

# CITY OF BETHEL, ALASKA

## EMERGENCY ORDINANCE 21-53

### **AN ORDINANCE BY THE BETHEL CITY COUNCIL ESTABLISHING A MANDATE WITHIN THE CITY OF BETHEL THAT MASKS OR SIMILAR FACE-COVERINGS BE WORN IN PUBLIC IN INDOOR AND INDOOR-ADJACENT SPACES, AND UNDER CERTAIN CONDITIONS IN OUTDOOR SPACES, DURING THE COVID-19 PUBLIC HEALTH EMERGENCY**

**WHEREAS,** the Centers for Disease Control and Prevention stated that fully-vaccinated people who contract the delta variant of the COVID-19 virus carry similar levels of the virus as unvaccinated people who contract the variant;

**WHEREAS,** therefore, it is understood that people who have received the COVID-19 vaccine, while more protected against serious illness, hospitalization, and death, may still transmit the virus to others more readily than other variants of the coronavirus;

**WHEREAS,** with a sharp acceleration of COVID-19 positive cases in the City of Bethel and the Yukon-Kuskokwim Region, we have returned to a high level of community transmission according to the CDC;

**WHEREAS,** it is imperative that we take seriously our role in protecting this community and region, and every resident, visitor, business, organization, and agency should do their part to protect each other from this serious disease; if we don't all participate in these mitigation and prevention measures, then the benefits will not be realized; and

**WHEREAS,** the Council finds that it is in the best interest of the public peace, health, welfare and safety, and to preserve the health, safety, and lives of the citizens of the community and region, to establish a policy that masks and face-coverings should be worn when interacting in public spaces in the community of Bethel, consistent with this resolution.

**NOW THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA:**

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

**SECTION 2. Mandate:**

City of Bethel, Alaska

Ordinance #21-53

To reduce the possibility of community spread of COVID-19, it is the mandate of the City of Bethel that face coverings be worn when people are in high-risk public situations including but not limited to:

- Inside of, or in line to enter, any indoor public space;
- Obtaining services from a healthcare facility;
- Waiting for or riding on public transportation or while in a taxi or bus;
- Engaged in work, whether at the workplace or performing work off-site, when:
  - Interacting in-person with any member of the public;
  - Working in any space visited by members of the public, regardless of whether anyone from the public is present at the time;
- Working in any space where food is prepared or packaged for sale or distribution to others;
- Working in or walking through public common areas, such as hallways, stairways, elevators, and parking facilities;
- In any room or enclosed area where other people (except for members of the person's own household or residence) are present when unable to physically distance;
- Driving or operating any public transportation or taxi service or ride-sharing vehicle;
- While outdoors in public spaces when maintaining a physical distance of six feet from persons who are not members of the same household or residence is not feasible.

**SECTION 3. Exemptions:**

The following individuals are exempt from wearing a face covering:

- Persons younger than two years old;
- Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering. This includes persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance;
- Persons who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication;
- Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines;
- Persons who are obtaining a service involving the nose or face for which temporary removal of the face covering is necessary to perform the service;
- Persons who are seated at a restaurant or other establishment that offers food or beverage service, while they are eating or drinking, provided that they are able to maintain a distance of at least six feet away from persons who are not members of the same household or residence;
- Persons who are engaged in outdoor work or recreation such as swimming, walking, hiking, bicycling, or running, when alone or with household members, and when they are able to maintain a distance of at least six feet from others; and
- Persons who are incarcerated. Jails and community residential centers, as part of their mitigation plans, will have specific guidance on the wearing of face coverings or masks for

Introduced by: Mayor Springer  
Public Hearing and Adoption Date: November 9, 2021  
Action: Passed  
Vote: 6-1


both inmates and staff.

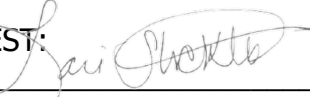
**Section 4. Enforcement.** The City reserves the right to use all available enforcement options to ensure compliance with this mandate. However, brief removal of a face covering, such as is necessary to eat, drink, or scratch an itch does not constitute a violation of this mandate (although hand-washing is recommended after such activities). Additionally, a violation of this mandate does not create grounds for residents to harass individuals who do not comply with it.

**NOW, THEREFORE, BE IT ORDAINED** that the Bethel City Council establishes a community mandate that masks or similar face-coverings shall be worn when interacting in public spaces in the community of Bethel consistent with this resolution and establishes a mandate that masks or similar face-coverings be worn in City facilities and on City property in accordance with this resolution.

**Section 5. 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) days.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA THIS 9<sup>th</sup> DAY OF NOVEMBER 2021 BY A VOTE OF 6 IN FAVOR AND 1 OPPOSED.**

  
Mark Edward Springer (Nov 20, 2021 09:16 AKST)  
Mark Springer, Mayor

ATTEST:   
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Lori Strickler, City Clerk

# Ordinance 21-53 City of Bethel Community Mask Mandate COVID-19 Pandemic

Final Audit Report

2021-11-20

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