

ORDINANCE NO. 2020- 2

AN ORDINANCE OF THE CITY OF OKEMAH, OKLAHOMA, ADDING A CHAPTER 8, COVID-19 PANDEMIC, TO TITLE 4 OF THE CODE OF THE CITY OF OKEMAH, OKLAHOMA, AND ADDING A SECTION TO SET FORTH FINDINGS OF FACT; REQUIRING THE USE OF FACE COVERINGS WITH SOME EXCEPTIONS; AUTHORIZING THE CITY MANAGER TO MODIFY CITY SERVICES; CREATING PENALTIES FOR NON-COMPLIANCE; SETTING FORTH AN EXPIRATION DATE; PROVIDING FOR THE SEVERABILITY THEREOF; AND DECLARING AN EMERGENCY.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OKEMAH, OKLAHOMA:

Section 1. **AMENDMENT.** Title 4 of the City Code of the City of Okemah, Oklahoma, is hereby amended by adding a Chapter 8, Covid-19 Pandemic, to read as follows:

Sec. 4-8-1. Coronavirus (COVID19).

A. Due to the onset of the Coronavirus (COVID 19) pandemic, a State of Emergency continues from the previous declaration in the City of Okemah, Oklahoma; and the following are ordered for the protection of public health.

B. All orders contained in the Executive Orders issued by the Governor of the State of Oklahoma relating to Coronavirus (COVID 19) and all subsequent Executive Orders relating to COVID 19 are hereby adopted by the City of Okemah and ordered to be complied with, subject to additional requirements, restrictions, recommendations and exceptions set forth in (C) below.

C. All persons shall wear facial masks which are consistent with CDC guidelines or facial shields when out in public (indoors and outdoors) and social distancing of 6 feet or more cannot be maintained, with the following exceptions:

1. Any person younger than 16 years of age or if 16 years of age or older while attending a school or university, where masks or facial shields have not been made mandatory;
2. Any person with a medical condition or disability that prevents wearing a face covering as recommended by their physician;
3. Any person at a restaurant to eat or drink (at table). Masks should be worn at other times inside restaurant;

4. Any person while the person is exercising outdoors or engaging in physical activity outdoors, and maintaining a safe distance (6 feet or more) from other people not in the same household;
5. Any person while the person is driving alone or with passengers who are part of the same household as the driver;
6. Any person obtaining a service that requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a personal care or dental service involving the face, but only to the extent necessary for the temporary removal;
7. Any person while the person is in a swimming pool, lake or similar body of water;
8. Any person who is voting, assisting a voter, serving as a poll watcher, or actively administering an election;
9. Any person who is actively providing or obtaining access to religious worship;
10. Any person while the person is giving a speech for a broadcast or to an audience;
11. Any person performing work in which face coverings present or exacerbates a hazard;
12. Any person who is deaf or hard of hearing or communicating with a deaf or hard of hearing person.

Although the above are exceptions to wearing of a face covering or shield, it is strongly encouraged that those persons included within an exception wear a face covering or face shield when possible.

D. The City Manager's authorization to modify city services as needed in response to the State of Emergency, including, but not limited to, hours of operation, public access, and employee working conditions, shall continue.

E. The fine for a violation of any of the provisions contained in this article shall be One Hundred Dollars (\$100.00), inclusive of court costs.

F. This ordinance shall be effective until December 24th, 2020 at 10:00 p.m.

Section 2. **SEVERABILITY.** Should any section, subsection, sentence, provision, clause or phrase hereof be held invalid, void, or unconstitutional for any reason, such holding shall not render invalid, void, or unconstitutional any other section, subsection, sentence, provision, clause, or phrase of this ordinance, and the same are deemed severable for this purpose.

Section 3. **EMERGENCY CLAUSE.** It being immediately necessary for the preservation of the peace, health, safety and public good of the City of Okemah and the inhabitants thereof that the

provisions of this Ordinance be put into full force and effect, an emergency is hereby declared to exist, by reason whereof, this Ordinance shall take effect and be in full force and effect after its passage, as provided by law.

PASSED AND APPROVED and the emergency clause voted on separately this 23rd day of November, 2020.



A handwritten signature in blue ink, appearing to read 'Mike Fuller', written over a horizontal line.

MIKE FULLER, MAYOR

ATTEST:

A handwritten signature in black ink, appearing to read 'Relena Haddox', written over a horizontal line.

RELENA HADDOX, CITY CLERK