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By: Matt Cooper
Bryce Ward, Mayor
Introduced: 03/19/2020
Adopted: 03/19/2020

FAIRBANKS NORTH STAR BOROUGH
ORDINANCE NO. 2020 – 12

AN EMERGENCY ORDINANCE TEMPORARILY AUTHORIZING THE SUSPENSION AND/OR
MODIFICATION OF VARIOUS SECTIONS OF THE FAIRBANKS NORTH STAR BOROUGH
CODE OF ORDINANCES REGARDING PUBLIC MEETINGS AND PARTICIPATION IN
ORDER TO ENSURE THE HEALTH, SAFETY, AND WELFARE OF OUR COMMUNITY
DURING A STATE-DECLARED PUBLIC HEALTH EMERGENCY

WHEREAS, The United States Center for Disease Control and Prevention (CDC) has identified COVID-19, also known as the "coronavirus," as a significant public health risk; and

WHEREAS, On March 11, 2020, Governor Dunleavy issued a declaration of public health disaster emergency in response to the COVID-19 anticipated outbreak in the State of Alaska; and

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

WHEREAS, Various agencies and organizations statewide and in our local community are canceling or restricting public gatherings, extending spring break, and postponing nonessential travel as a means to contain the spread of COVID-19; and

WHEREAS, New information and guidance is being provided on state, national, and global levels on a daily basis, requiring that maximum flexibility be given to respond to and implement the various containment measures; and

WHEREAS, The Fairbanks North Star Borough (Borough) is implementing its Continuity of Operations Plans, and needs the flexibility to cancel or reschedule certain meetings and/or to modify its meeting procedures for time-sensitive and important matters so that it can ensure it similarly has protections in place for the public, staff, and its appointed and elected officials; and

WHEREAS, This authorization is intended to be temporary during this state-declared public health emergency, and will provide time for the Borough to further assess its code and procedures if more permanent code changes are determined to be necessary; and

45 WHEREAS, State law and borough code authorize the Assembly to adopt an
46 emergency ordinance, effective on adoption, to meet a public emergency, and it may be
47 adopted, amended and adopted, or rejected at the meeting at which it is introduced
48 provided that the affirmative vote of all members present, or the affirmative vote of three-
49 fourths of the total membership, whichever is less, is met for adoption of the ordinance.

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51 NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks
52 North Star Borough:

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54 Section 1. This ordinance is not of a general and permanent nature and
55 shall not be codified.

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57 Section 2. Finding of Emergency. The Assembly finds that an emergency
58 exists in the State of Alaska and the Fairbanks North Star Borough due to the imminent
59 outbreak of COVID-19, which has been declared a global pandemic and a public health
60 disaster emergency.

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62 Section 3. Authorization to Waive and/or Modify the Fairbanks North Star
63 Borough Code of Ordinances.

64 A. Notwithstanding anything in the Fairbanks North Star Borough Code of Ordinances
65 to the contrary, the Presiding Officer has the authority to modify and/or waive provisions
66 pertaining to scheduling, public participation, teleconferencing, and other related
67 provisions of code related to public meetings of the governing body, including the Board
68 of Equalization, if deemed necessary for public health and safety; provided that, any
69 modification and/or waiver is in compliance with state law.

70 B. Notwithstanding anything in the Fairbanks North Star Borough Code of Ordinances
71 to the contrary, the Mayor has the authority to modify and/or waive provisions pertaining
72 to scheduling, public participation, teleconferencing, and other related provisions of code
73 related to public meetings of boards and commissions if deemed necessary for public
74 health and safety; provided that, any modification and/or waiver is in compliance with
75 state law.

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77 Section 4. This ordinance is effective for a period of sixty (60) days.

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79 Section 5. Effective Date. This ordinance is effective immediately upon its
80 adoption.

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ADOPTED THE 19TH DAY OF MARCH 2020.



Matt Cooper
Presiding Officer

ATTEST:



April Trickey, CMC
Borough Clerk

Yeses: Lyke, O'Neill, Cash, Tomaszewski, Lojewski, Sanford, Williams, Quist, Cooper
Noes: None