



City of Kotzebue  
P.O. Box 46  
Kotzebue, AK 99752  
Phone: (907) 442-3401  
Fax: (907) 442-3424

**CITY OF KOTZEBUE  
EMERGENCY ORDER EO-06  
IN RESPONSE TO COVID-19**

ISSUED BY THE CITY MANAGER OF THE CITY OF KOTZEBUE (“CITY”) PURSUANT TO  
CITY OF KOTZEBUE RESOLUTION 20-08 AND REPLACES EO-05

The COVID-19 pandemic has generated a public health emergency that threatens to overwhelm the health system of the entire State of Alaska. Furthermore, the City has limited health resources and we must take steps to slow and contain the threat; such steps require coordinated community action. This order is put forward to preserve the health and safety of our community.

PURSUANT TO THE AUTHORITY GRANTED TO ME BY THE CITY COUNCIL UNDER RESOLUTION 20-08, I HEREBY PROCLAIM THE FOLLOWING EMERGENCY REGULATIONS TO BE EFFECTIVE AS OF 5:00 P.M. ON FRIDAY, JULY 17, 2020, TO PRESERVE LIFE IN AND ADJACENT TO THE CITY. THE FOLLOWING EMERGENCY REGULATIONS HAVE THE POWER OF LAW, SHALL REMAIN IN EFFECT UNTIL 11:59 P.M. ON FRIDAY, AUGUST 21, 2020, AND SHALL SUPERCEDE ALL CONFLICTING LAWS DURING THE EXISTENCE OF THIS EMERGENCY.

**Preamble**

The City of Kotzebue was incorporated as the *Incorporate Village of Kotzebue* in 1958 under the laws of the Territory of Alaska the year before Alaska became a State. After Statehood in 1959, Kotzebue became a Second-Class City.

The Northwest Arctic Borough was created as a Home Rule Borough in 1986. Forty percent (40%) of the population of the Northwest Arctic Borough resides in the City of Kotzebue.

The Northwest Arctic Borough Code 1.08.010(B)(6) provides, “*The borough is authorized to exercise the following powers on an areawide basis: ... Provide emergency management planning and related functions, except in the city of Kotzebue...*”

Article X, Local Government, Section 1, Purpose and Construction, of the Alaska Constitution, provides, “*The purpose of this article is to provide for maximum local self-government with a minimum of local government units, and to prevent duplication of tax-levying jurisdictions. A liberal construction shall be given to the powers of local government units.*”

On Tuesday, May 19, 2020, the first confirmed case of the deadly coronavirus arrived in Kotzebue aboard an Alaska Airlines flight from Anchorage. Since that time there have been additional COVID-19 cases confirmed in the Maniilaq Service Area (“MSA”). Maniilaq continues to complete thousands of COVID-19 tests in the MSA.

The villages around Nome were decimated by the 1918/1919 Spanish Flu pandemic where on October 20, 1918, a flu virus was introduced into Nome by persons traveling to Nome on the S.S. Victoria which killed

162 Native Alaskan residents of Nome in eight days; during the same 1918 flu pandemic only 80 of 150 residents of Teller, near Nome, survived; during the 1918 flu pandemic 170 out of 310 residents of Wales, near Nome, died; however, during the 1918 flu pandemic in the Nome area, the villages of Shishmaref and Shaktoolik by posting guards and enforcing a rigid quarantine were not infected with the flu virus.

As posted on July 17, 2020, on the State of Alaska website, **Health Mandate 018: Intrastate Travel**, found at <https://covid19.alaska.gov/faq/>, "*Local communities may enact travel restrictions (but cannot require automatic quarantine or measures that prevent travel for: Critical Personal Needs or the conduct of Essential Services/Critical Infrastructure). Check before you go! Many communities have set up their own travel rules.*"

The further introduction and spread of the COVID-19 pandemic in the Region can only be avoided by strict adherence to the mandates set forth in this EO-06 and observing proper personal hygiene measures: social distancing (six-feet apart in public), wearing masks and frequent hand washing. Working together, we can keep this dreaded disease from invading our Region and threatening the lives and well-being of our children, families, friends and Elders. **PLEASE ACT RESPONSIBLY.** YOUR LIVES AND THE LIVES OF OTHERS DEPEND UPON US ALL WORKING TOGETHER TO DEFEAT THIS DISEASE.

### **Emergency Order EO-06**

On Thursday evening, July 16, 2020, the Kotzebue City Council met in an extended executive session and directed the City Manager to enter the following Emergency Order EO-06 with the only amendments being to Paragraph 7 of the earlier EO-05:

1. All residents of the City are advised to hunker down and shelter in place as much as possible, in order to minimize any spread of COVID-19. All non-critical/non-essential personal travel to/from the City shall be curtailed.
2. Residents should stay home and work from home as much as possible, except to work certain Critical Jobs, listed below; to buy, sell, or deliver groceries or other essential goods; to receive or provide health care; and to get fresh air without coming within 6 feet of others.
3. Residents shall conduct business via telephone, fax or electronic communications as much as possible especially with those businesses that have elected to remain closed during this time.
4. On the limited occasions when individuals leave their home, they should maintain social distancing of at least 6 feet from any person outside their household whenever possible and practice recommended hygiene.
5. It is strongly recommended, in accordance with the Center for Disease Control guidance, that certain residents should take even greater precautions: Anyone particularly at-risk from COVID-19 should reduce exposure by staying home, not physically going to work, and not doing their own shopping, if possible. These include any individuals 60 years of age and older, and individuals with a serious underlying medical condition. Members of households with these individuals should also implement these more stringent guidelines.
6. If you are sick or suspect you may have the COVID-19 virus, and have a fever, cough or difficulty breathing, call the Maniilaq Health Center [833-442-7015] and ask for assistance. Call 911 if it is an emergency.

//  
//

7. The Unified Incident Command (“UIC”) has requested that the Governor and DHSS Commissioner provide for mandatory COVID-19 testing in Anchorage and/or at Ted Stevens Anchorage International Airport for all passengers bound for Kotzebue; however, until that can be done, all passengers bound for Kotzebue shall have in their possession the results of a current negative COVID-19 test (within 72 hours) before boarding their flight to Kotzebue. All passengers disembarking in Kotzebue at the Wien Memorial Airport shall complete travel questionnaires and those who do not have in their possession the results of a current negative COVID-19 test (within 72 hours) before boarding their flight to Kotzebue shall submit to COVID-19 testing administered by Maniilaq Health Center and self-quarantine while they await results of that testing before going about in Kotzebue or transferring to flights for villages in the Northwest Arctic Borough or North Slope Borough. Passengers testing positive for COVID-19 shall follow quarantine instructions from the Maniilaq staff. Travelers who decline the mandatory screening and testing will not be transported by Bering Air to the outlying villages and travelers remaining in Kotzebue who decline the mandatory screening and testing must self-quarantine for fourteen (14) days. In addition, **travelers refusing mandatory screening and testing who endanger others may be charged with Reckless Endangerment, A.S. 11.41.250, and upon conviction imprisoned for up to one year and fined up to \$25,000.**
8. Residents and travelers shall follow all health mandates issued by Governor Dunleavy, the Alaska Department of Health and Human Services (DHSS), and the U.S. Center for Disease Control (CDC). (The State of Alaska Mandates are found at <https://gov.alaska.gov/home/covid19-healthmandates/>.)
9. Individuals and/or contractors providing essential services/critical infrastructure services shall follow the State of Alaska Health Mandate found at <https://covid19.alaska.gov/wp-content/uploads/2020/06/06052020-Phase-III-IV-Mandate-018-Revised-.pdf> and Attachment “A” found at <https://gov.alaska.gov/wp-content/uploads/sites/2/Alaska-Essential-Services-and-Critical-Workforce-Infrastructure-Formerly-Attachment-A-05.05.2020.pdf> and if interstate and/or international travel is involved shall also follow the State of Alaska Mandate found at <https://covid19.alaska.gov/wp-content/uploads/2020/06/06152020-COVID-MANDATE-010.pdf>. A copy of the protective plan required to be filed with the State of Alaska as found at <https://covid19.alaska.gov/unified-command/protective-plans/> shall also be provided to the Kotzebue Acting City Manager at [tatkinson@kotzebue.org](mailto:tatkinson@kotzebue.org) and the Kotzebue City Attorney at [joe@jwevanslaw.com](mailto:joe@jwevanslaw.com). Those individuals and/or the employees of those contractors providing essential services/critical infrastructure services bound for Kotzebue shall have in their possession the results of a current negative COVID-19 test (within 72 hours) before boarding their flight to Kotzebue. All individuals and/or the employees of those contractors providing essential services/critical infrastructure services disembarking in Kotzebue at the Wien Memorial Airport shall complete travel questionnaires and those who do not have in their possession the results of a current negative COVID-19 test (within 72 hours) before boarding their flight to Kotzebue shall submit to COVID-19 testing administered by Maniilaq Health Center and self-quarantine while they await results of that testing before going about in Kotzebue or transferring to flights for villages in the Northwest Arctic Borough or North Slope Borough. Individuals and/or the employees of those contractors providing essential services/critical infrastructure services testing positive for COVID-19 shall follow quarantine instructions from the Maniilaq staff. Individuals and/or the employees of those contractors providing essential services/critical infrastructure services who decline the mandatory screening and testing will not be transported by Bering Air to the outlying villages and individuals and/or the employees of those contractors providing essential services/critical infrastructure services who decline the mandatory screening and testing must self-quarantine for fourteen (14) days.

//  
//



10. All entertainment facilities, including both publicly and privately-owned gaming locations and bingo halls, restaurants, sport and recreation facilities, and religious facilities may reopen. If such entities choose to reopen, they must first submit a detailed plan addressing, among other things, social distancing, face masks, and hand-washing/hand-sanitizing to the Acting Kotzebue City Manager at [tatkinson@kotzebue.org](mailto:tatkinson@kotzebue.org) and the Kotzebue City Attorney at [joe@jwevanslaw.com](mailto:joe@jwevanslaw.com). Guidance for specific entities on such plans can be found at <https://covid19.alaska.gov/reopen/> and general guidance can be found at <https://covid19.alaska.gov/wp-content/uploads/2020/05/05192020-Alaskas-Plan-Forward-Final.pdf> and additional specific guidance can be found at <https://covid19.alaska.gov/wp-content/uploads/2020/05/05192020-Alaskas-Plan-Forward-Final.pdf>. **This reopening plan must be approved by the Acting City Manager before the entity can reopen.**
  
11. All entities should advise their out-of-town contractors and business partners that non-essential services/non-critical infrastructure travel to/from the City is strongly discouraged at this time and should not be done for the duration of this EO-06. However, if such non-essential services/non-critical infrastructure travel is deemed necessary, all such non-essential services/non-critical infrastructure travel must follow the procedures set forth in State of Alaska Health Mandate 018 found at <https://covid19.alaska.gov/wp-content/uploads/2020/06/06052020-Phase-III-IV-Mandate-018-Revised-.pdf> and Attachment "A" found at <https://gov.alaska.gov/wp-content/uploads/sites/2/Alaska-Essential-Services-and-Critical-Workforce-Infrastructure-Formerly-Attachment-A-05.05.2020.pdf> and if interstate and/or international travel is involved shall also follow the State of Alaska Mandate found at <https://covid19.alaska.gov/wp-content/uploads/2020/06/06152020-COVID-MANDATE-010.pdf>. A copy of the protective plan required to be filed with the State of Alaska as found at <https://covid19.alaska.gov/unified-command/protective-plans/> shall also be provided to the Acting Kotzebue City Manager at [takinson@kotzebue.org](mailto:tatkinson@kotzebue.org) and the Kotzebue City Attorney at [joe@jwevanslaw.com](mailto:joe@jwevanslaw.com). Those individuals and/or the employees of those contractors providing non-essential services/non-critical infrastructure services bound for Kotzebue shall have in their possession the results of a current negative COVID-19 test (within 72 hours) before boarding their flight to Kotzebue. All individuals and/or the employees of those contractors providing non-essential services/non-critical infrastructure services disembarking in Kotzebue at the Wien Memorial Airport shall complete travel questionnaires and those who do not have in their possession the results of a current negative COVID-19 test (within 72 hours) before boarding their flight to Kotzebue shall submit to COVID-19 testing administered by Maniilaq Health Center and self-quarantine while they await results of that testing before going about in Kotzebue or transferring to flights for villages in the Northwest Arctic Borough or North Slope Borough. Individuals and/or the employees of those contractors providing non-essential services/non-critical infrastructure services testing positive for COVID-19 shall follow quarantine instructions from the Maniilaq staff. Individuals and/or the employees of those contractors providing non-essential services/non-critical infrastructure services who decline the mandatory screening and testing will not be transported by Bering Air to the outlying villages and individuals and/or the employees of those contractors providing non-essential services/non-critical infrastructure services who decline the mandatory screening and testing must self-quarantine for fourteen (14) days.
  
12. Grocery stores should consider deliveries to Elders and establishing special hours for Elders-only to come into the stores. The city also recommends delivery and cashier staff wear masks and other PPE and customers should be requested to wear face masks while in their stores.

//  
//  
//  
//

13. Persons engaging in subsistence activities from outside Kotzebue shall make arrangements to pick-up supplies, i.e., food and fuel, at the Swan Lake Small Boat Harbor and avoid coming into Kotzebue. Persons who are conducting subsistence activities who wish to come into Kotzebue must have a current COVID-19 negative test result on their person before entering the City.
14. City Hall shall remain closed to the public. Citizens needing to do business with the City may communicate by phone [907-442-3401], fax [907-442-3424] and/or e-mail the Acting City Manager [[tatkinson@kotzebue.org](mailto:tatkinson@kotzebue.org)]. The Acting City Manager shall make sure of the continued use of a PSA for KOTZ radio that informs the public of these procedures. Payment of City billings shall be done by phone [907-442-3401], Internet and/or mail [City of Kotzebue, P.O. Box 46, Kotzebue, Alaska 99752-0046].
15. All direct public access to the Public Works Department shall remain suspended. Citizens needing to contact Public Works shall do so by phone [907-442-5200/5201], fax [907-442-2155] and/or e-mail [[djennings@kotzebue.org](mailto:djennings@kotzebue.org)]. The Acting City Manager and Public Works Director shall continue to use policies and procedures for Public Works employees regarding remote/at-home working, cleaning/disinfecting of Public Works work areas, leave status, leave requests and work assignments in the event of employee absences.
16. At this time, the Package Store, *Arctic Spirits*, shall remain open. Orders will be taken through windows in the front of the building. Cash and credit cards will be accepted for purchases. Changes to days open, hours of operation and/or operational procedures may be made by the Local Beverage Control Board and/or the *Arctic Spirits* Manager.
17. Marijuana retail stores may continue to operate but shall observe social separation distances for customers.
18. The Chief of Police working with the City Manager has established procedures for travel by KPD and KRJ employees during the COVID-19 emergency pursuant to the City of Kotzebue Police Department Directives 20-002 [Intrastate travel for KPD/KRJ employees], 20-003 [Interstate travel for KPD/KRJ employees] and 20-004 [testing]. Shift rotations may be modified or eliminated as necessary working with the number of Kotzebue Police Department employees available in Kotzebue. The Chief of Police shall establish safe working conditions and safe operational procedures consistent with best practices in dealing with the COVID-19 emergency for Kotzebue Police Department employees.
19. City Playgrounds (Otter Park and Ashley Johnson-Barr Memorial Park [f/n/a Rainbow Park]) and softball areas shall open once the Parks and Recreation Director has established procedures and policies for safely reopening, using and maintaining those facilities and those procedures and policies have been approved by the Acting City Manager. Such procedures shall include, among other things, directives for social distancing, wearing of face masks, hand-washing/hand-sanitizing and cleaning of equipment. The Northwest Arctic Borough/Northwest Arctic Borough School District may decide how to handle its playgrounds in Kotzebue.
20. The City of Kotzebue shall use its best efforts, within the resources available, to enforce the City's curfew for children as set out in Kotzebue Municipal Code Chapter 9.76.
21. The **Iñupiat Iitqusi** define the Iñupiat people. These values include among others: respect for elders, family roles, respect for others, love for children, cooperation, avoiding conflict and responsibility to the tribe. These values can serve as guideposts for how the residents of Kotzebue live their lives during this COVID-19 emergency.

22. Residents of Kotzebue and visitors to Kotzebue who disregard this Emergency Order EO-06 and the State of Alaska mandates found at <https://gov.alaska.gov/home/covid19-healthmandates/> are putting themselves and our community at risk. To report non-compliance, send an email to [investigations@alaska.gov](mailto:investigations@alaska.gov). The State of Alaska DHSS will treat the sender's identity as confidential information and protect it to the maximum extent state and federal law permit.

DATED this 17<sup>th</sup> day of July, 2020.



Tom Atkinson  
Acting City Manager, City of Kotzebue