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Presented: 3/22/2020
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2885(b)

**A Resolution Mandating People in the City and Borough of Juneau
Hunker Down Related to COVID-19.**

A. 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”), a new strain of the coronavirus that has not been previously identified in humans and is easily transmittable person to person; and

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

C. 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

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

E. WHEREAS, on March 16, 2020, the Assembly declared a local emergency in response to COVID-19; and

F. WHEREAS, as of March 20, 2020, the State of Alaska had 14 confirmed COVID-19 cases; and

G. WHEREAS, as of March 20, 2020, the State of Alaska had issued eight health mandates including closing schools until May 1, 2020; and

H. WHEREAS, as of March 20, 2020, the neighboring municipality of the Ketchikan Gateway Borough had three confirmed COVID-19 cases, which included a person that had recently traveled to the City and Borough of Juneau; and

I. WHEREAS, on March 20, 2020, the State of Alaska issued health mandate 7.1 that generally prohibited close contact with people by prohibiting personal care services and gatherings of ten or more people in two municipalities, including the Ketchikan Gateway Borough; and

J. WHEREAS, the City and Borough of Juneau is linked to the Ketchikan Gateway Borough by daily commercial air traffic; and

K. WHEREAS, this resolution is akin to an emergency declaration and is reasonable and necessary under the circumstances to protect the public, health, welfare, and safety in the City and Borough of Juneau; and

L. WHEREAS, entities that provide services for unsheltered people are urged to make shelter space available as soon as possible and to the maximum extent possible in compliance with COVID-19 risk mitigation practices; and

M. WHEREAS, people particularly at risk of complications from COVID-19 include those 60 years and older and individuals of any age with a serious underlying medical condition. Household members of those who are at elevated risk should implement these more stringent guidelines as well, to the extent possible; and

N. WHEREAS, anyone particularly at-risk from COVID-19 should reduce exposure by staying at home, not physically going to work, and not doing their own shopping if possible; and

O. WHEREAS, this resolution shall have the same effect as a rule issued by the Manager pursuant to CBJC 03.25.040(b)(6).

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. This resolution may also be referred to as “CBJ COVID-19 Rule 1.”

Section 2. Stay Home Order. All people in the City and Borough of Juneau shall stay at home as much as possible, except to work in critical jobs, listed below; to buy, sell, or deliver groceries or other important goods such as those sold by critical businesses; to receive or provide health care; and to get fresh air without contacting others. On the limited occasions when individuals leave home, they should maintain social distancing of at least six feet from any person outside their household whenever possible. Individuals are also encouraged to practice recommended hygiene, including regular hand washing. Individuals experiencing homelessness are exempt from this order.

Section 3. Non-critical Business Closure Order. All non-critical businesses and entities must close their premises to the public; however, businesses and entities are encouraged to use telecommuting or work from home procedures.

Section 4. Social Distancing Order for Critical Businesses or Entities. All critical businesses or entities that remain open must comply with social distancing guidelines as much as possible, including by maintaining six-foot social distancing for employees and members of the public.

Section 5. Definition of critical business or entity. A critical business or entity includes the following regardless whether it is for profit, not for profit, or other entity:

- (a) "Healthcare Operations" including hospitals, clinics, dentists, ophthalmologists and optometrists, chiropractors, pharmacies, medical laboratories, other healthcare facilities and providers, home healthcare services providers, mental health providers, companies and institutions involved in the research and development, manufacture, distribution, warehousing, or supplying of pharmaceuticals, biotechnology therapies, consumer health products, medical devices, diagnostics, equipment, services, or any related and/or ancillary healthcare services. "Healthcare Operations" also includes veterinary care and healthcare services provided to animals. "Healthcare Operations" does not include fitness and exercise gyms, massage therapy locations, or similar facilities;
- (b) Businesses providing any services or performing any work necessary to the operations and maintenance of "Critical Infrastructure," including, but not limited to, the barge services, public works construction, construction of housing, airport operations, water, sewer, gas, electrical, utility, mineral production, roads and highways, trucking and shipping companies, public transportation, solid waste collection and removal, internet, and telecommunications systems;
- (c) First responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel;
- (d) Critical Government Functions means the judiciary, the legislature, and all services needed to ensure the continuing operation of the government agencies that provide for the health, safety, and welfare of the public. Federal, Tribal, and State of Alaska employees should follow direction of their employer regarding whether and where to report to work;
- (e) Defense and national security-related operations supporting the U.S. Government or a contractor to the U.S. government;
- (f) Grocery stores, supermarkets, food banks, marijuana dispensaries, convenience stores, and other similar establishments engaged in the retail sale of food, beverages, or other household consumer products (such as cleaning and personal care products, pet food and pet supplies). This includes stores that sell groceries and also sell other non-grocery products, as well as stores that sell products necessary to maintaining the safety, sanitation, and operation of residences;
- (g) Food cultivation, including fishing, hunting, farming, and livestock;
- (h) Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged, unsheltered, or otherwise vulnerable individuals;
- (i) Newspapers, television, radio, and other media services;

- (j) Gas stations and auto-supply, auto-repair, towing companies, and related facilities;
- (k) Banks, mortgage companies, insurance companies, and related financial institutions;
- (l) Hardware stores;
- (m) Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and operation of residences and critical businesses;
- (n) Businesses providing mailing and shipping services;
- (o) Educational institutions for purposes of facilitating distance learning;
- (p) Laundromats, dry cleaners, and laundry service providers;
- (q) Restaurants, bars, and breweries and other facilities that prepare and serve food and beverages, but only for delivery or carry out under the restrictions described in the State of Alaska Health Mandate 3;
- (r) Businesses that supply products needed for people to work from home;
- (s) Businesses that supply other critical businesses with the support or supplies necessary to operate;
- (t) Businesses that ship or deliver groceries, food, goods or services directly to residences;
- (u) Businesses that provide transportation services of passengers or goods, including the Alaska Marine Highway System;
- (v) Home-based care for seniors, adults, or children;
- (w) Hotels, residential facilities and shelters for seniors, adults, and children;
- (x) Professional services, such as legal or accounting services, that do not involve close personal contact or that are necessary to assist in compliance with legally mandated activities, to complete time sensitive activities, or activities related to or caused by COVID-19;
- (y) Labor union essential activities;
- (z) Childcare facilities, subject to new recommendations for increased hygiene and social distancing. Childcare facilities should be used only by those who need childcare to work at a critical job; and

(aa) Funeral, mortuary, cremation, burial, cemetery, and related services.

Section 5. Procedural Due Process. If a business or entity is not listed above, and the business owner or authorized agent believes that the business or entity is critical or it is an entity providing critical services or functions, the business may request a determination from the Manager, or designee.

Section 6. Effective Date and Duration. Section 1 shall be effective immediately after this resolution is adopted. Sections 2-5 of this resolution shall be effective at 10:00 p.m. the date of the first COVID-19 case is confirmed in the City and Borough of Juneau. A public service announcement shall be widely distributed providing public notice of the orders in this resolution. This resolution shall remain in effect for fourteen days, including the day of COVID-19 confirmation, and automatically expire at 10:00 p.m. on the fourteenth day.

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk