

**Presented by:**  
City Manager  
**Action Taken:**  
Yes\_\_\_\_  
No\_\_\_\_  
Abstain\_\_\_\_

**CITY OF NOME, ALASKA  
ORDINANCE NO. O-21-06-08**

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

**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**, on May 15, 2020 the Nome Common Council adopted Emergency Ordinance O-20-05-03, extending the previous authorization of the City Manager to take necessary actions to reduce the impact and spread of Covid-19 in the City of Nome; and

**WHEREAS**, on July 13, 2020 the Nome Common Council adopted Emergency Ordinance O-21-07-01, extending the previous authorization of the City Manager to take necessary actions to reduce the impact and spread of Covid-19 in the City of Nome; and

**WHEREAS**, on July 29, 2020 the Nome Common Council adopted Ordinance No. O-21-07-02 extending the previous authorization of the City Manager to take necessary actions to reduce the impact and spread of Covid-19 in the City of Nome; and

**WHEREAS**, the City of Nome Emergency Operations Plan (“EOP”), approved by Resolution No. R-11-09-05, recognizes that for emergency management organization in disaster emergencies may require the City to operate in a manner different from normal, day-to-day routines; and,

**WHEREAS**, the EOP provides guidance for preparedness, protection, response and recovery from emergencies that occur in or near the community of Nome, said Plan has been activated, and the City Manager is designated as Incident Commander (“IC”) to operate under a Unified Command (“UC”) structure; and,

**WHEREAS**, the IC is currently convening the UC on a regular basis, allowing for coordination of resources and responses, and the collective input of existing local

government, agencies and resources and selected volunteer and private resources within the City to develop and implement the City's response and management of this disaster;

**WHEREAS**, the current vaccination rate of Nome citizens under the age of 40 is fifty-five percent (55%) which is below a recommended target rate of seventy per cent (70%) and;

**WHEREAS**, the Norton Sound Regional Health Corporation has recommended the current declaration of emergency be extended and;

**WHEREAS**, the infection rate for COVID-19 among Nome residents since the beginning of the pandemic is approximately four per cent (4%) which is less than half the state-wide infection rate in Alaska which can be attributed to the continuing vigilance and implementation of public health safety measures as authorized by ordinance and;

**WHEREAS**, the Nome Common Council finds to provide for timely response to situational development, it is prudent and in the best interest of the citizens of Nome to extend the authorization of emergency authority it granted to the City Manager through O-21-10-01 through September 30, 2021.

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

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

**SECTION 2. Legislative Findings and Declaration of Emergency.** The council adopts by reference the Whereas clauses contained in Emergency Ordinances O-20-07 , O-20-05-03, O-21-07-01, Ordinance O-21-07-02 and O-21-10-01 and declares that the coronavirus threat and impact are and remain a public health emergency.

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

1. In addition to any other powers conferred on the Nome Common Council by law, in order to prepare and position city resources in order to reduce the impact and spread of the coronavirus, the Nome Common Council acting through the City Manager and subject to subsequent Council ratification as set forth in Section 3 below 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) Control ingress to and egress from an affected area, the movement of persons within the area, and the occupancy of premises in it.

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. The City Manager shall report to the City Council at the next meeting, whether it be regularly scheduled or a special session, on actions taken, under authority conferred in section 1 above, that were found necessary and prudent to address this emergency, including those which were promulgated by Emergency Order or Mandate. The City Council may by motion ratify or vacate any or all actions or provide direction to the City Manager for rescinding or amendment.

4. 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.

5. 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 upon adoption and expires on midnight September 30, 2021 unless otherwise rescinded or extended by the Nome Common Council.

**APPROVED and SIGNED** the 28<sup>th</sup> day of June, 2021.

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John Handeland  
Mayor

ATTEST:

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Bryant Hammond  
City Clerk