

ORDINANCE 22-08

AN EMERGENCY ORDINANCE OF THE ALEUTIANS EAST BOROUGH ASSEMBLY ISSUING A DECLARATION OF DISASTER EMERGENCY IN RESPONSE TO COVID-19

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and is caused by the SARS-Cov-2 virus (“virus”) which is easily transmittable person to person; and

WHEREAS, the State of Alaska continues to issue Health Advisories in place of prior health mandates, health alerts and health orders, to respond to COVID-19 that provide recommendations for keeping Alaskans safe; international and interstate travel; intrastate travel and critical infrastructure; and

WHEREAS, on March 23, 2020 the Assembly passed Emergency Ordinance 20-07 issuing a declaration of disaster emergency in response to COVID-19; and

WHEREAS, on May 14, 2020 the Assembly passed Emergency Ordinance 20-08, which superseded Emergency Ordinance 20-07; and

WHEREAS, on July 9, 2020 the Assembly passed Emergency Ordinance 21-01, which superseded Emergency Ordinance 20-08; and

WHEREAS, on August 13, 2020 the Assembly passed Emergency Ordinance 21-02, which superseded Emergency Ordinance 21-01; and

WHEREAS, on October 8, 2020 the Assembly passed Emergency Ordinance 21-04 which superseded Emergency Ordinance 21-02; and

WHEREAS, on November 12, 2020 the Assembly passed Emergency Ordinance 21-06 which superseded Emergency Ordinance 21-04; and

WHEREAS, on December 10, 2020 the Assembly passed Emergency Ordinance 21-07 which superseded Emergency Ordinance 21-06; and

WHEREAS, on January 14, 2021 the Assembly passed Emergency Ordinance 21-08 which superseded Emergency Ordinance 21-07; and

WHEREAS, on March 11, 2021 the Assembly passed Emergency Ordinance 21-10 which superseded Emergency Ordinance 21-08; and

WHEREAS, on April 8, 2021 the Assembly passed Emergency Ordinance 21-11 which superseded Emergency Ordinance 21-10; and

WHEREAS, on May 27, 2021 the Assembly passed Emergency Ordinance 21-13 which superseded Emergency Ordinance 21-11; and

WHEREAS, on October 14, 2021 the Assembly passed Emergency Ordinance 22-04; and

WHEREAS, on December 10, 2021, the Assembly passed Emergency Ordinance 22-07; and

WHEREAS, COVID-19 is still occurring within the region and the COVID-19 pandemic still may dramatically impact the Borough communities and residents and have a substantial effect on the Borough economy if unchecked; and

WHEREAS, the more highly contagious Delta and Omicron variants of the virus have arrived in Alaska; and

WHEREAS, the full extent and effect of COVID-19 cannot yet be known, it remains vital for the Borough to be prepared and take all needed precautions throughout the entire timeframe of the emergency related to COVID-19; and

WHEREAS, the Assembly finds that a public emergency continues to exist and deems it necessary to declare a local emergency to protect the health, safety and welfare of the residents of the Borough; and

WHEREAS, Borough Code Sec. 1.20.050 authorizes emergency ordinances, reading:

(a) To meet a public emergency the assembly may adopt ordinances effective on adoption. Every emergency ordinance must contain a finding by the assembly that an emergency exists and a statement of the facts upon which the finding is based. The ordinance may be adopted, amended and adopted, or rejected at the meeting to which it is introduced. The affirmative vote of all members present, or the affirmative vote of three-fourths of the total membership, whichever is less, is required for adoption. The assembly must print and make available copies of adopted emergency ordinances.

(b) An emergency ordinance may not be used to levy taxes to grant, renew or extend a franchise, or to regulate the rate charged by a public utility for its service.

(c) Emergency ordinances are effective for sixty days.

WHEREAS, the Borough wishes to authorize the Mayor to request State assistance from the Governor of Alaska for costs associated with the Borough's response to the virus to meet the public safety and welfare needs arising from or incidental to COVID-19 and to recover from damage caused; and

WHEREAS, the Borough wishes to authorize the Mayor to request assistance from Federal agencies pursuant to the Stafford Act of 1988 and Other Federal Law; and

WHEREAS, a declaration of disaster emergency will alert the public to the seriousness of the risk and provide direction.

NOW, THEREFORE, BE IT RESOLVED by the Aleutians East Borough as follows:

Section 1. The Assembly of the Aleutians East Borough hereby declares a local disaster emergency in response to COVID-19.

Section 2. The Assembly of the Aleutians East Borough authorizes the Mayor to request State and Federal Assistance to meet the ongoing emergency created by COVID-19.

Section 3. The rules requiring in-person attendance by Assembly Members under Borough Code Sec. 2.08.10(e) for regular meetings, and 2.08.020 (a) for special meetings, and all other such rules may be suspended as necessary so that a quorum may be reached without gathering people at central locations at the discretion of the Borough Mayor.

Section 4. Alternate means of listening in and providing public comment at Assembly Meetings, as would normally be afforded under Borough Code 2.08.010(d), shall be provided for should the teleconferencing hubs be closed.

Section 5. All residents and visitors to the Borough and Borough Property are encouraged to maintain social distancing throughout the entire period of this emergency.

Section 6. This Emergency Ordinance shall become effective immediately upon adoption and remain in effect until March 13, 2022 pursuant to Borough Code Sec. 1.20.050(c).

Section 7. This Emergency Ordinance may be reauthorized by telephonic quorum prior to its expiration.

PASSED AND ADOPTED BY THE ALEUTIANS EAST BOROUGH ASSEMBLY on this 13th day of January 2022.


Date Introduced and Approved: January 13, 2022

ALEUTIANS EAST BOROUGH, ALASKA



Alvin D. Osterback, Mayor

ATTEST:



Glennora Dushkin, Acting Clerk

