of Hoonah boundaries, are required to practice social distancing – social distancing is defined as maintaining a distance of six feet or greater from any individuals with whom you do not currently reside, and abide by the following: (A) work from home as much as possible; (B) immediately isolate any family member who is ill; (C) outdoor activity (e.g. walking, hiking, bicycling, running, fishing or hunting) is permitted when a distance of six or more feet can be maintained between persons not in the same household; (D) any person who exhibits symptoms of illness must not leave their place of residence, including to work, except as necessary to seek or receive medical care; and (E) practice good hygiene, including regular handwashing.

Section 6. Hoonah Supply Chain. Residents should have enough food in their pantry that they don't need to go shopping frequently, residents are ordered to not panic or hoard, Hoonah's critical supply chain is intact and no disruptions are expected, and essential businesses will remain open.

Section 7. Cloth Face Covers.

- a) All individuals must wear masks or cloth face coverings over their noses and mouths when they are indoors in public settings or communal spaces outside the home. This order is subject to the conditions and exceptions stated below.
- b) The settings included in this order include, but are not limited to, the public and communal spaces within the following:

- i) Hoonah Trading, Colettes Cupboard, Icy Strait Lodge, Tideland Tackle, Hoonah Liquor Store, coffee shops, U.S. Postal Offices, grocery stores, and churches.
 - ii) Restaurants, cafes, bars, and breweries – including food preparation, carry-out, and delivery food operations. There is a limited exception for customers while they are eating or drinking in one of these settings.
 - iii) Buses, taxis, and other forms of public transportation when passengers are present.
 - iv) Child care facilities.
 - v) Communal areas of offices where people from multiple households are present.
 - vi) Elevators and indoor communal spaces in other buildings.
- c) Employers are responsible to make sure employees who are present in the workplace have access to and wear masks or cloth face coverings when in direct contact with customers, members of the public, or other employees. Msks are not required when the only direct contact is between members of the same household or when employees are not near others (within six feet).
- d) This Order does not apply to the following categories of people or activities:
- i) Any child under the age of 2 years. These very young children should not wear a face covering because of the risk of suffocation;
 - ii) Any child in a child care or day camp setting, although such settings may provide their own requirement for use for children age 2 years old or older;
 - iii) Any individual for whom wearing a mask or cloth face covering would be contrary to his or her health or safety because of a medical condition or mental health condition, and any individual unable to tolerate a mask due to a physical or mental disability;
 - iv) Individuals who are speech impaired, deaf, or hard of hearing, or individuals communicating with someone who is deaf or hard of hearing, where facial or mouth movements are an integral part of communication;
 - v) Any individual who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the face covering without assistance;
 - vi) Individuals who are exercising, if mask wearing would interfere with their breathing;
 - vii) Individuals who are incarcerated, in police custody, or inside a courtroom; these individuals should follow guidance particular to their location or institution;

viii) Individuals performing an activity that cannot be conducted or safely conducted while wearing a mask (for example, a driver experiencing foggy glasses, a dental patient receiving care, an equipment operator where there is a risk of dangerous entanglement); and

ix) Musicians, presenters, ministers, and others communicating to an audience or being recorded, for the duration of their presentation/performance where mask usage impairs communication, and so long as safe physical distancing is maintained.

e) If a person declines to wear a mask or face covering because of a medical condition or disability as described above, this order does not require them to produce medical documentation verifying the stated condition or disability. Businesses may wish to consider accommodating such individuals through curbside or delivery service or by allowing the individual inside without a mask if doing so will not place others at risk.

f) The City of Hoonah reserves the right to use all available enforcement options to assure compliance with this section. However, employers will not be subject to fines based on non-compliance by customers so long as there is a clearly posted sign informing customers that they are required to wear face coverings. Brief removal of a face covering, such as is necessary to eat, drink, or scratch an itch does not constitute a violation of this order (although hand washing/sanitizing is recommended after such activities). Additionally, violation of this section does not create grounds for residents to harass individuals who do not comply with it.

Section 8. Schools. The City of Hoonah is prioritizing testing for students enrolled and staff employed by the Hoonah City School District by offering two different testing structures to assess the spread of COVID-19:

a) Any student or staff experiencing symptoms or who has been exposed to COVID-19 will have access to molecular-based/antigen test for SARS-CoV2 through the Hoonah Indian Association's COVID-19 testing program.

b) All students and staff who plan to be on a Hoonah City School District campus are required to participate in the Hoonah Indian Association's COVID-19 antigen testing program.

Section 9. Education and Enforcement. To prevent the spread of COVID-19, and consistent with all current State and Federal health laws, advisories, mandates, and guidelines to protect the public health and welfare, the Hoonah City Council advises that:

a) Education. Residents are encouraged to educate people in the City of Hoonah and request, without force, that people comply with the restrictions and recommendations in this Resolution;

b) Enforcement. Violation of any order made and promulgated by the City of Hoonah pursuant to this 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 three hundred dollars (\$300) fine, 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.

Section 10. Effective Date. Consistent with AS 29.35.030(c), this Emergency Resolution shall be effective upon passage by the Hoonah City Council and shall remain in effect for sixty (60) days, or until COVID-19 is no longer declared a Federal or State emergency, whichever occurs first. The Council may meet to assess the status of the outbreak emergency and consider amending or renewing this Emergency Resolution, as necessary and appropriate, to protect the public health, safety, and welfare.

Section 11. Classification. This Resolution is not permanent in nature and shall not become a part of the Hoonah City Code.

PASSED AND APPROVED BY A DULY CONSITITUTED QUORUM OF THE HOONAH CITY COUNCIL THIS 11th DAY OF MAY, 2021.


Gerald Byers, Mayor

ATTEST:


Jennifer Bidiman, City Clerk



VOTING:

Amelia Wilson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Bill Miller, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Stan Savland	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Shawn McConnell	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Miguel Contreras	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Duane Jack, Sr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>