



# CITY OF SAINT PAUL

ALASKA

## EMERGENCY ORDINANCE 22-98

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

**WHEREAS**, the World Health Organization (WHO), and the federal and state governments have designated the outbreak of COVID-19 as a global, national, and state public health emergency;

**WHEREAS**, emerging COVID-19 variants are highly contagious and the most effective way to mitigate/prevent their introduction and spread to Saint Paul Island is through vaccination, SARS-CoV2 testing, quarantining, and use of well-fitted face masks, and otherwise limiting interactions with the Saint Paul Island residents; and,

**WHEREAS**, a proactive approach taken by individual residents and the community to slow down the rate of COVID-19 infections through the use of the above mentioned mitigation/protective measures, will attenuate negative impacts on Saint Paul Island's residents, visitors, health care system, and essential businesses; and,

**WHEREAS**, the CDC has updated domestic travel recommendations, but still advises residents to follow all state and local recommendations or requirements; and,

**WHEREAS**, the impacts of COVID-19 variants on vaccinated and unvaccinated persons, including breakthrough infections on those who are vaccinated, must be fully assessed before the below mentioned mitigation/protective measures may be relaxed and therefore a precautionary measured approach to these measures is still required; and,

**WHEREAS**, it is the intent of the City of Saint Paul to develop guidance, recommendations and rules pursuant to the latest CDC and State of Alaska guidelines in order to continue to protect all residents of Saint Paul Island, however the City may implement more precise and rigorous mitigation/protective measures to limit or slow down COVID-19 infections on Saint Paul Island; and,

**WHEREAS**, the City and Saint Paul Health Center has limited resources to respond to potential outbreaks of COVID-19 in the community; and,

**WHEREAS**, it is essential for the academic success and social and emotional health of our students to attend school in person at the Saint Paul School without interruptions caused by the potential spread of COVID-19 in our community; and,

**WHEREAS**, it is vital for local essential businesses to protect their limited workforce from contracting and spreading COVID-19 to coworkers and customers in order to provide continuous essential services to the community; and,

**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) Pre-travel Test for SARS-CoV2 with Negative Results:

- (1) Individuals regardless of age traveling to Saint Paul Island must submit to the City a negative SARS-CoV2 test result within 48 hours and within 24 hours if utilizing an over-the-counter (OTC) test prior to travel to Saint Paul Island.

**Section 3: Post-travel Quarantine Requirements for Individuals**

- (a) All individuals, regardless of vaccination status are required to quarantine for four (4) days upon arrival, however individuals may go to the store, post office and other businesses for obtaining essential services as long as they wear a well-fitted mask while in these essential locations. Individuals shall obtain a post-arrival test in accordance with Section 5 of this Emergency Ordinance.
- (b) Individuals residing, regardless of vaccination status, with other individuals in the same household shall quarantine for four (4) days upon arrival of the traveling individual and shall be subject to the same post-travel testing in Section 5 of this Emergency Ordinance.

**Section 4: Post-travel Quarantine and Testing Requirements for Essential and Critical Infrastructure Workers**

- (a) All essential and critical infrastructure workers are to quarantine for four (4) days upon arrival, meaning they shall not interact with City residents or go to any public space for four (4) days, however essential and critical infrastructure workers may go to work, store, post office and other businesses for obtaining essential services as long as they wear a well-fitted mask while in these essential locations. Individuals shall obtain a post-arrival test in accordance with Section 5 of this Emergency Ordinance.
- (b) Individuals residing with essential and critical infrastructure workers, regardless of vaccination status, with other individuals in the same household /living quarters shall quarantine for four (4) days upon arrival of the traveling individual and shall be subject to the same post-travel testing in Section 5 of this Emergency Ordinance.
- (c) Essential and critical infrastructure workers residing in the same household /living quarters with an individual who recently traveled to Saint Paul Island shall quarantine for four (4) days upon arrival of the traveling individual and shall be subject to the same post-travel testing in Section 5 of this Emergency Ordinance. However, essential and critical infrastructure workers may go to work, store, post office and other businesses for obtaining essential services as long as they wear a well-fitted mask while in these essential locations.
- (d) Essential and critical infrastructure workers that will be in contact with residents and/or other essential and critical infrastructure workers and who not are able to isolate in their workplace within the four (4) day quarantine period, may work under a Community/Workforce Protection Plan per Section 9 of this Emergency Ordinance and shall be subject to daily continuous screening testing using an antigen-based test for five (5) days after arrival on Saint Paul Island. Daily test results shall be reported to the City.

**Section 5: Post-travel Test for SARS-CoV2 with Negative Results**

- (a) All individuals, regardless of age and vaccination status, must and submit to the City a negative SARS-CoV2 test result (or results as set forth below) within 24 hours and again on day four (4) after arrival on Saint Paul Island to be released from the 4-day quarantine requirement in Sections 3 and 4.

**Section 6: Close Contact Quarantine Requirements**

- (a) All individuals and individuals residing with other individuals in the same household, regardless of vaccination status that have been exposed to a COVID-19 positive individual shall quarantine for five (5) days and:
  - (1) Monitor for symptoms until ten (10) days after the last close contact with a COVID-19 positive individual; and,
  - (2) Wear a well fitted mask for ten (10) full days anytime around others inside living quarters; and,
  - (3) Obtain a test on day five (5) after the close contact with a COVID-19 positive individual and submit to the City a negative SARS-CoV2 test result; and,
  - (4) Not travel; and,
  - (5) Isolate immediately and get tested if the symptoms develop.

**Section 7: Isolation Requirements for Positive Individuals**

- (a) All individuals who test positive for COVID-19 while on Saint Paul Island shall isolate for ten (10) days and:
  - (1) Wear a well fitted mask for ten (10) full days anytime around others; and,
  - (2) Not travel.
- (b) Individuals who test positive for COVID-19 while on Saint Paul Island may reduce time in isolation by:
  - (1) Obtaining and submitting to the City a negative SARS-CoV2 test result as follows:
    - (i) Test negative three (3) days in a row using an OTC test, starting on day six (6) from when a positive test result was provided to the City; or,
    - (ii) Test negative two (2) days in a row using a molecular-based test, starting on day six (6) from when a positive test result was provided to the City; or,

**Section 8: Well-Fitted Face Mask Recommendation and Requirement**

- (a) Customers and visitors to the Aleut Community Store, Saint Paul Island Post Office, all City facilities, Saint Paul Island Airport facilities are required to wear a well-fitted face mask covering their nose and mouth when inside these locations.
- (b) Businesses, public and private organizations, and government institutions may require that all customers and visitors to their facilities wear well-fitted face mask covering their nose and mouth to provide additional protection for employees and customers.
- (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 mask rules established by the said entity.

**Section 9: Community/Workforce Protective Plans**

- (a) All individuals or entities employing essential and critical infrastructure workers that are traveling to Saint Paul Island are required to submit to the City, at least five (5) business days prior to travel, a Community/Workforce Protection Plan (CWPP).
- (b) City Administrative Process for Failure to Comply with a Community/Workforce Protection Plan
  - (1) If the City is notified of an employee's alleged noncompliance with an approved CWPP, the

City shall notify the employer of the suspected noncompliance compliance; and

- (2) The employer shall take all necessary actions to ensure employee compliance with the CWPP.
  - (3) If the CWPP noncompliance occurred around individuals not subject to a CWPP, the exposed individuals remain subject to the procedures set forth in this Emergency Ordinance and, if applicable, must complete a CWPP to continue working.
- (c) The City Manager or designee shall review the plan. The City Manager or designee shall review the plan and provide a written determination within five (5) business days from the date the plan is submitted. 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.
- (d) 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.
- (e) All Community/Workforce Protection Plans will be published on Saint Paul Island’s COVID-19 Response Page at: <https://covid19.stpaulak.com>.

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

- (a) All vessels and their crewmembers shall follow all provisions of this Emergency Ordinance.

#### **Section 11: Definitions**

- (a) For the purposes of this Emergency Ordinance the following definitions shall apply:
  - (1) “close contact” means being within six feet of a known, or suspected, COVID-19 positive case for 15 minutes or greater or having had direct contact with the infectious secretions of a positive COVID-19 case. This determination is irrespective of whether or not either person was wearing a face covering. The 15-minute time period does not have to be continuous; it may be cumulative over a 24-hour period. A distance of six feet or more may be considered close contact if indoors with poor ventilation, indoors for periods greater than 15 minutes, or multiple positive individuals are in the same indoor space.
  - (2) “essential and critical infrastructure workers” are defined in Attachment A.
  - (3) “isolation” means quarantining after you have a positive test result.
  - (4) “social distancing” means maintaining a distance of six feet or greater from any individuals with whom you do not currently reside.
  - (5) “symptoms” includes cough or shortness of breath, fever, chills, repeated shaking with chills, muscle pain, headache, sore throat, new loss of taste or smell, or any other cold, flu or allergy like symptoms.
  - (6) “well-fitted face mask” means a mask that fits snugly against your face that covers the individual’s nose and mouth such as but not limited to a double mask, KN95, N95 or similar face mask that provides equal protection as these face masks.

#### **Section 12: 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 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) Residents and essential and critical infrastructure workers that enter the residence of a person that is in quarantine, shall be placed in quarantine for five (5) days.
- (d) Nothing in this Emergency Ordinance shall limit the Saint Paul Department of Public Safety's enforcement responsibilities to enforce State COVID-19 health alerts, orders, mandates, advisories, and/or guidance, and applicable Alaska Statutes, including but not limited to Reckless Endangerment pursuant to AS 11.41.250.

**Section 14: Delegation**

- (a) The City Manager or designee 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 Ordinances 20-92, 20-93, 20-94, 20-95, 20-96, 20-97, 21-90, 21-91, 21-92, 21-93, 21-94, 21-95, 21-96, 21-98, 21-99, 21-101, 21-102, 21-103, 22-90, 22-91, 22-92, 22-93, 22-94, 22-95, 22-96, and 22-97
- (b) Any provisions or sections of this Ordinance that conflict with future State COVID-19 health alerts, mandates, advisories, and/or guidance, 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 11<sup>th</sup> DAY OF AUGUST, 2022 BY \_\_\_ IN FAVOR \_\_\_ OPPOSED AND \_\_\_ ABSTAIN.

ATTEST:

\_\_\_\_\_

Jacob N. Mercurief, Mayor

\_\_\_\_\_

Monique Baker, City Clerk