

MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM

No. AM 611-2021

Meeting Date: September 28,
2021

1 **From: ASSEMBLY MEMBER ZALETEL**
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3 **Subject: AO 2021-91(S); AN ORDINANCE OF THE ANCHORAGE**
4 **MUNICIPAL ASSEMBLY REGARDING PUBLIC HEALTH AND**
5 **SAFETY MEASURES FOR THE COVID-19 PANDEMIC.**
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7 The following amendments to the original ordinance are recommended to clarify
8 its application and the enforcement tools available to the Municipality and its
9 citizens, to effectuate the intent of bringing the pandemic and health services
10 crises to as swift an end as possible under the current circumstances.
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12 **Section 3.** Our best medical understanding, and upon the CDC
13 recommendations, masking for both vaccinated and unvaccinated persons is the
14 single most effective tool in reducing transmission. The change clarifies that
15 even vaccinated persons must comply with the masking requirements.
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17 **Section 4.** At paragraph G., we clarify that certain athletic activities (e.g.
18 swimming) cannot be done safely and certain competitive events (e.g. running,
19 wrestling, hockey, football, volleyball) cannot be done with distancing, and
20 therefore are exempt from the masking requirement.
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22 **Section 10.** Since this ordinance is not being codified as a permanent addition to
23 Municipal Code, much of the enforcement language in Code might be interpreted
24 as not applying to violations of this ordinance unless we clarify our intent that
25 Code enforcement tools do apply here. Without restricting the enforcement tools
26 available to the Municipality, we call out specific Code sections as authorized
27 enforcement provisions for use in enforcing the terms of this ordinance. Further,
28 similar to various abatement provisions already in Code, including the abatement
29 of public health nuisances in AMC Chapter 15.20, we include a private cause of
30 action in this ordinance so that citizens may be empowered to seek civil recourse
31 under the jurisdiction of the Administrative Hearings Officer to address alleged
32 violations of this ordinance.
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34 Prepared by: Assembly Counsel's Office
35 Respectfully submitted: Meg Zaletel, Assembly Member
36 District 4, Midtown Anchorage
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