

Proposed by:	Mayor Cremata
Attorney Review:	07/21/2020
First Reading:	08/06/2020
Second Reading:	08/20/2020
Vote:	6 Aye 0 Nay 0 Absent

**MUNICIPALITY OF SKAGWAY, ALASKA**  
**ORDINANCE NO. 20-16**

**AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA ESTABLISHING A POLICY REQUIRING USE OF CLOTH FACE COVERINGS IN MUNICIPALITY OF SKAGWAY FACILITIES, INCLUDING THE SKAGWAY SCHOOL.**

**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 COVID-19; 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 Municipality of Skagway declared an emergency based on the risk to the public posed by the global COVID-19 pandemic and substantial economic impacts to the Municipality of Skagway, which was confirmed by the Assembly on March 19, 2020; and

**WHEREAS**, on May 21, 2020, the Governor of Alaska lifted the public health mandates that had restricted gatherings and businesses; and

**WHEREAS**, as of July 20, 2020, there have been 1,949 confirmed COVID-19 cases in Alaska; and

**WHEREAS**, the number of confirmed COVID-19 cases continues rise in Southeast Alaska, and particularly in areas easily accessible to Skagway such as the City and Borough of Juneau; and

**WHEREAS**, the City and Borough of Juneau mandated the wearing of masks in public places on July 21, 2020; and

**WHEREAS**, Governor Dunleavy has mandated masks for state workers and people who enter state owned buildings and facilities; and

**WHEREAS**, states and local governments throughout the United States have recognized that the wearing of masks significantly reduces the potential exposure to COVID-19; and

**WHEREAS**, the Centers for Disease Control (CDC) and the State of Alaska (Health Alert 10) recommend that everyone wear a cloth face covering when in a public setting where other social distancing measures are difficult to maintain;

**NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE MUNICIPALITY OF SKAGWAY, ALASKA AS FOLLOWS:**

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

**Section 2. Purpose.** To establish a policy requiring the use of cloth face coverings by all individuals within municipal facilities, including all school buildings and areas, for the duration of the emergency declared by the Municipality of Skagway on March 16, 2020 and confirmed by the Assembly on March 19, 2020.

**Section 3. Cloth Face Covering Requirement.** Cloth face coverings are required to be worn by all individuals within Municipality of Skagway indoor facilities, including the Skagway School buildings and areas, per the following policy:

- A. **Applicability.** This policy applies to indoor facilities owned by the Municipality of Skagway, including the Skagway School, and publicly-owned facilities and areas of publicly-owned facilities within which maintaining six (6) feet of separation between people is difficult, or where there are insufficient physical barriers to keep people six (6) feet apart.
- B. **Notice.** The Manager is required to identify and conspicuously post notices within those Municipality of Skagway facilities or areas of publicly-owned facilities in which people are required to wear a cloth face covering.
- C. **Cloth Face Covering Requirement.** A person entering or occupying an indoor Municipality of Skagway facility or area of an indoor facility for which this policy is applicable must wear a cloth face covering when required by notice posted by the Manager. A person violating this section is prohibited from entering, occupying, or remaining in the indoor facility or area of an indoor facility for which this policy is applicable.
- D. **Provision of Face Covering.** For people who cannot acquire a face covering, the Manager shall make a face covering available.
- E. **Reasonable Accommodations Generally.** Any person who chooses not to comply with this ordinance, or who has been denied a service because of this ordinance, may contact the Manager's Office, or his/her designee, and seek a reasonable accommodation such as making an appointment, meeting outside, or interacting without meeting in person.
- F. **Reasonable Accommodations at the School.** Any student who chooses not to comply with this ordinance or who has been denied a service because of this ordinance may contact the School Superintendent's Office, or his/her designee, and seek a reasonable accommodation such as making an appointment, meeting outside, or interacting without meeting in person.

**Section 4. Exceptions.** The following individuals and areas of the Municipality of Skagway are exempt from the cloth face covering requirements of this ordinance:

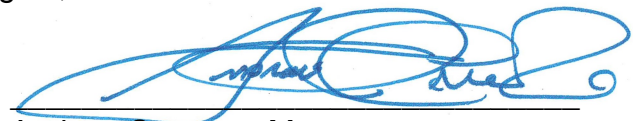
- A. Any individual aged two years or less;

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- B. Any individual who has a physical disability that prevents wearing or removing of a face covering;
- C. Any individual who is deaf and uses facial and mouth movements to communicate, and those individuals communicating with such person;
- D. Any individual who has been advised by a medical professional that wearing a face covering may pose an unreasonable risk to his/her health.

**Section 5. Effective Date.** This ordinance shall become effective immediately upon adoption.


**PASSED AND APPROVED** by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 20<sup>th</sup> day of August, 2020.



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Andrew Cremata, Mayor

ATTEST:



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Emily A. Deach, Borough Clerk

(SEAL)

