

EMERGENCY ORDER NO. 2020- 06 MODIFYING QUARANTINE REQUIREMENTS AND TRAVEL FORM REQUIREMENTS FOR THOSE ENTERING NOME FROM OUTSIDE THE NOME CENSUS DISTRICT

Issued Pursuant to Emergency Ordinance Nos. 0-20-07 and 0-20-05-03

The City Manager of the City of Nome orders as follows:

1. Findings and Basis for Order.

A. On October 20, 1918, a flu virus was introduced to Nome by persons traveling to Nome on the S.S. Victoria killing 162 Native Alaskan residents of Nome in eight days.

B. During the 1918 flu pandemic only 80 of 150 residents of Teller survived.

C. During the 1918 flu pandemic 170 out of 310 residents of Wales died.

D. During the 1918 flu pandemic Shishmaref and Shaktoolik by posting guards and enforcing a rigid quarantine were not infected with the flu virus.

E. The United States Center for Disease Control and Prevention ("CDC") has identified the COVID-19 virus as a new strain of coronavirus not previously identified in humans, causing respiratory disease that can result in serious illness or death and which poses a significant public health risk.

F. On March 11, 2020, the World Health Organization declared a pandemic related to COVID-19.

G. The COVID-19 pandemic is being compared to the 1918 flu pandemic.

H. On March 11, 2020, Governor Mike Dunleavy declared a Public Health Disaster Emergency in the State of Alaska.

I. On March 13, 2020, President Donald Trump declared a National Emergency.

J. The CDC has recommended all persons at higher risk for COVID-19 complications avoid all nonessential air travel.

K. On March 20, 2020 the United States State Department issued a Level 4 Travel Advisory "Do Not Travel" advising all United States citizens to avoid all international travel due to the global impact of COVID-19.

L. The Norton Sound Health Corporation ("NSHC") is the primary provider of medical services to Nome and fifteen communities in the Norton Sound region: Brevig Mission,

Gambell, Golovin, Savoonga, St. Michael, Unalakleet; Shaktoolik, Koyuk, Elim, White Mountain, Teller, Wales, Diomede and Shishmaref, Stebbins (collectively “Village Clinics”).

M. On March 16, 2020, NSHC temporarily suspended on site medical visits to Village Clinics “in an effort to safeguard and minimize the risk of COVID-19 exposure”.

N. Effective March 16, 2020, NSHC temporarily limited non-emergency medical travel to and from Nome for patients over sixty years of age, or who are immunocompromised.

O. On March 17, 2020, the Governor of the State of Alaska issued COVID-19 Health Mandate 004 “to prevent or slow the spread of Coronavirus Disease” which mandated a 14 day self-quarantine for persons traveling from CDC Level 3 Travel Health Notice Areas.

P. On March 17, 2020, the Nome Common Council adopted Emergency Ordinance No. O-20-O7 which declared the corona virus threat and its impact a public health emergency.

Q. As of the date of this Order, the primary mode of access to and from Nome from other places in the world is through regularly scheduled or chartered air services which use the Nome Airport or City Field.

R. As of the date of this Order there have been two confirmed cases of Covid-19 in Nome.

S. The most effective way to prevent introduction of the COVID-19 virus to Nome is through prevention of persons from outside Nome who are infected with COVID-19 from entering Nome through the Nome Airport Terminal and City Field.

T. The Nome Airport and City Field are public accommodations.

U. Alaska Airlines, Bering Air, RAVN and Pathfinder (“Air Carriers”) are private companies that provide scheduled or chartered air services to and from Nome.

V. The Air Carriers are under no legal obligation to provide transportation to persons simply because that person has a valid ticket and in fact may deny transportation to any person who may adversely affect the safety or security of crew or other passengers.

W. The CDC and federal and state health authorities have recommended all persons practice “social distancing” by remaining at least a six foot separation from other persons at all times and;

X. It is frequently not possible to maintain a six foot separation from other persons when using commercial air services between Nome and other communities outside the Nome Census Area.

Y. The President’s Coronavirus Guidelines for America recommends persons “AVOID DISCRETIONARY TRAVEL” and;

Z. The President's Coronavirus Guidelines for America recommends persons LISTEN TO AND FOLLOW THE DIRECTIONS OF YOUR STATE AND LOCAL AUTHORITIES.

AA. The NSHC director of Emergency Medical Services, Dr. Mark G. Peterson, has recommended limiting air travel between Nome and Anchorage and has recommended requiring quarantine upon arrival in Nome as reasonable and prudent public health measures to reduce the impact and spread of coronavirus.

BB. On March 19 the Emergency Room medical directors of Joint-Base Elmendorf Richardson Hospital, Providence Alaska Medical Center, Alaska Regional Hospital, the Alaska Native Medical Center, Fairbanks Memorial Hospital, Bartlett Regional Hospital, the Mat-Su Regional Medical Center, the Central Peninsula Hospital, the President of the Alaska Chapter of the American College of Emergency Physicians and the Immediate Past President of the Alaska Chapter of the American College of Emergency Physicians recommended an immediate statewide ban on non-essential air travel to and from Alaska and immediate consideration of a similar ban on non-essential air travel within Alaska as a reasonable and prudent measure to reduce the impact and spread of coronavirus.

CC. The Chief of the Nome Volunteer Fire Department and Nome Ambulance Service has recommended limiting air travel to and from Nome as a reasonable and prudent public health measure to reduce the impact and spread of coronavirus.

DD. As of the date of this Order there are at least 402 confirmed cases of COVID-19 that have been reported in Alaska 183 of which were reported in Anchorage. At least ten people have died in Alaska of COVID-19.

EE. As of the date of this Order there are at least 28 Alaskan communities in which the COVID-19 virus has been confirmed to be present, however, no community in the Nome Census Area other than Nome has reported a confirmed case of COVID-19.

FF. As of the date of this Order in every Alaskan community in which the COVID-19 virus has been confirmed to be present the initial presence of the virus resulted from an infected (and therefore contagious) person traveling into the community from another place.

GG. It is a known medical fact that persons infected with the COVID-19 virus are contagious and therefore spread the virus within a community for days before exhibiting symptoms of a COVID-19 infection.

HH. The recommended protocol after presence of the COVID-19 virus has been confirmed is to attempt to trace the contacts the infected person has had within the community.

II. It would facilitate travelers entering Nome from outside the Nome Census Area to complete a travel form and submit the completed form to the city manager and to

identify in advance their planned activities while in Nome including the persons with whom they expect to have contact.

JJ. On March 23, 2020 the Governor of Alaska issued Health Mandate 10 requiring “all people arriving in Alaska whether resident, worker or visitor” to self-quarantine for 14 days and monitor for illness by proceeding “directly from the airport to your designated quarantine location” and to “remain in your designated quarantine location for a period of 14 days”.

KK. Mandate 10 was issued pursuant to the authority of the Governor under AS 26.23.020(g)(7).

LL. AS 26.23.020(g)(7) allows the Governor to “control ingress to and egress from a disaster area, the movement of persons within the area, and the occupancy of premises in it”.

MM. The legal authority of the Governor to impose Mandate 10 uses wording identical to the legal authority delegated to the City Manager by the Nome Common Council in Emergency Ordinance No. 0-20-07 Section 3- (1)(e).

NN. The stated purpose of Mandate 10 was to “protect the public health of Alaskans . . . in order to mitigate the impact of COVID-19”.

OO. On March 23, 2020 the State of Alaska issued additional details on implementation of Mandate 10. Those details indicated “All workers arriving in the State must follow the 14-day self-quarantine guidance. If your business meets the definitions of critical infrastructure workers, you may put them to work immediately, provided that you have an approved Community/Workforce Protective Plan and that you enact the protective measures in your plan to safeguard the surrounding community and the remainder of your workforce from the newly arrived workers” and further indicated “All newly arrived workers will observe self-quarantine protocols in their non-work times until they have completed the required 14-day period.”

PP. On March 27, 2020 the Governor of Alaska issued Health Mandate 12 prohibiting persons from traveling from other places in Alaska to Nome except for critical infrastructure workers or for “critical personal needs”.

QQ. On May 11, 2020 the Governor of Alaska issued Health Mandate 18 prohibiting persons from traveling from other places in Alaska to Nome except for critical infrastructure workers or for “critical personal needs”. Health Mandate 18 superseded Health Mandate 12.

RR. The risk of the spread of COVID-19 from persons arriving in Nome from other states and countries is of the same essential nature as the risk of the spread of COVID-19 from persons arriving in Nome from other communities in Alaska outside the Nome Census Area.

SS. In fact, the risk of the spread of COVID-19 from persons arriving in Nome from other places in Alaska is greater than the risk of the spread of COVID-19 from persons subject to the automatic 14 day quarantine imposed by Mandate 10 because greater numbers of people travel to Nome from other places in Alaska than from other states and countries.

TT. The risk of the spread of COVID-19 is not solely dependent on where a person was before boarding an airplane. Persons traveling to Nome from other states are not more or less contagious than persons traveling to Nome from other communities in Alaska outside the Nome Census Area.

UU. Mandate 18 states that “No one traveling to or from any community for critical reasons or critical personal travel may be subject to any automatic quarantine or isolation on arrival except as allowed under Alaska Statutes or Health Mandates.”

VV. Alaska Statute AS 29.25.030 allowed the City of Nome to adopt Emergency Ordinance No. 0-20-07.

WW. Alaska Statute AS 29.35.260(a) allows the City of Nome to “exercise a power not otherwise prohibited by law”.

XX. No Alaska law prohibits a first class city in Alaska located outside a borough from requiring persons entering that city from another community to self-quarantine for a limited period of time during a declared worldwide pandemic, statewide public health disaster and a public health emergency as ordained by the Nome Common Council in Emergency Ordinance No. O-20-07.

YY. The quarantine provisions in this order are adopted as allowed under Alaska Statutes.

ZZ. Emergency Ordinance No. O-20-05-03 extended the authority delegated to the City Manager by Emergency Ordinance No, O-20-07 subject to City Council ratification through July 14, 2020.

2. Authority for Order. This Order is issued pursuant to the City of Nome’s general police powers including, but not limited to the authority set forth in Section 18.10.040 of the Nome Code of Ordinances to regulate the use of real property to “Provide protection from flood, and fire hazards and other dangers” and to “Promote the health, safety and general welfare of city residents”, and pursuant to the authority delegated to me by Ordinance No. 0-20-07 and Ordinance No. 0-20-05-03 subject to City Council ratification to exercise discretion to regulate public accommodations and to control ingress to and egress from Nome and to control the movement of persons within Nome in order to reduce or limit the spread of corona virus all as allowed by Alaska Statutes in order to implement the public health recommendations of NSHC, the President of the United States, the CDC, the Governor of the State of Alaska and staff of Norton Sound Regional Health Corporation to reduce or limit the spread of the corona virus within and from Nome.

3. Withdrawal of Emergency Orders. All previous emergency orders (Nos. 1-5) are hereby withdrawn.

4. Quarantine Requirements for Persons Permitted to Travel to Nome. Persons permitted to travel to Nome shall not automatically be subject to a specific quarantine. Persons who are traveling to Nome from within the Nome Census Area are not required to quarantine. Persons traveling to Nome from outside the Nome Census Area may select one of the following quarantine options:

A. 14 Day Quarantine- Travelers who do not voluntarily request testing for COVID-19 at the Nome Airport upon arrival shall be subject to a 14 day self-quarantine at their final destination in Nome.

B. 7 Day Quarantine- Travelers who; 1) are tested for COVID 19 at the Nome Airport upon arrival. 2) are tested a second time for COVID-19 seven days after arrival in Nome will be released from self-quarantine at their final destination in Nome if both tests are negative for COVID-19. Travelers who test positive for COVID-19 shall remain in self-quarantine for 14 days from the date of the last positive test for COVID-19. All test information shall be retained by Norton Sound Health Corporation.

5. Travel Form Required. All persons using the Essential Air Travel District to travel to Nome from outside the Nome Census Area must complete and submit a Travel Form ("Form") prior to or upon arrival.

6. Travel Form Not Required. The following persons using the Essential Air Travel District are not required to complete and submit a Travel Form:

1. Persons leaving Nome.
2. Persons traveling to Nome from within the Nome Census Area.
3. Persons traveling to Nome to receive required medical care from within the Nome Census Area.

7. Contents of Travel Form. The travel form shall contain sufficient information to lead the city manager to reasonably conclude the person traveling to Nome: 1) is identified as and is traveling to Nome to perform essential services or critical infrastructure work or 2) is traveling to or returning to Nome for Critical Personal Needs, including subsistence purposes and 3) has identified a plan to quarantine while in Nome and a quarantine location that meets the quarantine requirements of this order

8. Continuation of the Essential Air Travel District. The previously established Essential Air Travel District shall remain in effect. Consisting of two subdistricts:


a. Subdistrict 1 - the real property at the Nome Airport owned and operated by the State of Alaska Department of Public Transportation, the Nome Airport Terminal and its immediate surroundings including the adjacent parking lot and extending to the intersection of Seppala Drive and Center Creek Road

b. Subdistrict 2 - the real property at City Field and its immediate surroundings including adjacent parking areas and extending to the boundary of the existing right of way for the Beltz Highway also known as the Nome-Teller Highway.

9. Effective Period. This order shall remain in effect until midnight July 14, 2020 unless modified or extended by a subsequent emergency order that is ratified by the Nome Common Council or unless modified by the Nome Common Council.

10. Inconsistent Provisions Superseded. As set forth in Section 2 of Emergency Ordinance No. O-20-05-03, this Order supersedes any inconsistent ordinances, rules or regulations of the City of Nome.

ENTERED THIS 22nd DAY OF MAY, 2020

A handwritten signature in black ink, appearing to read 'G. Steckman', is written over a horizontal line.

Glenn Steckman  
City Manager  
City of Nome

