

Presented by: COW
Introduced: 06/29/2020
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Emergency Serial No. 2020-31

An Emergency Ordinance Mandating Use of a Face Covering During the Fireworks Show Starting on July 3, 2020.

WHEREAS, CBJ Charter 5.4(a) provides the Assembly may adopt an emergency ordinance to meet a public emergency by an affirmative vote of at least six assemblymembers; and

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

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

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

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

WHEREAS, on March 22, 2020, the City and Borough of Juneau (“CBJ”) received its first positive case of COVID-19; and

WHEREAS, as of June 23, 2020, there have been 39 confirmed cases in the City and Borough of Juneau, including a recent case classified as caused by community spread; and

WHEREAS, as the result of the pandemic, most events involving the gathering of a large number of individuals have been cancelled or postponed; and

WHEREAS, on June 22, 2020, the Assembly voted to approve an official fireworks show in Gastineau Channel, as the show is primarily viewed by people standing outside or within vehicles; and

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2 WHEREAS, providing an official fireworks show in Gastineau Channel can minimize
3 private use of fireworks; and

4 WHEREAS, the Center for Disease Control and the State of Alaska (Health Alert 10)
5 recommends everyone to wear a cloth face covering when in a public setting where other social
6 distancing measures are difficult to maintain; and

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

11 WHEREAS, in order to meet the public health requirements of its residents, face
12 coverings and social distancing will be mandated during the period of the official fireworks
13 show.

14 THEREFORE BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU,
15 ALASKA:

16 **Section 1. Classification.** This ordinance is a non-code ordinance.

17 **Section 2. Fireworks show.** The municipally sponsored fireworks show in Gastineau
18 Channel that starts on July 3, 2020, is allowed.

19 **Section 3. Face Covering Requirement.** Any person outdoors in a publically
20 accessible location and waiting to watch, watching, or loitering after the official fireworks show
21 in Gastineau Channel that starts on July 3, 2020, must wear a face covering. The face covering
22 must cover a person's nose and mouth.

23 **Section 4. Exemptions and Social Distance Requirement.** The following people
24 are exempt from Section 2 but must stay at least six feet away from people that do not live in
25 the same household when outdoors in a publically accessible location and waiting to watch,
26 watching, or loitering after the official fireworks show in Gastineau Channel that starts on July
27 3, 2020:

- 28 (a) Any individual aged two years or less;
- 29 (b) Any individual who has a physical disability that prevents the wearing or removing
30 of a face covering;
- 31 (c) Any individual who has been advised by a medical professional that wearing a face
32 covering may pose an unreasonable risk; and
- 33 (d) Any individual who has trouble breathing or is otherwise unable to remove a face
34 covering without assistance.

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Section 5. Violation. A person who violates the face covering requirement of Section 2 or the social distancing requirement of Section 3, shall be subject to a civil fine not to exceed \$25.00, which shall be considered incorporated into CBJC 03.30.070(a); payment of the civil fine shall be accepted in satisfaction of the violation; and the violation shall be subject to CBJC 03.30.070(b)-(c) and 03.30-075-03.30.085.

Section 6. Effective Date. This ordinance shall be effective upon adoption and will expire on July 4, 2020, at 4:00 a.m.

Adopted this _____ day of _____, 2020.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk