

Presented by:  
City Manager  
Action Taken:  
Yes 4  
No 2  
Abstain 0

**CITY OF NOME, ALASKA  
ORDINANCE NO. O-20-05-01**

**EMERGENCY ORDINANCE (AMENDED)**

AN EXTENSION OF A LOCAL EMERGENCY AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY ACTIONS TO REDUCE THE IMPACT AND SPREAD OF COVID-19 THROUGHOUT THE CITY OF NOME

WHEREAS, 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; and

WHEREAS, on March 11, 2020, the World Health Organization declared a pandemic related to COVID-19; and

WHEREAS, on March 11, 2020, Governor Mike Dunleavy declared a Public Health Disaster Emergency in the State of Alaska; and

WHEREAS, on March 12, 2020, at a special meeting, the Nome Common Council closed certain public facilities and took other action to slow the spread of COVID-19; and

WHEREAS, on March 12, 2020, the State of Alaska recommended implementation of measures identified in the CDC’s Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission ; and

WHEREAS, on March 13, 2020, President Donald Trump declared a National Emergency;

WHEREAS, on March 17, 2020 the Nome Common Council adopted Emergency Ordinance O-20-07, authorizing the City Manager to take necessary actions to reduce the impact and spread of Covid-19 in the City of Nome; and,

WHEREAS, the Nome Common Council wishes to extend the authorization of emergency authority it granted to the City Manager through O-20-07 for an additional 60 days; and,

WHEREAS, AS 29.25.030 provides that a governing body may adopt an emergency ordinance at a meeting where it is first introduced and is effective on adoption, provided that the ordinance receives the affirmative vote of all members present or the affirmative vote of three-fourths of the total membership of the governing body, whichever is less;

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Nome Common Council as follows:

**SECTION 1. Classification.** This is a non-Code emergency ordinance.

**SECTION 2. Declaration of Emergency.** The council declares that the coronavirus threat and impact are a public health emergency.

**SECTION 3. Authorization of Emergency Authority.**

1. In addition to any other powers confirmed on the City Manager by law, in order to prepare and position city resources in order to reduce the impact and spread of the coronavirus, the City Manager is authorized to:

(a) Suspend the provisions of any regulatory ordinance prescribing procedures for the conduct of City business, or the orders or regulations of any City department, if compliance with the provisions of the statute, order, or regulation would prevent, substantially impede, or delay action necessary to cope with the emergency;

(b) Use all the resources of City government as reasonably necessary to cope with the emergency;

(c) Transfer personnel or alter the functions of City departments for the purpose of performing or facilitating the performance of emergency management;

(d) Direct and compel the closing or regulation of public accommodations;

(e) Control ingress to and egress from an affected area, the movement of persons within the area, and the occupancy of premises in it;

(f) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages;

(g) Make provisions for the availability and use of temporary emergency housing;

(h) Impose a curfew upon all or any portion of the city thereby requiring all persons in such designated and restricted curfew areas to remove themselves from public property, streets, alleys, sidewalks, thoroughfares, vehicle parking areas, or other public places except that physicians, nurses, and paramedical personnel performing essential medical services, utility personnel maintaining essential public services, firemen, members of the news media upon showing of authorized press cards, and city, state and federal authorized law enforcement officers and personnel may be exempted from such curfew; and

(i) Allocate, ration, or redistribute food, water, fuel, clothing, and other items as deemed necessary to cope with the disaster emergency.

(j) Limit non-essential services and businesses to close as necessary.

2. At all times when orders made and promulgated pursuant to this declaration of emergency shall be in effect, they shall supersede all existing ordinances, orders, rules, and regulations insofar as the latter may be inconsistent therewith.

3. Should the City Manager become unable to fulfill these duties, the order of succession for acting as City Manager shall be the Nome Joint Utility Manager, and then City Clerk.

4. Enforcement: Violation of any order made and promulgated by the city manager pursuant to this declaration of emergency shall be a minor offense subject to a penalty of five hundred dollars per offense plus the state surcharge required by AS 12.55.039 and 29.25.074.

**SECTION 4. Effective Date.** This ordinance is effective at 12:01 AM on May 16, 2020 until midnight on May 20, 2020 unless otherwise rescinded or extended by the Nome Common Council.

APPROVED and SIGNED the 11<sup>th</sup> day of May 2020.

  
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Jerald Brown  
Acting Mayor

ATTEST:  
  
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Bryant Hammond  
City Clerk