

FILED



2020 MAY 29 PM 5:00

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 90 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 March 25, 2020, the State Board of Education unanimously approved an order that implements a Distance Learning Plan to complete the 2019-2020 school year for Oklahoma students without reopening school buildings; 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, and May 14, 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, as of this date, the local data indicated Oklahoma City appears to meet Phase 3 gating criteria set out in the White House Opening Up America Again Guidelines and the OURS Plan; and

WHEREAS, the transmission of COVID-19 and COVID-related deaths continue, and provisions for the safety of the life, health, and property of Oklahoma City residents are still necessary and require a phased approach to reopen businesses in Oklahoma City; and

WHEREAS, it is important, as supported by the President and Governor, to slowly and cautiously work towards reopening businesses, and this can be accomplished through Proclamation provisions in a gradual nature, as has occurred over the past revised versions of this document; 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 additional provisions concerning Phase 3 of reopening businesses in Oklahoma City and on May 29, 2020, a press release was issued providing notice of this seventh 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 and closures from the May 14, 2020 Revised Proclamation of State of Emergency remain in effect through May 31, 2020. The requirements provided below are intended to limit the spread of the virus and are based upon the recommendations of health officials and the Governor’s OURS Plan and guidelines. These requirements shall be effective June 1, 2020, and shall continue until data indicators support moving to less restrictive means which will be re-evaluated no later than June 15, 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. The following businesses are encouraged to consult and follow CDC protocols and OCCHD health guidelines available at www.occhd.org:
 - restaurants, breweries, wineries, taverns, shopping mall food courts, food halls, cafeterias, bars, night clubs, hookah bars, cigar bars, and vaping lounges;

- athletic gyms, recreation centers, exercise facilities, indoor sports facilities, indoor climbing facilities, bowling alleys, skating rinks, trampoline parks, whitewater rafting facilities, and similar recreational facilities;
 - businesses where persons gather for presentation or entertainment, such as movie and live theaters, concert halls, bingo halls, sporting venues, amusement parks, places of worship, wedding venues, event venues, and funeral homes; and
 - personal care businesses including salons (hair and nail), barber shops, cosmetology facilities, esthetician facilities, laser hair removal facilities, spas, massage facilities, tattoo parlors, and piercing facilities.
3. 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.

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 29th day of May, 2020.

ATTEST:


City Clerk


MAYOR DAVID HOLT

APPROVED for form and legality.


Deputy Municipal Counselor