



EMERGENCY ORDER NO. 2020- 02 LIMITING HOURS OF OPERATION OF LIQUOR STORES AND COMMERCIAL MARIJUANA ESTABLISHMENTS 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, the CDC and federal and state health authorities have recommended all persons practice “social distancing” by remaining 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 making purchases of alcoholic beverages and commercial marijuana at retail establishments in Nome due to the small size of said establishments; and

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

WHEREAS, purchases of alcoholic beverages and marijuana at retail establishments in Nome facilitates social gatherings of more than ten people especially when those purchases are made later in the evening and;

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

Under the City of Nome’s general police powers including, but not limited to the authority set forth in Section 3.05.040(a) and 3.40.080(a) of the Nome Code of Ordinances and AS 04.21.010 and AS 17.38.210(b) to regulate the sale of alcoholic beverages and marijuana 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 the President of the United States, the CDC, and the Governor of the State of Alaska; I order as follows:

1. Effective Tuesday March 24 at 7 p.m., NCO 3.05.040(a) and 3.40.080(a) operating hour limitations on the hours of operation of marijuana establishments and package stores are revised so as to read as follows:

3.05.040 Hours of sale.

(a) No person may consume, sell, offer for sale, give, furnish or deliver from an authorized licensee of a package store license any intoxicating liquor on any such licensed package store premises between the hours of seven p.m. and eleven a.m. on Mondays through Saturdays, and between the hours of twelve a.m. and twelve p.m. and after 7 p.m. on Sundays.

3.40.080 Hours of sale.

(a) No person may consume, sell, offer for sale, give, furnish or deliver from a marijuana establishment, or on the premises of a marijuana establishment, any marijuana or marijuana product between the hours of seven p.m. and eleven a.m. on Mondays through Saturdays, and between the hours of twelve a.m. and twelve p.m. and after 7 p.m. on Sundays.

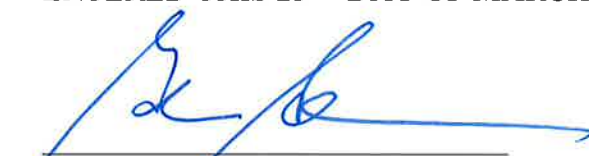
Any exception available under NCO 3.05.040(c) or NCO 3.40.080(b) shall not apply while this order is in effect.

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 Sections 3.05.090 and 3.40.030 and 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 23RD DAY OF MARCH, 2020.



GLENN STECKMAN
City Manager
City of Nome

ATTEST:



CHRISTINE PISCOYA
Deputy City Clerk