



EMERGENCY ORDER NO. 2020- 03 REGULATING FREQUENCY OF ENTRY INTO  
GROCERY STORES IN NOME

Issued Pursuant to Emergency Ordinance No. 0-20-07

WHEREAS, 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 and;

WHEREAS, during the 1918 flu pandemic only 80 of 150 residents of Teller survived and;

WHEREAS, during the 1918 flu pandemic 170 out of 310 residents of Wales died and;

WHEREAS, during the 1918 flu pandemic Shishmaref and Shaktoolik by posting guards and enforcing a rigid quarantine were not infected with the flu virus and;

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, the Covid-19 pandemic is being compared to the 1918 flu pandemic 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, the Nome Common Council closed certain public facilities and took other action to slow the spread of COVID-19; and

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

WHEREAS, 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; and

WHEREAS, Emergency Ordinance No. O-20-07 delegated authority to the City Manager to exercise discretion to direct and compel the closing or regulation of public accommodations until midnight May 15, 2020 in order to “reduce the impact and spread of the coronavirus”; and

WHEREAS, as of the date of this Order there are no known cases of Covid-19 in Nome; and

WHEREAS, one effective way to reduce the impact and spread of the Covid-19 virus in Nome is through the practice of social distancing and limiting the frequency of contact between citizens of Nome outside their homes; and

WHEREAS, retail grocery stores in Nome are public accommodations; and

WHEREAS, retail grocery stores in Nome have indicated that the declarations of public health emergencies and the existence of a pandemic has increased the frequency of use of retail grocery stores in Nome including frequent repeat visits to retail grocery stores by the same individuals; and

WHEREAS, there is a direct correlation between the frequency of use of retail grocery stores in Nome and the potential impact and spread of COVID-19 in Nome; and

WHEREAS, the CDC and federal and state health authorities have recommended all persons practice “social distancing” by keeping at least a six foot separation from other persons at all times and;

WHEREAS, it is frequently not possible to maintain a six foot separation from other persons when using commercial grocery stores especially for employees of retail grocery stores due to the configuration of checkout stands and need for retail clerks to take payment directly from customers and;

WHEREAS, the President’s Coronavirus Guidelines for America recommends that people AVOID SOCIAL GATHERINGS OF MORE THAN TEN PEOPLE and;

WHEREAS, there is no appreciable public health risk difference between social gatherings of more than ten people and gatherings of more than ten people in a commercial setting and;

WHEREAS, frequently there are more than ten people present in a retail grocery store and;


WHEREAS, the President’s Coronavirus Guidelines for America recommends persons LISTEN TO AND FOLLOW THE DIRECTIONS OF YOUR STATE AND LOCAL AUTHORITIES and;

WHEREAS, managers of retail grocery stores have recommended the City of Nome temporarily restrict the frequency of use of retail grocery stores by Nome residents out of respect for the risks posed to employees of retail grocery stores through interaction with the public as a reasonable and prudent measure to reduce the impact and spread of COVID-19;

Under 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 to exercise discretion to regulate public accommodations in order to reduce or limit the spread of corona virus and in order to implement the public health recommendations of NSHC, the President of the United States, the CDC, and the Governor of the State of Alaska to reduce or limit the spread of the corona virus within and from Nome; I order as follows:

- 1 As of 7:00 p.m. Tuesday March 24, 2020, no person may enter a retail grocery store in Nome more than twice during any calendar day.
2. This order shall remain in effect until midnight April 14, 2020 unless extended by action of the City Manager.
3. Violations of this order shall be subject to penalties as set forth in Section 1.20.010 of the Nome Code of Ordinances.
4. As set forth in Section 2 of Emergency Ordinance No. 0-20-07 this Order supercedes any inconsistent ordinance, rules or regulations of the City of Nome.

ENTERED THIS 23<sup>RD</sup> DAY OF MARCH, 2020

  
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GLENN STECKMAN  
City Manager  
City of Nome

ATTEST:

  
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CHRISTINE PISCOYA  
Deputy City Clerk