

Proclamation 2020-06

A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN DECLARING AN EMERGENCY AND IMPLEMENTING A STAY AT HOME ORDER AND OTHER RESTRICTIONS

- § 1. WHEREAS, Section 2-111 of the Code of the City of Norman, Oklahoma allows the Mayor of the City of Norman to proclaim a civil emergency when a natural disaster, which results in the death or injury of persons to such an extent that extraordinary measures must be taken to protect the public health, safety, and welfare, exists; and
- § 2. WHEREAS, Section 2-111 of the Code of the City of Norman, Oklahoma empowers the Mayor to impose a number of restrictions or prohibitions in the interest of public safety and welfare, including, but not limited to imposition of curfews, limits of numbers of persons of assembling or gathering in public and private areas of the City, and such other activities as the Mayor reasonably believes should be prohibited to preserve and maintain life, health, property or the public peace; and
- § 3. WHEREAS, a respiratory disease caused by a novel coronavirus (“COVID-19”) was first detected in China and has now been detected in 190 locations internationally, including the United States; and
- § 4. WHEREAS, the World Health Organization characterized COVID-19 as a pandemic on March 11, 2020; and
- § 5. WHEREAS, according to the Center for Disease Control and Prevention (“CDC”), the COVID-19 virus spreads between people who are in close contact with one another and through respiratory droplets produced when an infected person coughs or sneezes; and
- § 6. WHEREAS, on March 13, 2020, the President of the United States declared COVID-19 a national emergency and ordered each state to set up emergency operations centers and ordered hospitals to activate their emergency preparedness plans; and
- § 7. WHEREAS, on March 15, 2020, the Governor of Oklahoma declared an emergency caused by the impending threat of COVID-19 to the people of Oklahoma and the public’s peace, health, and safety, which has been amended eight times, most recently on April 2, 2020, and orders the closing of all non-essential businesses until April 30, 2020; and
- § 8. WHEREAS, previous proclamations were issued by the Mayor of the City of Norman on March 13, 2020, limiting organized gatherings to less than 250 people, on March 16, 2020, restricting organized gatherings to less than 50 people, and closing bars, lounges, gyms and fitness facilities, entertainment venues, including private clubs, commercial amusement facilities, theaters and similar venues, as well as restaurant dining areas, on March 22, 2020, limiting organized gatherings to less than 10 people, and closing beauty parlors, barber shops, nail salons, and health clubs and spas, and encouraging retailers to



implement social distancing in stores, and on March 30, 2020, amending the previous proclamation related to outdoor activities; and

- § 9. WHEREAS, despite ongoing restrictions, the number of cases in Cleveland County, as reported by the Oklahoma Department of Health, have increased from 0 cases on March 13, 2020 to 203 cases on April 7, 2020, including twelve deaths; and
- § 10. WHEREAS, during the same period of time, the number of cases in Oklahoma, as reported by the Oklahoma Department of Health, have increased from 1 case to 1,472 cases and 67 deaths, impacting people ranging in age from infancy to 102 years old, with the largest number of cases occurring in the 18 to 49-year-old age range; and
- § 11. WHEREAS, as of April 7, 2020, the CDC had identified 374,329 confirmed cases of COVID-19 and 12,064 deaths as a result of COVID-19 in 55 jurisdictions including 50 states, the District of Columbia, Puerto Rico, Guam, the North Mariana Islands, and the U.S. Virgin Islands; and
- § 12. WHEREAS, of the 374,329 confirmed cases of COVID-19 in the United States, just over 0.4 percent have been identified as being travel-related, meaning community transmission is responsible for much of the spread of COVID-19 in the United States; and
- § 13. WHEREAS, due to the evidence across the country of rapid community spread placing residents in danger and threatening hospital resources, additional restrictions are required to protect public health, reduce further damage, insure public safety and render emergency relief; and

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA:

- § 13. That, previous proclamations dated March 13, 2020, March 16, 2020 and March 23, 2020 shall be deemed repealed and replaced by this Proclamation 2020-06 dated April 8, 2020 and made effective immediately upon its issuance; and
- § 14. That, the aforementioned conditions continue to constitute an ongoing threat to the safety and welfare of the city necessitating additional restrictions, and creating a civil emergency situation within the meaning of Section 2-111 of the City Code, in addition to constituting an emergency under the Emergency Management Act of 2003 (63 Okla. Stat. §683.3); and
- § 15. That, effective immediately, the following restrictions shall replace those implemented by previous proclamations:
  - A. Stay at Home Order: Individuals may leave their residences only to perform “Essential Activities” or to provide any services or perform any work necessary to the operations and maintenance of Essential Business, Essential Infrastructure, Essential

Manufacturing, Healthcare Operations, Minimum Basic Operations, or other enumerated exempted categories as set forth herein or by other prevailing law.

- i. Exemptions: All first responders, emergency management personnel, emergency dispatchers, law enforcement personnel, and others working for, or to support, Essential Businesses are categorically exempt from this Proclamation. Further, nothing herein shall be interpreted as prohibiting an individual from performing or accessing “Essential Governmental Functions”, including all services needed to ensure the continued operation of any government agency, creating materials for public education, and provide for the health, safety and welfare of the public. All Essential Governmental Functions should be performed in compliance with the Social Distancing Requirements as defined herein.
- ii. Conducting Essential Activities during the Stay at Home Order: People at high risk of severe illness from COVID-19 are urged to stay in their residence except as necessary to seek medical care and obtain provision of essential life items. All individuals shall exercise social distancing requirements outside of their homes at all times and are strongly encouraged to wear face coverings when picking up or purchasing essential items. Customers of essential businesses shall, to the maximum extent possible, limit visits to said businesses on an odd/even basis using their home address. For example, if one’s residence address is 123 City Street, he or she would shop on odd numbered days only to help limit the number of customers at any given time.

B. Cessation of Non-Essential Business and other Non-Essential Operations: All businesses and other operations in the City, except as defined herein or exempted by force of law or Order, including State and political subdivisions over which the City has no control, are required to cease all in-person operations. Non-essential businesses and operations may continue to operate to the extent employees, contractors or other agents can perform business activities at their own residences.

- i. Non-essential retail sales: Non-essential retail sales may be conducted, provided:
  - a) All sales are conducted online or over the phone, including payment for goods;
  - b) Goods purchased from non-essential retail businesses are delivered to the customer in person at their address or by mail, and no direct contact is made with the customer; and
  - c) Non-essential retail businesses taking and fulfilling orders and deliveries use minimal staff to conduct such business and follow all recommendations for social distancing and wearing masks and other protective gear in public; and

- d) Curbside pick-up is not utilized.
- ii. Automobile Sales: Non-essential automobile sales may be conducted, provided:
  - a) The showroom remains closed to the public;
  - b) No test drives are conducted;
  - c) Sales are conducted online, with the only customer contact with the dealership occurring at the point of delivery and signing of necessary paperwork;
  - d) All recommendations for social distancing and wearing masks and other protective gear are followed.

C. Social Distancing and Other Protective Measures for Essential Businesses: Essential businesses open to customers are strongly encouraged to provide dedicated shopping hours at the beginning of the day for at-risk patrons. Such businesses should employ the following measures to ensure social distancing requirements are complied with and the risk of transmission of the coronavirus is reduced to the maximum extent possible:

- i. With tape or floor decals, mark 6-foot spacing in areas where customers might congregate, such as checkout lines or sales areas, and provide signage direction for one-way traffic in shopping aisles;
- ii. Limit the number of persons in your store based on the square footage, allowing for no more than 20% of your maximum capacity that has previously been determined by the fire marshal in the store at any given time;
- iii. Mark 6-foot spacing in areas outside of the store where customers may line up for entry;
- iv. Provide masks and other protective gear for employees.

D. Definitions: For purposes of this proclamation, the following terms will have the meaning as set forth herein.

- i. “Essential Activities” shall include the following:
  - a) Activities or tasks essential to one’s health and safety, or to the health and safety of their family or household members, or close acquaintances, such as obtaining medical supplies or medication,

visiting a health care professional, or obtaining supplies needed to work from home;

b) Activities necessary to obtain needed services for oneself and one's family or household members, or close personal acquaintances, or to deliver those services or supplies to others, such as groceries, needed household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences;

c) Outdoor activities, provided the individuals comply with Social Distancing Requirements, as defined herein, such as walking, biking, hiking or running. Essential outdoor activities do not include golf courses, basketball courts, playground equipment, tennis courts, pickleball courts, disc golf courses, visits to dog parks, and other similar forms of outdoor activities where social distancing requirements are inherently difficult to comply with;

d) Activities or tasks required to perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations, as defined herein, at Non-Essential Businesses; and

e) Activities or tasks required to care for a family member, close personal acquaintance, or pet in another household.

f) Essential activities do not include weddings, funerals, wakes, memorial services, church services, or similar gatherings with attendance exceeding ten people.

g) Activities related to performance of duties by those identified as essential critical infrastructure workers by the federal Cybersecurity and Infrastructure Security Agency.

ii. "Essential Businesses" refers to any for-profit or non-profit business regardless of its corporate or entity structure and includes:

a) Healthcare Operations and Essential Infrastructure;

b) Grocery stores, farmers' markets, farm and produce stands, markets, food banks, convenience stores, liquor stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, drinks, pet supply, fresh meats, fish, and poultry, and any other household consumer products such as cleaning and personal care products. This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and persons;

- c) Food cultivation, including farming, livestock, and fishing;
- d) Human and animal food processing facility workers;
- e) Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- f) Newspapers, television, radio, and other media services;
- g) Gas stations and auto-supply, auto-repair, and related facilities;
- h) Banks and related financial institutions;
- i) Hardware stores and stores that sell essential home appliances and related equipment;
- j) Stores that sell telecommunication and video devices;
- k) Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences, Essential Activities, and Essential Businesses;
- l) Businesses providing mailing and shipping services, including post office boxes;
- m) Laundromats, dry cleaners, and laundry service providers;
- n) Railroads, rail systems, and other forms of public transit;
- o) Restaurants and other facilities that prepare and serve food and drink, but only for delivery or carry out. Entities that typically provide free food to members of the public may continue to do so under this Proclamation on the condition that the food is provided on a pick-up or takeaway basis only.
- p) Businesses that supply products needed for people to work from home;
- q) Businesses that supply other essential businesses with the support or supplies necessary to operate;
- r) Businesses that ship or deliver groceries, food, goods or services directly to residences;

- s) Airlines, taxis and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Proclamation, as well as transportation maintenance services such as mechanics necessary to keep transportation services operational;
  - t) Home-based care for seniors, adults, or children;
  - u) Residential facilities and shelters for seniors, adults, and children;
  - v) Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
  - w) Childcare facilities providing services that enable employees exempted from this Proclamation to work as permitted. To the extent possible, childcare facilities should operate under the following conditions:
    - 1. Childcare should be carried out in stable groups, preferably with 10 or fewer children (“stable” means that the same 10 or fewer children are in the same group each day with the same childcare provider);
    - 2. If more than one group of children is cared for at one facility, each group should be in a separate room and should not mix with one another;
- iii. “Essential Infrastructure” refers to, but is not limited to, public works construction, new commercial and residential construction, airport operations, water, sewer, gas, electrical, oil refining, railroad and rail systems, roads and highways, public transportation, solid waste collection and removal, internet, telecommunication and video systems (including the provision of essential infrastructure for computing services, business infrastructure, communications, and web-based services), provided they carry out those services or that work in compliance with the Social Distancing Requirements as defined herein, to the extent possible.
  - iv. “Essential Manufacturing” shall include manufacturing and processing related to all foods and beverages, chemicals, medical equipment and instruments, pharmaceuticals, sanitary products, telecommunications, microelectronics and semi-conductors, agriculture and farms, and needed household and commercial products such as heating and air systems, appliances, and paper products.
  - v. “Healthcare Operations” shall include hospitals, clinics, dentists, pharmacies, medical marijuana dispensaries, pharmaceutical and biotechnology

companies, other healthcare facilities, healthcare suppliers, home healthcare service providers, mental health providers, or any related and/or ancillary healthcare services. "Healthcare Operations" also includes veterinary care and all healthcare services provided to animals. "Healthcare Operations" does not include fitness and exercise gyms or similar facilities.

vi. "Minimum Basic Operations" refers to the following operations, provided that employees comply with Social Distancing Requirements as defined here to the extent possible:

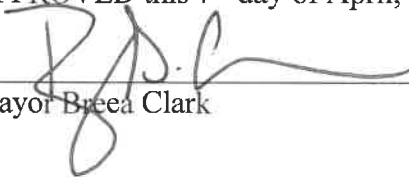
- a) The minimum necessary activities to maintain the value of the business' inventory and facilities, ensure security, process payroll and employee benefits, or for related functions; and
- b) The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences; and

vii. "Social Distancing Requirements" refers to the maintenance of at least a 6-foot minimum social distancing from other individuals, washing hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer, regularly cleaning high-touch surfaces, and not shaking hands.

E. That, a violation of this Proclamation constitutes a violation of Section 2-111 of the Code of the City of Norman, which could result in a maximum penalty of \$750 and 60 days in jail per violation. The Norman Police Department is empowered to enforce this ordinance but is encouraged to use an education, warning, then citation approach to enforcement.

F. That, this Proclamation shall expire at 11:59 p.m. on April 30, 2020 unless and until it is extended, rescinded, superseded, or amended in writing.

APPROVED this 7<sup>th</sup> day of April, 2020.

  
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Mayor Breea Clark

ATTEST:

  
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City Clerk

