

ORDINANCE NO. _____

AN ORDINANCE CREATING EMERGENCY MEASURES RELATED TO THE COVID-19 PANDEMIC; ACKNOWLEDGING THE MAYOR'S PROCLAMATION OF EMERGENCY 2020-01; AND DECLARING AN 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 declared a National Emergency; due to the COVID-19 disease 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, on March 18, 2020, the City Council of the City of Bartlesville passed Resolution 3592 aimed at reducing the spread of COVID-19; and

WHEREAS, on March 23, 2020, in accordance with Section 2-466 of the Bartlesville Municipal Code, the Mayor of the City of Bartlesville proclaimed that a state of emergency existed in relation to the impending threat of COVID-19; and

WHEREAS, the City Council desires to reinforce and strengthen the measures included in Resolution 3592; and

WHEREAS, in consultation with the Washington County Health Department and the Washington County Medical Association, the Council has determined that further actions are necessary to protect the safety of the citizens of Bartlesville; and

WHEREAS, Title 11 Section 22-120 of Oklahoma statutes grants municipal bodies broad authority to "make regulations to prevent the introduction of contagious diseases into the municipality and may enforce quarantine laws within five (5) miles of the municipal limits";

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF BARTLESVILLE, OKLAHOMA, AS FOLLOWS:

SECTION 1: All existing special event permits are hereby revoked and no further special event permits will be issued while these measures remain in effect.

SECTION 2: Municipal Court is hereby suspended other than by teleconference where required. No further failure to appear warrants will be issued or served while these measures remain in effect.

SECTION 3: All Code Enforcement hearings are suspended while these measures remain in effect.

SECTION 4: Public gatherings of greater than 10 people will not be allowed at any City owned or managed facilities except as required by law. All reservations of City facilities are suspended, and deposits held for any current reservations shall be refunded in full.

SECTION 5: Further utility cutoffs are suspended, and the City Manager is directed to reestablish service for any disconnected customer. Amounts due will not be forgiven.

SECTION 6: City owned pools shall not be opened while these measures are in effect.

SECTION 7: The Bartlesville Public Library and History Museum are hereby closed to the public.

SECTION 8: All City board and committee meetings are hereby canceled except for City Council and Authority meetings. Authorities are encouraged to meet only when absolutely necessary. When meeting, the City Council and Authorities are required to utilize the provisions of Senate bill 661 and to conduct only teleconference meetings where technologically possible. In order to simplify implementation of teleconference meetings, the requirement for citizens to be heard is hereby suspended for all meetings during the duration of this emergency.

SECTION 9: The use of City owned meeting rooms for public gatherings of any size is hereby prohibited. Meeting rooms may still be used by City staff when necessary.

SECTION 10: All in-person gatherings for social, spiritual, and recreational purposes, including, but not limited to community, civic, public, leisure, faith-based, or sporting events; parades, concerts, festivals, conventions, fundraisers and similar activities are **strongly** discouraged while these measures are in effect.

SECTION 11: Effective 5:00 pm, Tuesday, March 24, 2020 and continuing so long as this ordinance is in effect, all bars of any type who do not provide items for off-premises consumption shall be closed to the public.

SECTION 12: Effective 5:00 pm, Tuesday, March 24, 2020 and continuing so long as this ordinance is in effect, all bars of any type which provide items for off-premises consumption, breweries, taverns, and restaurants are restricted to providing only drive-through, take-out, or delivery of food, sale of pre-packaged alcohol as authorized for sale under state law, or sale of other retail items as authorized for sale under state law. These establishments shall not allow ingress or egress into their facility by the public. These restrictions shall not apply to institutional or in-house food cafeterias that service residents, employees, and clients of businesses, child care facilities, hospitals and/or medical clinics, and long-term care facilities.

SECTION 13: Effective 5:00 pm, Tuesday, March 24, 2020 and continuing so long as this ordinance is in effect, 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:

1. Athletic gyms, exercise facilities, indoor sports facilities, indoor climbing facilities, bowling alleys, skating rinks, trampoline parks, and similar recreational facilities;
2. Movie theaters;
3. Shopping mall food courts.

SECTION 14: Effective 5:00 pm, Tuesday, March 24, 2020 and continuing so long as this ordinance is in effect, tattoo shops, and massage therapists, barber shops, haircut and styling shops, and spas shall operate only under the following conditions: by appointment only with no walk-in customers; appointments shall not be scheduled and held within 15 minutes of the preceding appointment; the individual client shall not bring any other persons, including children, to be present within the facility during an appointment; and that all workstations are hereby required to have a minimum of (six) 6 feet of space from the adjoining workstation, to promote social distancing.

SECTION 15: Any of the businesses restricted or closed by these temporary regulations, which have current commercial utility accounts, may, upon application with the City of Bartlesville, receive a temporary 25% (twenty-five percent) discount on City utility bills (defined as including water, sewer, and sanitation charges only) during the time these temporary regulations remain in effect. This discount does not apply to any other utility accounts, other than the businesses restricted or closed within Sections 11, 12, 13, and 14 of this Ordinance. Additionally, any business subject to these limitations, found to be in violation of these regulations by City officials, shall then be ineligible and immediately disqualified for the temporary 25% (twenty-five percent) discount.

SECTION 16: The restrictions imposed by this Resolution 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, other than those portions of the place of public accommodation subject to the requirements of this section;
2. Health care facilities, child care facilities, and residential care facilities, congregate care facilities; and
3. Crisis shelters, soup kitchens, or similar institutions.

SECTION 17: The City Manager is directed and authorized to take the following actions:

1. Where practical, to close portions of public facilities to the public and encourage the use of email, telephone, and other remote methods of conducting business with the City
2. To modify work schedules and conditions as necessary to ensure business continuity and employee safety
3. To invoke special protocols to limit the risk of exposure for City employees
4. To establish procedures for certain employees to telecommute where practical
5. To provide paid administrative leave for employees who have potentially been exposed to COVID-19 as per management developed policy. Employees who are sick or caring for a sick family member will continue to take leave as per current policy.
6. Establish mandatory disinfection protocols for all City facilities
7. Take other actions as necessary to preserve the health and safety of City employees
8. As needed and where prudent, utilize funding from the Capital Reserve Fund to purchase items necessary to facilitate these directions
9. The City Manager is hereby authorized to make emergency purchases for \$50,000 or less without the requirement to obtain quotes or bids as required by Section 2-180 of the Bartlesville municipal code. Non-emergency purchases shall continue to follow standard procedures.

SECTION 18: The Bartlesville Chief of Police and the Bartlesville Police Department are hereby directed and authorized to strictly enforce Oklahoma’s prohibition against the willful exposure of those affected by contagious diseases in public places and thoroughfares as provided in 21 O.S. § 1199.

SECTION 19: There is hereby created a COVID-19 Emergency Advisory Board. The Mayor and Vice Mayor shall serve as the council representatives. Other members of the advisory board shall be appointed by the Mayor and Vice Mayor and confirmed by the City Council. The advisory board shall be comprised of the City Manager, Fire Chief, Police Chief, experts in the fields of medicine, emergency management, county government, and other persons as deemed necessary by the Mayor and Vice Mayor. The advisory board shall review all measures instituted by the ordinance and make recommendations to the Council on amendments hereto. The advisory board shall be subject to all municipal laws including the open meetings act and open records act. They shall meet as often as necessary and shall utilize teleconference as authorized by Senate bill 661 whenever feasible.

SECTION 20: The Bartlesville Development Authority is hereby directed to create a task force to study the economic impact of the COVID-19 pandemic. The task force should be comprised of experts in the fields of economics, medicine, and economic development as well as local business members, a member of the City Council, and a member from the Chamber of Commerce. The task force will focus on current business retention, small business assistance during the current crisis, and a path to eventual economic recovery.

SECTION 21: Except as otherwise indicated or previously authorized, these measures will take effect on Monday, March 23, 2020 at 11:59 pm and shall stay in effect until April 6, 2020 at 11:59 pm. This ordinance shall be reviewed and, if warranted, amended or renewed by the City Council at its regularly scheduled meeting on April 6, 2020.

SECTION 22: An emergency is hereby declared to exist for the preservation of the public peace, health, and safety, and by reason whereof, this Ordinance shall be effective immediately upon its passage.

APPROVED AND THE EMERGENCY CLAUSE ACTED UPON SEPARATELY BY THE CITY COUNCIL AND SIGNED BY THE MAYOR OF THE CITY OF BARTLESVILLE THIS 23^{RE} DAY OF MARCH, 2020.

Dale Copeland, Mayor
City of Bartlesville

City Clerk
City of Bartlesville