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CITY OF
OKLAHOMA CITY OKLA
OFFICE OF
CITY CLERK

REVISED PROCLAMATION OF STATE OF EMERGENCY

WHEREAS, the United States is experiencing an outbreak of Novel Coronavirus-2019 also known as COVID-19; and

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

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency because of the COVID-19 pandemic and which declaration is still in effect today; and

WHEREAS, on March 15, 2020, the Governor of Oklahoma declared a State of Emergency because of the COVID-19 pandemic and which declaration is still in effect today; and

WHEREAS, the Center for Disease Control ("CDC") has emphasized the COVID-19 risk to individuals is dependent on exposure, and transmission is through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, there have been COVID-19 related deaths statewide with over 110 deaths in the Oklahoma City metropolitan area; and

WHEREAS, Oklahoma City-County Health Department ("OCCHD") states this is the worst public health crisis to face our city in the last half-century; and

WHEREAS, the CDC issued Interim Guidance for Mass Gatherings or Large Community Events which recommends putting into action strategies for prohibiting people from direct contact with one another and postponing or canceling large gatherings; and

WHEREAS, on April 6, 2020, the President declared COVID-19 as a major disaster in the State of Oklahoma; and

WHEREAS, upon the declarations of emergency by the President and the Governor of Oklahoma, the Emergency Price Stabilization Act was automatically applicable, and this Act prohibits the sudden and often dramatic increase in the price of goods and/or services, including but not limited to rental prices of dwelling units in an amount of more than ten percent of the amount prior to the declaration; and

WHEREAS, Title 21, Section 1321.9 of the Oklahoma Statutes allows cities and towns to enact ordinances to issue a Proclamation of State of Emergency; and

WHEREAS, Section 15-37 of the Oklahoma City Municipal Code provides that I, as the Mayor, after finding that a public disaster exists which affects life, health, property or the public peace, may proclaim a state of emergency in the area affected; and

WHEREAS, Section 15-37 requires the proclamation be in writing, signed, and filed with the City Clerk and public notice as practical is provided through the news media of the issuance of said proclamation; and

WHEREAS, Section 15-38 provides that during the existence of a state of emergency, by proclamation, the following may be prohibited: (2) a designated number of persons from assembling or gathering on the public streets, parks or other areas either public or private, (6) the sale, purchase, or dispensing of alcoholic beverages, (7) the sale, purchase or dispensing of other commodities or goods, and (9) such other activities as Mayor reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace; and

WHEREAS, due to the urgency of the situation and the advice of our public health professionals, I have determined that an actual emergency exists that requires the use of measures to secure the safety and protection of public life and health; and

WHEREAS, due to the confirmation of local transmission of COVID-19 on March 15, 2020, on March 16, 2020, I issued a Proclamation of State of Emergency declaring a public disaster due to COVID-19 and suspending events on public property, revoking special event permits, and imposing distance requirements for public transit riders; and

WHEREAS, that Proclamation was revised on March 17, 2020, March 28, 2020, April 2, 2020, April 29, 2020, May 14, 2020, and May 29, 2020; and

WHEREAS, on April 22, 2020, the Governor announced the Open Up & Recover Safely Plan (“OURS Plan”) and guidelines on how, dependent upon the data indicators, Oklahoma may lift restrictions on businesses while maintaining the safety and health of the community; and

WHEREAS, due to the measures put in place under the Proclamation, Oklahoma City met the gating criteria set out in the White House Opening Up America Again Guidelines and the OURS Plan and reached Phase 3 of reopening; and

WHEREAS, after reaching Phase 3 in June, Oklahoma City experienced a significant increase in the number of COVID-19 positive tests and hospitalizations; and

WHEREAS, after a period where the rise in new cases subsided, the increase in new cases and positive testing percentages has resumed this past week and remains at an elevated level relative to previous phases of the pandemic; and

WHEREAS, since mid-June, hospitalizations have consistently remained at an elevated level that causes concern to public health officials; and

WHEREAS, recent OCCHD data indicated trends in the transmission of COVID-19 among individuals engaged in activities at certain types of locations, including locations with theater-style seating, such as weddings, funerals, and faith-based activities, as well as among employees of bars and restaurants, and bar patrons; and

WHEREAS, these scientific and data-based investigations by OCCHD have successfully identified targeted areas where safety measures will substantially improve the City’s response to this pandemic, preserving the health of the community; and

WHEREAS, with the transmission of COVID-19 and COVID-related hospitalizations and deaths continuing at an elevated level, provisions for the safety of the life, health, and property of Oklahoma City residents are still necessary; and

WHEREAS, pursuant to the powers and authority provided in Section 15-37 and 15-38 of the Oklahoma City Municipal Code, my previous Revised Proclamation should be revised to provide such measures, and on July 1, 2020, a press conference was held providing notice of this eighth Revised Proclamation.

NOW THEREFORE, BE IT PROCLAIMED, as the Mayor of The City of Oklahoma City, the COVID-19 pandemic, and specifically the local community transmission of such disease, is and continues to be a public disaster which affects life, health, property and public peace within the limits of The City of Oklahoma City.

AND I DO FURTHER PROCLAIM, the following provisions are issued and applicable within The City of Oklahoma City limits. The requirements provided below are intended to limit the spread of the virus and are based upon the recommendations of health officials. These requirements shall be effective Friday, July 3, 2020, and shall continue through July 17, 2020:

1. If an employee chooses to wear personal protective equipment (PPE) due to potential hazards involved in their place of employment, then per OSHA requirements, the business must assess the occupational hazards and should allow the employee to wear PPE while on

duty so long as it does not interfere with the essential functions of their job. Enforcement of this provision will be through the mechanisms provided by OSHA.

2. All on-premise staff in restaurants, breweries, wineries, taverns, shopping mall food courts, food halls, cafeterias, bars, night clubs, and any other food service must wear facial masks or coverings while on duty.
3. All breweries, wineries, bars, including taverns, night clubs, and other similar drinking establishments designated as TYPE I facilities by the ABLE Commission shall be reduced to 50% of the listed occupancy load determined by the Oklahoma City Fire Marshal.
4. Businesses with theater-style seating where persons gather for presentation or entertainment shall offer seating in a staggered manner so that customer groups are socially distanced.

These businesses include, but are not limited to, movie and live theaters, concert halls, sporting venues, amusement parks, places of worship, wedding venues, event venues, and funeral homes.

5. OCCHD developed health guidelines which every business in Oklahoma City should consult for further best practices beyond those requirements listed here. That document is available at www.occhd.org.
6. Except special event permits and revocable permits, all licenses, permits, and certificates previously issued by the City and scheduled to expire while this State of Emergency is in effect shall be deemed to be renewed, provided that the applicable fees are paid and necessary inspections and approvals, if any, are satisfactorily completed, within thirty (30) days following the termination of this State of Emergency.
7. Any person, including but not limited to a business owner or employee, not complying with the requirements of this Proclamation shall be subject to Section 15-40 of the Oklahoma City Municipal Code.

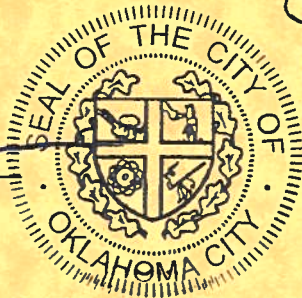
AND I DO FURTHER PROCLAIM, that public notice of this proclamation and state of emergency shall be given to and filed with the City Clerk of The City of Oklahoma City.

ADOPTED and **SIGNED** this 2nd day of July, 2020.

ATTEST:




City Clerk





MAYOR DAVID HOLT

APPROVED for form and legality.



Deputy Municipal Counselor