

Introduced by: Council Member Leary  
Public Hearing and Adoption Date: August 31, 2020  
Action: Passed  
Vote: 7-0

## CITY OF BETHEL, ALASKA

### EMERGENCY ORDINANCE #20-28

#### AN ORDINANCE EXEMPTING 13.04.290 OF THE BETHEL MUNICIPAL CODE TO PREVENT WATER SHUT OFF FOR NON-PAYMENT

**WHEREAS**, the United States Centers for Disease Control and Prevention (CDC) has identified COVID-19 as a significant public risk; and

**WHEREAS**, on March 11, 2020, Governor Dunleavy issued a declaration of public health disaster emergency in response to the anticipated outbreak of COVID-19 within Alaska's communities; and

**WHEREAS**, on March 11, 2020, the World Health Organization designated the COVID-19 outbreak a pandemic; and

**WHEREAS**, various organizations, agencies, and local governments throughout the State of Alaska continue to restrict public gatherings, school sessions and programs, and other activities as well as non-essential travel in efforts to contain the virus; and

**WHEREAS**, on March 24, 2020, Bethel City Council adopted Ordinance 20-08, authorizing the City Manager and City Council to modify or suspend sections of the Bethel Municipal Code regarding public meetings and participation, procurement, contracts, leases and personnel rules in order to ensure the health, safety, and welfare of the City during a State-declared public health emergency; and

**WHEREAS**, on March 25, 2020, Bethel City Council adopted Ordinance 20-09, finding the existence of a public health emergency related to the COVID-19 outbreak, incorporating by reference the declaration of local disaster emergency issued by the Acting City Manager and Mayor on March 24, 2020; seeking state and federal funding assistance; and issuing certain health advisories and requests consistent with state and federal law; and

**WHEREAS**, on May 26, 2020, Bethel City Council adopted Ordinance 20-11 extending the declaration of emergency it previously issued, requiring explicit approval of Council before the adoption of any mandates or guidelines

beyond the scope of the State of Alaska health mandates; and repealing Section 4 of Ordinance 20-09, which adopted travel and social distancing guidance within the City; and

**WHEREAS**, since June 2020, there has been a rapid increase in COVID-19 cases throughout Alaska and within Bethel and surrounding communities in the Yukon-Kuskokwim Delta region; and

**WHEREAS**, according to data compiled by the State of Alaska, total statewide cases of COVID-19 have increased nearly six-fold since June 1, 2020 (526 to 3,102 cases through July 26, 2020); and

**WHEREAS**, according to data compiled by the State of Alaska, total cases of COVID-19 in the Bethel Census Area have more than doubled in the month of July 2020; and

**WHEREAS**, the City of Bethel Utility Billing department has a number of residents that face water shut off because of delinquencies in payment, during this public health emergency it is imperative the City of Bethel continue to provide this necessary services to help prevent the spread of COVID-19; and

**WHEREAS**, the City of Bethel is not permitted to use CARES act funding to replace loss government revenues;

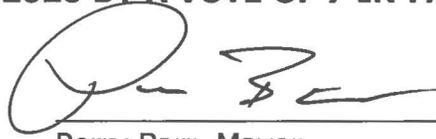
**NOW, THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, as follows:

**Section 1.** This is a non-codified Ordinance of general and permanent nature and shall become part of the Bethel Municipal Code.

**Section 2.** Bethel Municipal Code Chapter 13.04.290 will not be in effect and the City will not shut off water accounts due to lack of payment for the effective period of this ordinance.

**Section 3. Effective and Expiration Date:** This ordinance is effective immediately upon adoption by the City Council and shall remain in effect for a period of sixty (60)

**ENACTED THIS 31ST DAY OF AUGUST 2020 BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED.**



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Perry Barr, Mayor

**ATTEST:**



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Kevin Morgan, Deputy City Clerk