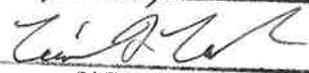


DATE April 7, 2020

CITY CLERK

REVISED DECLARATION OF EMERGENCY

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared the Coronavirus COVID-19 disease to be a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States has declared an infectious disease national emergency to combat COVID-19; and

WHEREAS, on March 15, 2020 the Governor of the State of Oklahoma has entered an Executive Order declaring an emergency caused by the impending threat of COVID-19 to the people of this State and the public peace, health and safety; said declaration is in effect for all 77 Oklahoma Counties; and

WHEREAS, on March 18, 2020 the City of Edmond issued a Declaration of Emergency as a result of the Governor's Executive Order; and

WHEREAS, on March 24, 2020 the Governor announced the Safer at Home Order (Executive Department - Fourth Amended Executive Order 2020-07) and Executive Memorandum 2020-01 for the State of Oklahoma and specifically for the 19 counties that have positive COVID-19 test results including Oklahoma County; and

WHEREAS, pursuant to State law, including but not limited to Title 21, Sections 1321.1-1321.10, the Charter and Municipal Code of the City of Edmond it is necessary to declare a State of Emergency in order to protect the public health; and

WHEREAS, the Declaration of Emergency issued on March 18, 2020 was revised on March 25, 2020 to include additional provisions pursuant to the Governor's Safer at Home Order of March 24, 2020; and

WHEREAS, on March 25, 2020, the Governor issued an Amended Executive Memorandum 2020-01 providing a list of essential business types authorized to remain open; 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 March 25, 2020, the City of Edmond issued a revised Declaration of Emergency which adopted the Governor's Order concerning the closing of locations and limiting gatherings; and

WHEREAS, on March 27, 2020, the Governor issued the Fifth Amended Executive Order 2020-07; and

WHEREAS, on March 29, 2020, the Governor issued the Sixth Amended Executive Order 2020-07 related to additional restrictions for persons who enter the state by air from an area with community spread; and

WHEREAS, on March 30, 2020, the City of Edmond issued a revised Declaration of Emergency which further adopted the Governor's Safer at Home Order and ordered a shelter in place and closure of non-essential businesses and certain City-owned or operated facilities; and

WHEREAS, on April 1, 2020, the Governor issued the Seventh Amended Executive Order 2020-07 extending dates to April 30, 2020, and closing non-essential businesses statewide; and

WHEREAS, on April 2, 2020, the Governor issued Executive Department-Executive Order 2020-12 declaring a health emergency in the State of Oklahoma; and

WHEREAS, it is necessary to revise the Declaration of Emergency issued on March 30, 2020 to extend the dates to April 30, 2020 and such other changes as determined to be necessary.

NOW THEREFORE, it is hereby declared that a State of Emergency continues to exist as a result of the COVID-19 pandemic, and specifically the local community transmission of such disease, is and continues to be a public disaster and a threat of injury to persons, which affects the life, health, property and public peace throughout the City of Edmond, Oklahoma; and

IT IS FURTHER DECLARED AND ORDERED that the provisions of the Governor's Safer at Home Order and related Amendments are hereby adopted throughout the City of Edmond, Oklahoma unless specifically modified by this Revised Declaration of Emergency; and

IT IS FURTHER DECLARED AND ORDERED that during the State of Emergency, the Mayor and City Council and City Manager shall exercise those powers, functions and duties prescribed by Oklahoma law, the City of Edmond Charter, and all applicable ordinances, resolutions, and the City of Edmond Emergency Operations Plan in order to minimize the effects of said emergency;

IT IS FURTHER DECLARED AND ORDERED through April 30, 2020, all residents living within the corporate limits of the City of Edmond, Oklahoma are required to shelter in place at their place of residence as provided herein:

- a. For the purposed of this Emergency Declaration, "residence" shall include homes, apartments, condominiums, dormitories, hotels, motels, shared rentals, temporary outdoor shelters and similar facilities.
- b. Persons may leave their residences only for Essential Activities as defined herein or operate Essential Businesses.
- c. For purposes of this Declaration "Essential Activities" shall include;
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family, household members, or pets (for

- example, obtaining medical supplies or medication, visiting a health care professional, obtaining supplies needed to work from home, or perform property maintenance);
- ii. To obtain necessary services or supplies for themselves, family, household members, or pets or to deliver those services or supplies to others (for example, food and beverage, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences;
 - iii. To engage in outdoor activity, provided the individuals, except household members, follow social distancing guidelines issued by the CDC (for example, walking, biking, hiking, or running);
 - iv. To perform work at an Essential Business;
 - v. To care for or transport a family member or pet in another household;
 - vi. To move to another residence either in or outside the limits of the City of Edmond; and
 - vii. To otherwise carry out activities specifically permitted in this Declaration.
- d. For purposes of this Declaration “Essential Businesses” shall mean those businesses identified by the Governor of the State of Oklahoma, or his designee, as critical infrastructure sectors by the Governor’s Fourth Amended Executive Order 2020-07 dated March 24, 2020, and amendments thereto, and the Governor’s Executive Memorandum 2020-01 and amendments thereto, including critical government workers as defined by the governmental employer.

IT IS FURTHER DECLARED AND ORDERED the previously issued Declaration of Emergency of March 18, 2020 and March 25, 2020 and March 30, 2020 shall remain in full force and effect to the extent that said Declarations do not contradict this Declaration and hereby extend until the expiration of this Revised Declaration of Emergency.

IT IS FURTHER DECLARED AND ORDERED that City-owned or operated sports courts, basketball courts, golf course, tennis center, sports fields, dog park, fitness courts, playgrounds and disc golf facilities are closed to the public and all persons except personnel necessary for maintenance of the facility and grounds, through April 30, 2020.

IT IS FURTHER DECLARED AND ORDERED through April 30, 2020, all businesses operating within the limits of the City of Edmond, Oklahoma, except Essential Businesses, identified by the Governor of the State of Oklahoma, or his designee as provided herein, are required to close all facilities located within the City and all persons, except as provided in subsection a. below, are restricted from such places.

- a. Provided that any business may continue to perform essential functions with employees or contractors as necessary to maintain the value of the business’

- inventory, preserve the condition of the business' physical plant and equipment, ensure security, process payroll and employee benefits and related functions.
- b. For clarity, non-essential businesses may continue operations consisting exclusively of employees or contractors performing activities remotely (i.e. working from home).
 - c. For Essential Businesses continuing to operate, to the extent possible all businesses shall practice social distancing which may include but is not limited to maintaining six (6) feet between both employees and the general public, off-setting shifts and/or days, and requiring employees to conduct work remotely.
 - d. Any business owner keeping a non-essential business open in violation of this Declaration shall be subject to the applicable provisions of the Edmond Municipal Code.

IT IS FURTHER DECLARED AND ORDERED that all previously approved special event permits for all events through April 30, 2020 are hereby revoked, and all events with 10 or more participants at City-owned-operated facilities are hereby suspended until further notice.

IT IS FURTHER DECLARED AND ORDERED that the City Manager is directed to not discontinue water and utility service for customers unable to pay their bills through April 30, 2020.

IT IS FURTHER DECLARED AND ORDERED that all users of Citylink must maintain a distance of at least 3 feet from other users when possible.

IT IS FURTHER DECLARED AND ORDERED that through April 30, 2020, all bars without food service, night clubs, hookah bars, cigar bars, and vaping lounges shall be closed to the public. This does not prohibit the presence of personnel required for the maintenance of the facility or grounds. All other persons are restricted from such places.

IT IS FURTHER DECLARED AND ORDERED that through April 30, 2020, all bars with on-premises food service, breweries, wineries, taverns, and restaurants are restricted to providing only take-out or delivery of food and sale of alcohol authorized for sale under state law. Such locations are otherwise closed to the public and persons, other than employees, are restricted from such places for any other purpose. This provision does not include institutional or in-house cafeterias serving residents, employees, childcare facilities, hospitals or congregate care facilities, including but not limited nursing homes and assisted living facilities.

IT IS FURTHER DECLARED AND ORDERED that through April 30, 2020, the following places are closed to the public and all persons, except personnel necessary for maintenance of the facility and grounds, are restricted from such places:

- a. Athletic gyms, exercise facilities, indoor sports facilities, indoor climbing facilities, bowling alleys, skating rinks, trampoline parks, playgrounds, and similar recreational facilities;
- b. Movie and live theaters;
- c. Seating areas of food courts and food halls;
- d. Commercial amusement facilities.

IT IS FURTHER DECLARED AND ORDERED that through April 30, 2020, the following facilities, including non-medical personal care service facilities where services cannot be provided while maintaining six (6) feet distance between persons, are closed to the public and all persons, except personnel necessary for the maintenance of the facility or grounds are restricted from such places. This includes but is not limited to:

- a. Salons (hair and nail);
- b. Barber shops;
- c. Cosmetology facilities;
- d. Esthetician facilities;
- e. Laser Hair removal facilities;
- f. Spas;
- g. Massage facilities;
- h. Tattoo parlors;
- i. Piercing facilities.

IT IS FURTHER DECLARED AND ORDERED that through April 30, 2020, except as provided herein, events, organized gatherings, and social gatherings of 10 or more people on public or private property are prohibited. An "organized gathering" is defined as people coming together at a central point for a meeting, event, sporting activity, or game. "Organized gathering" does not include people in a location independently performing work as part of employment; however, employers shall not have meetings of 10 or more. This provision does not include and specifically excludes events and organized gatherings of people in the following locations:

- a. Government Office Buildings;
- b. Food Banks;
- c. Congregate care, including but not limited to nursing homes and assisted living facilities;
- d. Medical and Medical Research facilities;
- e. Childcare facilities;
- f. Day Camps;
- g. Media Press Conferences;
- h. Blood Drives;
- i. Other Disaster Response Activities.

IT IS FURTHER DECLARED AND ORDERED that all Edmond citizens should take extra measures to put a physical distance of six (6) feet between yourself and other people to further reduce your risk to being exposed to this new virus, and should avail themselves of the resources and information through the Oklahoma City-County Health Department (OCCHD), the Oklahoma State Department of Health (OSHD) and Center for Disease Control (CDC).

THIS REVISED DECLARATION shall continue in effect until such time it is terminated or amended by issuance of a subsequent declaration.

Approved this 6th day of April, 2020.



Dan O'Neil, Mayor

Attest:



Cinda Covell, City Clerk



Approved as to Form and Legality:



Stephen T. Murdock, City Attorney

