



CITY OF SAINT PAUL

ALASKA

EMERGENCY ORDINANCE 22-94

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), and the federal and state governments have designated the outbreak of COVID-19 as a global, national, and state public health emergency;

WHEREAS, President Joseph R. Biden has signed several executive orders in response to the COVID-19 pandemic and the Center for Disease Control (CDC) has issued COVID-19 guidance for federal, state, tribal, and local governments;

WHEREAS, in response to the public health emergency, the State of Alaska has issued and updated health advisories;

WHEREAS, the Saint 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 Saint Paul Island Unified Command to work together to prepare for and respond to COVID-19; and,

WHEREAS, the City Council previously approved the City of Saint Paul's COVID-19 Emergency Management Plan, and undertook steps to restrict non-essential travel; and,

WHEREAS, emerging COVID-19 variants are highly contagious and the most effective way to prevent their introduction and spread to the Saint Paul Island is through vaccination, and for those who are unvaccinated requiring negative SARS-CoV2 tests, quarantining, and use of protective masks, and otherwise limiting interactions with the City's residents, including children under 5; and,

WHEREAS, the Saint 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, including vaccination, will attenuate negative impacts on Saint Paul Island's health care infrastructure; and,

WHEREAS, the implementation of the Saint Paul Island Unified Command's proactive approach and an effective vaccination campaign has proven effective in preventing the spread of COVID-19 on Saint Paul Island and keeping its residents safe; and,

WHEREAS, vaccines for COVID-19 are being administered to residents of Saint Paul Island in accordance with Centers for Disease Control and Prevention (CDC) and State of Alaska guidelines; and,

WHEREAS, the Saint Paul City Council approved Resolution 21-02 A Resolution Supporting COVID-19 Vaccination on Saint Paul Island; and,

WHEREAS, the CDC has updated domestic travel recommendations for fully vaccinated and unvaccinated

persons, but still advises residents to follow all state and local recommendations or requirements; and,

WHEREAS, the CDC and Alaska Section of Epidemiology (ASOE) have provided guidance for COVID-19 testing, quarantine for persons exposed to COVID-19, and individuals that test positive for COVID-19; and,

WHEREAS, the Alaska Division of Public Health has provided public health recommendations for fully vaccinated persons who work or live at a seafood processing facility or seafood processing vessel; 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 protective measures may be relaxed and therefore a precautionary measured approach to these measures is still required; and,

WHEREAS, the City of Saint Paul and Saint Paul Unified Command will use the guidance and science from the CDC and the State of Alaska Department of Health and Social Services to help guide local decision making when planning and responding to the pandemic; and,

WHEREAS, it is the intent of the City of Saint Paul and Saint Paul Unified Command 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; and,

WHEREAS, the 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, the Saint Paul City Council approved Resolution 21-10 – A Resolution Affirming Council Review of City Personnel Policy 10.34 – Employee COVID-19 Vaccination and Directing City Administration to Implement the Policy on September 1, 2021, and City Administration has implemented the policy on September 9, 2021; 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) All individuals who have received a COVID-19 vaccine or have previously tested positive for COVID-19 shall comply with all sections of this ordinance.
- (b) 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 72 hours prior to travel to Saint Paul Island.
- (c) All unvaccinated individuals traveling to Saint Paul Island must complete and submit to the City a 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.
- (d) All fully vaccinated do not need to complete COVID-19 Travel Form but must submit or have on files a copy of their CDC COVID-19 Vaccination Record Card to the City prior to travel.

(e) **Prior Confirmed Positive Results:**

- (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 test result for SARS-CoV2 within 90 days of departure; and
 - (i) If the traveler has tested positive just prior to scheduled travel, the traveler isolated for five (5) days prior to travel and remained asymptomatic; and,
 - (ii) The traveler is asymptomatic the day of travel.

Section 3: Post-travel Quarantine Requirements for Individuals

- (a) All individuals, regardless of vaccination status are required to quarantine for five (5) 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 five (5) days upon arrival of the traveling individual and shall be subject to the same post-travel testing in Section 6 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, regardless of vaccination status are to quarantine for five (5) days upon arrival, meaning they shall not interact with City residents or go to any public space for five (5) days, 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 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 five (5) days upon arrival of the traveling individual and shall be subject to the same post-travel testing in Section of this Emergency Ordinance.
- (c) 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 five (5) day quarantine period, may work under a Community/Workforce Protection Plan per Section 12 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 select one of the testing options below and submit to the City a negative SARS-CoV2 test result (or results as set forth below) after arrival on Saint Paul Island to be released from the 5-day quarantine requirement in Sections 4 and 5:

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) Individuals that become symptomatic for COVID-19 anytime shall contact a health care provider and follow the providers instructions.
- (b) All individuals who symptoms while in Saint Paul Island are required to stay home except to seek and obtain medical care.
- (c) All individuals who test positive for COVID-19 regardless of vaccination status shall isolate for five (5) days and:
 - (1) Wear a well fitted mask for ten (10) full days anytime around others inside living quarters; and,
 - (2) Not travel.

Section 8: Compliance with State Health, Advisories, and/or Guidance

- (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 Advisories, and/or Guidance 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, advisories, and/or guidance 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 9: Well-Fitted Face Mask Recommendation

- (a) 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. Cloth masks are not recommended. Double masking, KN95 or N95 masks are recommended.
- (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 mask rules established by the said entity.

Section 10: 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) 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.
- (e) 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.
- (f) All Community/Workforce Protection Plans will be published on Saint Paul Island's COVID-19 Response Page at: <https://covid19.stpaulak.com>.

Section 11: Protective Measures for Saint Paul Harbor

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

Section 12: Requirements for City Contractors and Subcontractors

- (a) Consistent with federal and state guidance to prevent the spread of COVID-19, and as an integral part of its public health and safety measures, The City requires that all employees of the Contractor and any subcontractors traveling to Saint Paul Island to perform work for the City be fully vaccinated against COVID-19 and show proof of an FDA-authorized or approved COVID-19 vaccination prior to traveling to the island.

Section 13: 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. Public Health officials will make a determination in the event that either person was wearing respiratory Personal Protective Equipment (PPE). The 15-minute time period does not have to be continuous; it may be cumulative over a 24-hour period.
 - (2) “contractor/subcontractor” is any person or company that undertakes a contract with the City of Saint Paul to provide materials or labor to perform a service or job for the City.
 - (3) “fully vaccinated individual” means a person for whom it has been at least two weeks since receiving all recommended doses of a Federal Drug Administration authorized or approved vaccine.
 - (4) “isolation” means quarantining after you have a positive test result.

- (5) “social distancing” means maintaining a distance of six feet or greater from any individuals with whom you do not currently reside.
- (6) “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.
- (7) “unvaccinated individual” means anyone who is not a fully vaccinated individual as defined in Section 13(a)(3).
- (8) “well-fitted face mask” means a mask that fits snugly against your face that covers the individuals 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 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) 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 16: 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 17: 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 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, 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, and 22-93.
- (b) Any provisions or sections of this Ordinance that are in 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 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 17th DAY OF MARC 2022 BY ___IN FAVOR___ OPPOSED AND ___ABSTAIN.

ATTEST:

Jacob N. Mercurief, Mayor

Monique Baker, City Clerk