

CITY OF UNALASKA  
UNALASKA, ALASKA

RESOLUTION 2021-01

A RESOLUTION OF THE UNALASKA CITY COUNCIL CONTINUING MEASURES TO PROTECT PUBLIC HEALTH

WHEREAS, the COVID-19 pandemic has generated a public health emergency that threatens to overwhelm the City of Unalaska health system and the economy of our community, endangering the lives and wellbeing of our citizens; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared the virus a pandemic; and

WHEREAS, on March 11, 2020, the State of Alaska declared a public health emergency in response to the anticipated outbreak of the virus in Alaska and Governor Dunleavy implemented several health mandates and recommendations to help reduce the spread of COVID-19; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic; and

WHEREAS, on March 15, 2020, Mayor Vincent M. Tutiakoff, Sr. declared a local emergency in the City of Unalaska, authorizing the City Manager to take necessary actions to reduce the impact and spread of the coronavirus known as COVID-19 through the City of Unalaska; and

WHEREAS, on March 18, 2020, the Unalaska City Council passed Resolution 2020-16, declaring a local emergency to remain in effect for so long as the declaration of a Public Health Disaster in the State of Alaska Remains in effect; and

WHEREAS, on November 10, 2020, the Unalaska City Council passed Resolution 2020-71, extending the local emergency declaration through June 30, 2021, to allow the City to continue to take necessary actions to reduce the impact and spread of the coronavirus known as COVID-19 in the City of Unalaska; and

WHEREAS, on December 15, 2020, Governor Dunleavy issued a new 30-day Declaration of Public Health Disaster Emergency, effective December 16 to January 15, 2021; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) have issued public health guidance, including the social distancing measures, the recommendation that everyone wear a cloth face covering when in public settings where social distancing measures are difficult to maintain, and that certain individual take greater precautions; and

WHEREAS, local health officials have advised that in addition to practicing social distancing and staying at home as much as possible, additional measures that include the covering of an individual's nose and mouth will prevent asymptomatic individuals with COVID-19 from unknowingly spreading the disease; and

WHEREAS, local health officials have advised that stronger protective measures are required given Unalaska's remoteness, lack of road access to the mainland, and because the majority of

our community's businesses are designated as essential, critical or support critical infrastructure; and

WHEREAS, local health officials have advised that stronger protective measures are required to conserve limited local healthcare resources, as they strive to meet the needs of all community members and essential workforce employees; and

WHEREAS, as of January 6, 2021, there were 48,899 (residents and non-residents) cumulative known COVID-19 cases in the state, including travel-related cases in geographically isolated and remote communities; and

WHEREAS, as of January 6, 2021, 223 patients have tested positive locally in Unalaska and 3 more cases were announced on January 7, 2021; and

WHEREAS, Unalaska has been able to keep multiple cases or outbreaks limited and isolated, and has been successful in stopping community transmission of the virus; and

WHEREAS, as of January 7, 2021, Unalaska's Local Risk Level was changed to High in accordance with Unalaska's COVID-19 Response Plan; and

WHEREAS, COVID-19 continues to pose a grave and imminent threat to the health, safety, order and welfare to the residents of the City; and

WHEREAS, although the COVID-19 vaccine serves as a vital tool in our efforts to slow the spread of the virus and keep our schools and businesses open, the vaccine rollout will take time and it is important that communities remain vigilant in practicing mitigation strategies and safety measures; and

WHEREAS, this resolution shall have the same effect as a rule issued by the City Manager pursuant to Unalaska Code of Ordinances § 2.96.040.

NOW THEREFORE BE IT RESOLVED:

**1. Outbreak Health Orders.** Everyone in the City of Unalaska (the City) must follow all current health orders, mandates, or other regulations issued by the State of Alaska related to COVID-19. Review this resolution carefully, as some local requirements are more restrictive than state regulations.

**2. Face Coverings.** All customers and visitors of businesses and organizations that are open and operating must wear face masks covering their nose and mouth to provide additional protection for employees and customers. Additionally, employees and volunteers of open businesses and organizations must wear a face mask when interacting with customers and visitors. The face coverings need not be medical-grade masks or N95 respirators, but can be cloth face coverings. Face masks may be temporarily removed as necessary and incidental to utilizing the business or service.

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.

A business owner or operator may refuse admission or service to any individual who fails to wear a face covering as required by this resolution.

**3. Hunker Down.** Everyone in the City shall stay at home as much as possible, except for the following activities while adhering to applicable protective measures:

- a. To go to work or school when remote work and learning is not feasible;
- b. To buy, sell or deliver essential groceries and goods;
- c. To receive or provide essential health care and services; or
- d. To get fresh air without contacting others.

**4. Public Gathering Limitations.** All individuals must wear face coverings and maintain six feet of physical distancing between household groups at all gatherings. Gatherings are defined as meetings or other events that bring together people from multiple households at the same time for a shared or group experience in a single room, space, or place such as auditorium, conference room, meeting hall, or other indoor or outdoor space. All events and gatherings are limited to 10 people.

**5. Temporary Closure to In-Person Services at Bars and Restaurants.** All bars, restaurants, and other establishments serving food or beverages within the City shall be temporarily closed for dine-in service. All buffets and salad bars are closed to self-service. A copy of this resolution, or a sign communicating the closure information, shall be prominently posted by the person in control of the establishment.

Food and beverage establishments are encouraged to offer food and beverage using delivery service, window service, walk-up service, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing.

Food and beverage establishments subject to this section may permit up to 5 members of the public at one time in the establishment for the limited purpose of picking up their food or beverage orders, so long as those individuals are at least 6 feet apart from one another while on premises and wear face coverings.

The restrictions do not apply to:

- a. Businesses that offer food and beverage not for on premises consumption, including grocery stores, markets, convenience stores, and food pantries, with the exception of their self-service buffets and salad bars.
- b. Health care facilities, childcare facilities, residential care facilities and congregate care facilities.
- c. Crisis shelters, soup kitchens or similar institutions.
- d. Employee cafeterias within a business, with the exception of their self-service buffets and salad bars.

**6. Traveler Quarantine.** A person traveling into the City by vessel or airplane, from another community or port, must self-quarantine for 14 days upon arriving at their destination and monitor for symptoms of illness. During travel and following the quarantine period, adherence to CDC

guidance, State of Alaska health orders, and local orders and resolutions is required. This includes appropriate social distancing measures and adherence to face covering requirements. People traveling for critical business purposes are required to follow all State of Alaska health orders including complying with their approved state plans.

- a. Employees of businesses engaged in Essential Services or Critical Infrastructure industries, traveling to Unalaska to provide such services, must self-quarantine immediately upon arrival, but may work during the 14-day quarantine period, subject to the requirements in this section.

If their employer has filed the required protocol with the City as required at Section 7, critical workforce employees may work during their self-quarantine period in accordance with that protocol or relevant section of Health Order 5 and any related appendices serving as that protocol. To be allowed to work during the initial 14 days, the worker's Entry Quarantine must meet or exceed the requirements of Health Orders 5 and 6 and any related appendices. This requirement to meet or exceed the quarantine requirements of Health Orders 5 and 6 is effective regardless of any expiration or rescission of those orders.

All workers under this critical workforce exception are required to self-quarantine during non-work hours within the 14-day time period. During the 14-day period, workers are not permitted to have contact with City residents that is not strictly necessary to perform their work, must follow the self-quarantine requirements at section c., below, and are otherwise restricted to the campus, bunkhouse, or vessel where they reside.

- b. Patients or travelers arriving in Unalaska/Dutch Harbor, whose final destination is not Unalaska/Dutch Harbor, are required to self-quarantine during their stopover, but not remain here for the entire 14-day time period. This includes, but is not limited to, air travel.
- c. For individuals arriving on a vessel, time spent at sea is credited to the 14 day quarantine period. The time at sea is counted from the time of departure from the last port of call, provided that no one has embarked or disembarked since that time. Vessel captains shall maintain a ship's log or equivalent record demonstrating compliance with State Health Orders, when applicable, and detailing all activities for which they seek credit for time at sea.

For vessels that have been at sea over 14 days and no one has disembarked or boarded the vessel, no additional quarantine is required unless individuals are showing symptoms of COVID-19, including, but not limited to fever, chills, or respiratory symptoms. Vessels at sea for less than 14 days, where no one has disembarked or boarded the vessel, may complete their quarantine in port as long as quarantine is not broken for the remainder of the 14 days.

A positive COVID-19 test result from any crew member will negate any previously acquired at-sea credit, and all crew will be required to quarantine again if returning to Unalaska.

- d. Anyone who is required to self-quarantine must adhere to the following:
  - 1) A person in self-quarantine may leave the designated quarantine location for:
    - i. medical emergencies or to seek medical care;

- ii. to travel in the person's personal vehicle or vessel, individually or with members of the person's household, without contacting others, so long as the person goes directly from the quarantine location to the vehicle or vessel and directly back to the quarantine location; and
  - iii. to participate in outdoor recreational activities (i.e. fishing, hiking) individually or with members of the person's household, without contacting others, so long as the person goes directly from the quarantine location to the recreational activity and directly back to the quarantine location.
- 2) A person in self-quarantine may not visit any public spaces, including, but not limited to stores, pools, meeting rooms, fitness centers or restaurants.
  - 3) Visitors are not allowed in or out of the designated quarantine location other than a physician, healthcare provider, or individual authorized to enter the designated quarantine location by Unified Command.
  - 4) Comply with all rules or protocols related to your quarantine as set forth by your hotel or rented lodging.
  - 5) If a person is required to self-quarantine and there are other individuals in their residence, hotel room, or rented lodging, all persons in the quarantine location must comply with social distancing guidelines, sanitize regularly touched surfaces, and follow CDC best practices for hand washing.

**7. Essential Services/Critical Infrastructure State Protocols.** Businesses identified as "essential services" or as "critical infrastructure" and operating in the City shall submit all protocols or plans required by State of Alaska Outbreak Health Order No. 5 to the City. These plans are to be submitted as soon as possible after filing these protocols or plans with the State of Alaska and regardless of whether the State review of those protocols or plans has been completed. Businesses shall also provide the City confirmation of the State's approval of its plan or protocol no more than three days after receiving such approval. In the event the State discontinues its requirement of submitting business protocols under Outbreak Health Order No. 5, businesses operating in Unalaska shall submit COVID-19 mitigation plans directly to the City, in a format substantially similar to that required by the State, or in a format approved by the City. Such businesses shall submit their plans, protocols, or relevant notifications to the City by email to [COVID19PLANS@ci.unalaska.ak.us](mailto:COVID19PLANS@ci.unalaska.ak.us).

The City has adopted by reference the Alaska Essential Services and Critical Workforce Order, Amended May 5, 2020 for purposes of defining "Critical Workforce," "Essential Services," and "Critical Infrastructure." The definitions in the May 5 Order apply to businesses doing business in Unalaska regardless of the revocations of the State Health Mandates 10, 10.1 and 18. The definition of Essential Services and Critical Infrastructure in Resolution 2020-73, § 4 is extended and remains effective as long as the local emergency declaration is in place.

**8. Business COVID-19 Protection Measures and Protocols.** All businesses and organizations open and operating within the City shall comply with all relevant State of Alaska Health Orders. All businesses and organizations, other than state, federal or municipal government facilities, which are open to members of the public at a physical location within the City shall post "COVID-19 Protection Measures and Procedures" on all entrances to and exits from the business. The "COVID-19 Protection Measures and Procedures" shall include, at minimum:

- a. The sanitation measures taken by the business or organization to prevent the spread of COVID-19.
- b. The social distancing measures taken by the business or organization to prevent the spread of COVID-19.
- c. A description of a process for obtaining goods or services from the business or organization without entering the business, if such a process is at all feasible.
- d. A contact number for individuals to report any violations of these measures to the owner or designee.
- e. Clearly state that any person with symptoms consistent with COVID-19 may not enter the premises.
- f. Shuttles, van services and taxis shall clearly state that the total number of passengers shall be limited to three.

**9. Penalties.** Violation of this resolution is punishable as a misdemeanor under Unalaska Code of Ordinances § 2.96.090 and is a Public Nuisance, subject to the remedies in Unalaska Code of Ordinances, Title 11, Chapter 8, including prosecution as a minor offense.

**10. Effective Date; Expiration.** This resolution shall be effective upon adoption and expires at noon on January 27, 2021. The City Council may extend it as necessary, or the City Manager may extend it or amend it pursuant to the emergency management powers under Unalaska Code of Ordinances § 2.96, and Resolution 2020-71. This resolution repeals and replaces Resolution 2020-77 and Resolution 2020-79 and any other inconsistent resolution or ordinance.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on January 12, 2021.

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Vincent M. Tutiakoff, Sr.  
Mayor

ATTEST:

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Marjie Veeder, CMC  
City Clerk