

ORDINANCE NO. 2020-_____

AN ORDINANCE OF THE CITY OF PRYOR CREEK, OKLAHOMA DECLARING A CIVIL EMERGENCY WITH RESPECT TO THE PUBLIC HEALTH AND WELFARE REGARDING THE CORONAVIRUS COVID-19 PANDEMIC; ESTABLISHING TEMPORARY RESTRICTIONS AND LIMITATIONS ON THE PROVISION OF SERVICES AND OPERATIONS OF RESTAURANTS, FOOD COURTS, CAFES, COFFEEHOUSES, FITNESS CENTERS, NAIL SALONS, HAIR SALONS AND OTHER PLACES OF PUBLIC TRADE, GATHERINGS AND ACCOMMODATION OF SERVICES; PRESCRIBING PUNISHMENT FOR VIOLATIONS; PROVIDING FOR REMEDIES FOR VIOLATIONS; PROVIDING FOR IMMEDIATE EFFECTIVENESS OF ORDINANCE UPON PASSAGE, PROVIDING FOR DURATION OF ORDINANCE, AND REPEALER AND SEVERABILITY.

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 declared a National Emergency; due to the COVID-19 Virus pandemic and

WHEREAS, on March 15, 2020, the Governor of the State of Oklahoma has declared an emergency caused by the impending threat of COVID-19 to the people of this State and the public's peace, health and safety; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has issued conclusions that the disease is spread between people who are in close contact with one another (within about 6 feet), through respiratory droplets produced when an infected person coughs or sneezes and by touching surfaces or objects that has the virus on it and then touching their own mouth, nose, or eyes; the CDC findings indicate the virus is spreading easily and sustainably among the human community; and

WHEREAS, State and Federal authorities and leading health professionals advise that it is critical to the health, safety and welfare of the public that aggressive measures be taken by citizens and governing authorities immediately to effect restrictions and limitations on human environments and activities to reduce the spread of the COVID-19 virus which threatens to quickly spread among our population and overwhelm our healthcare capacities to care for our citizens.

WHEREAS, certain public accommodation facilities and public behaviors as identified herein have been identified by the collective collaboration of state and local officials in consultation with health professionals and governmental agencies as being "higher risk" public accommodation facilities due to factors such as patronage by persons traveling cross-country, duration of concentration of numbers of persons at the facility, risk of transmission by reason of physical proximity of individuals to others, environments conducive to extended time of sustainability (life) of the virus.

WHEREAS, The objective of the measures herein set forth are to reduce the spread of this virus among our City's population as much as possible, as soon as possible. This virus has an incubation

period of approximately 2 weeks during which time carriers of the virus do not realize they are carriers. We are counseled by the leaders of our federal and state government, government health officials and others in the health profession that unless aggressive measures are adopted these unsuspecting carriers pose an unacceptable threat to wide-spread infection of others who likewise become unsuspecting carriers infecting yet more and more people. If our efforts in curbing this virus are successful it is anticipated that many will say these measures were not necessary because so few people have been infected by the virus. However, that is the objective – to curb the spread to such a degree that few get infected.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PRYOR CREEK, OKLAHOMA PURSUANT TO THE EMERGENCY PROVISIONS OF PRYOR CREEK CITY CODE SECTION 4-3B-5, 4-4-1 “Public Nuisance” B (8), 4-4-1D, 4-4-3 AND SECTIONS 19 AND 20 OF THE CHARTER FOR THE CITY OF PRYOR CREEK AS FOLLOWS:

SECTION 1: ORDINANCE TO READ AS FOLLOWS:

- A. Restaurants, food courts, cafes, coffeehouses, and other places of public accommodation offering food and beverage shall be closed for dine-in customers, interior guests and for on-premises consumption. Operations for said businesses may remain open and doing business on a limited and restricted basis of curbside, drive-thru, takeout and delivery services. Exclusions from these limitations and restrictions shall be institutional or in-house food cafeterias in the serving of food and beverage to residents of the institution, businesses serving food and beverage to the business’s employees, child care facilities, hospitals, and long-term care facilities.
- B. The following commercial establishments and places of public accommodation shall be and are hereby closed to ingress, egress, use, and occupancy by members of the public except as hereinafter designated:
 - 1. Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption shall be closed as above indicated with no exceptions.
 - 2. Theaters, cinemas, indoor and outdoor performance venues, and museums shall be closed as above stated with no exceptions.
 - 3. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, hair salons, nail salons and spas.
 - a. Exceptions to general closure for fitness centers and indoor exercise facilities shall be as follows: Personal Training shall be allowed on the limited basis of one client paired with one trainer for personal training sessions. The client must be in the presence of the trainer/instructor at all times while on the premises. Sessions of training shall be separated by at a minimum, a 30-minute time period during which time proper sanitation of the premises shall be taken between clients. No other person apart from the trainer or trainers and one client per trainer shall be present inside the building space occupied by the facility at a given time.
 - b. Exceptions for hair salons and nail salons and spas shall be as follows: Customers

shall be limited to appointment only presence inside the facility. Each customer shall be paired with the stylist, nail technician or spa treatment personnel at all times while on the premises. No other person apart from the client and the stylist, nail technician or spa treatment professional with whom they are paired shall be present inside the building space occupied by the facility at a given time. Client appointments shall be separated by at a minimum, a 30-minute time period during which time proper sanitation of the premises shall be taken between clients.

4. Arcades, pool halls, bingo halls, skating rinks, and other similar recreational or entertainment facilities shall be closed with no exceptions.
 5. Senior citizens centers shall be closed to the general public excepting only that they may be staffed by those volunteers assembling inside the center for purposes of providing food and other necessary public assistance measures to seniors for curb-side or home delivery purposes.
- C. Public gatherings of people interior to a room or other place of congregation of people shall be limited to not more than 10 in number excepting the gathering of employees of an employer at the employer's facility under conditions consistent with maintaining social distancing standards as set forth by the CDC recommendations. (6 feet separation)
- D. This Ordinance shall not prohibit an employee, contractor, vendor, or supplier of a place of public accommodation from entering, exiting, using, or occupying that place of public accommodation in their professional capacity.
- E. The restrictions imposed by this Ordinance do not apply to any of the following:
1. Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries. However, on-site consumption at such locations shall be prohibited.
 2. Health care facilities, child care facilities, residential care facilities and congregate care facilities;
 3. Crisis shelters, soup kitchens, or similar institutions.
- F. Violation of this Ordinance shall be subject to penalty pursuant to Section 1-4-1 of the City Code for the City of Pryor Creek.
- G. Upon a second or continued failure to abide by the provisions of this ordinance shall constitute a public nuisance for which the City may avail itself of the remedies provided in Section 4-4-7A of the City Code for the City of Pryor Creek.
- H. This Ordinance shall be effective commencing at 11:59 P.M. on the date of passage and approval by the City Council for the City of Pryor Creek and shall remain in effect until 12:00 A.M. (Midnight) on the _____ day of _____, 2020 unless previously repealed or extended by formal action of the City Council upon further review of the continued existence of emergency.

Passed and Approved by the Council of the City of Pryor Creek, Oklahoma, in regular session on this ____ day of _____, 2020

CITY OF PRYOR CREEK, OKLAHOMA

Larry Lees, Mayor

ATTEST:

Eva Smith, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Kim Ritchie, City Attorney

Dated: _____