

Proposed by:	Health, Education, & Welfare Committee
Attorney Review:	06/03/2021
Vote:	5 Aye 0 Nay 1 Absent

MUNICIPALITY OF SKAGWAY, ALASKA
RESOLUTION NO. 21-19R

A RESOLUTION OF THE MUNICIPALITY OF SKAGWAY, ALASKA LIFTING THE DECLARATION OF EMERGENCY DATED MARCH 16, 2020; DECLARING A FINANCIAL EMERGENCY DUE TO THE COVID-19 PANDEMIC; AND CLARIFYING THE STATUS OF COVID-19 LEGISLATION.

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 on February 14, 2021, the statewide health emergency declaration expired and was not renewed; 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, pursuant to the Municipality's Emergency Operations Plan (EOP), the March 16, 2020 Emergency Declaration was made because the COVID-19 pandemic exceeded or threatened to exceed the Municipality's normal emergency services capabilities, and the March 16, 2020 declaration activated the Emergency Operations Center (EOC) at Level 2 due to the need for coordinated action; and

WHEREAS, currently, municipal departments and agencies are conducting normal daily activities with incidents being handled with existing resources, policies, and procedures, and pursuant to procedures in the EOP, the EOC has de-activated at Level 1; and

WHEREAS, due to the increased level of COVID-19 vaccinations and the sustained low level of COVID-19 cases in Skagway, the Municipality of Skagway finds that the COVID-19 pandemic does not constitute an urgent health emergency in the community and wishes for the health emergency declaration to be lifted; and

WHEREAS, pursuant to the EOP, the EOC can activate at any time if COVID-19 again threatens to exceed the Municipality's normal emergency services capabilities; and

**MUNICIPALITY OF SKAGWAY
RESOLUTION NO. 21-19R**

Page 2 of 3

WHEREAS, due to the long-term and devastating financial effects of the COVID-19 pandemic on municipal resources and on the community, the Borough Assembly finds that there continues to be a state of financial emergency in the community and wishes for the financial emergency declaration to remain in place; and

WHEREAS, some legislation enacted by the Borough Assembly remains active for the duration of the emergency declared on March 16, 2020, and it is necessary to clarify which legislation is affected by this resolution and which legislation will remain in place; and

WHEREAS, Resolution No. 20-17R was adopted at a time when the Skagway community was under a self-isolation order, and the Municipality did not know how the community would be affected by the pandemic and vaccines that were only in development at the time, and did not yet know how the resumption of cruises to Alaska would be allowed and regulated; the Municipality feels that the regulations in Resolution No. 20-17R are no longer practical given the current developments regarding vaccinations, federal legislation, and requirements put in place by the Centers for Disease Control and Prevention (CDC), and wishes to repeal the resolution;

NOW THEREFORE, BE IT RESOLVED by the Municipality of Skagway Borough Assembly, that the Declaration of Emergency dated March 16, 2020 and confirmed by the Assembly on March 19, 2020, is hereby lifted, a Financial Emergency is hereby declared, and Resolution No. 20-17R is repealed as follows:

Section 1. Lifting the Declaration of Emergency Dated March 16, 2020. The Assembly feels that the COVID-19 pandemic does not pose an imminent health emergency in the community, and the Declaration of Emergency dated March 16, 2020 and confirmed by the Assembly on March 19, 2020 is hereby lifted.

Section 2. Declaring a Financial Emergency. The Assembly feels that the COVID-19 pandemic continues to pose a substantial economic risk to the community, and hereby declares a Financial Emergency in the Municipality of Skagway Borough, which will remain in place until the Assembly resolves that the COVID-19 pandemic no longer poses a financial risk to the community.

Section 3. Repealing Resolution No. 20-17R. Resolution No. 20-17R is hereby repealed.

Section 4. Effect on Existing Legislation. By lifting the health declaration of emergency, declaring a financial emergency, and repealing Resolution No. 20-17R, this resolution affects existing legislation that was adopted: for the duration of the Declaration of Emergency of March 16, 2020; or in some instances until the Assembly resolved that the health and financial emergencies no longer exist. The adoption of this resolution will affect active COVID-19 legislation as follows:

MUNICIPALITY OF SKAGWAY

RESOLUTION NO. 21-19R

Page 3 of 3

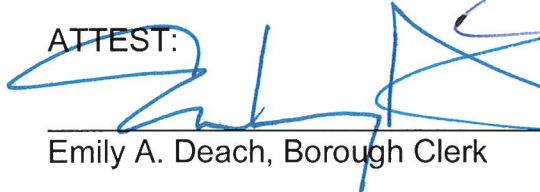
- A. **Resolution No. 20-08R:** Allowing Assembly Members to Participate in Meetings Telephonically Due to Emergency Conditions.
Duration: "for the duration of the Municipality of Skagway's Declaration of Emergency, until COVID-19 does not pose a health emergency in the community."
Status Upon Adoption of This Resolution: Expired, not active.
- B. **Resolution No. 20-17R:** Setting Minimum Standards for Allowing Cruise Tourist Visitation, for 2020 and 2021, Within the Municipality of Skagway Borough Due to the COVID-19 Pandemic.
Duration: 2020 and 2021.
Status Upon Adoption of This Resolution: Repealed, not active.
- C. **Resolution No. 20-34R:** Canceling Non-Essential Meetings and Outlining Requirements.
Duration: "for the duration of the local COVID-19 emergency declaration dated March 16, 2020."
Status Upon Adoption of This Resolution: Expired, not active.
- D. **Resolution No. 21-09R:** Recommending All Persons Wear Face Coverings When Inside Buildings That are Open to the Public.
Duration: "until such time that the Assembly resolves that the virus does not pose a health or financial emergency in the community and ends the local emergency declaration."
Status Upon Adoption of This Resolution: Active until the Declaration of Financial Emergency is lifted.
- E. **Ordinance No. 20-16:** Establishing a Policy Requiring Use of Cloth Face Coverings in Municipality of Skagway Facilities, Including the Skagway School.
Duration: "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."
Status Upon Adoption of This Resolution: Expired, not active.

Section 5. Effective Date. This resolution shall be effective immediately upon adoption.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 17th day of June, 2021.


Andrew Cremata, Mayor

ATTEST:


Emily A. Deach, Borough Clerk

(SEAL)

