

**REVISED DECLARATION OF EMERGENCY**

DATE November 24, 2020

Natalie G.  
CITY CLERK

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 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, on April 6, 2020, the City of Edmond issued a revised Declaration of Emergency; and

WHEREAS, on April 8, 2020, the Governor issued Executive Department – Executive Order 2020-13 declaring a health emergency in the State of Oklahoma; and

WHEREAS, on April 13, 2020, the Governor issued Executive Department – Amended Executive Order 2020-13 declaring a health emergency in the State of Oklahoma; and

WHEREAS, on April 16, 2020, the Governor issued Executive Department – Second Amended Executive Order 2020-13, declaring a health emergency in the State of Oklahoma; and

WHEREAS, on April 20, 2020, the Governor issued Executive Department – Third Amended Executive Order 2020-13, declaring a health emergency in the State of Oklahoma; and

WHEREAS, on April 22, 2020, the Governor announced the Open Up and Recover Safely Plan – A Three Phase Approach to Open Oklahoma's Economy; and

WHEREAS, on April 24, 2020, the Governor issued Executive Department – Fourth Amended Executive Order 2020-13, declaring a health emergency in the State of Oklahoma modifying the previous Executive Orders to incorporate the Open Up and Recover Safely Plan (OURS - Plan); and

WHEREAS, on April 30, 2020, the Governor issued Executive Department – Fifth Amended Executive Order 2020-13, declaring a health emergency in the State of Oklahoma modifying the previous Executive Orders to incorporate the Open Up and Recover Safely Plan (OURS – Plan); and

WHEREAS, on May 11, 2020, the Governor announced Oklahoma would be moving into Phase 2 of the Open Up and Recover Safely Plan (OURS – Plan); and

WHEREAS, on May 12, 2020, the Governor issued Executive Department -Sixth Amended Executive Order 2020-13, declaring a health emergency in the State of Oklahoma modifying the previous Executive Orders to incorporate the Open Up and Recover Safely Plan (OURS – Plan).

WHEREAS, on May 29, 2020, the Governor announced that Oklahoma would proceed to Phase 3 of the Open Up and Recover Safely Plan on June 1, 2020; and

WHEREAS, on May 30, 2020, the Governor issued Executive Department – Executive Order 2020-20, declaring a health emergency in the State of Oklahoma; and

WHEREAS, on June 12, 2020, the Governor issued Executive Department – Amended Executive Order 2020-20; and

WHEREAS, after reaching Phase 3 in June, Edmond and Oklahoma County experienced a significant increase in the number of COVID-19 positive tests and hospitalizations; and

WHEREAS, since mid-June, hospitalizations have consistently remained at an elevated level that causes concern to public health officials; and

WHEREAS, recent OCCHD data indicates trends in the transmission of COVID-19 among individuals engaged in activities at certain types of locations with theater-style seating, such as weddings, funerals, and faith-based activities, as well as among employees of bars and restaurants, and bar patrons; and

WHEREAS, these scientific and data-based investigations by OCCHD have successfully identified targeted areas where safety measures will substantially improve the City's response to this pandemic, preserving the health of the community; and

WHEREAS, with the transmission of COVID-19 and COVID-related hospitalizations and deaths continuing at an elevated level, provisions for the safety of the life, health, and property of Edmond residents are still necessary; and

WHEREAS, on July 10, 2020, the Governor issued Executive Department – Second Amended Executive Order 2020-20, stating that on July 10<sup>th</sup>, the 19,092 case of a novel coronavirus ("COVID-10") was confirmed in the State of Oklahoma. The Governor and State Health Commissioner Lance Frye unveiled a color-coded alert system designed to give a county-by-county breakdown of the severity of COVID-19; and

WHEREAS, on July 27, 2020 the Edmond City Council adopted Ordinance 3791, mandating the wearing of face coverings in any indoor public places open to the public, subject to exceptions. This ordinance will go into effect on August 26, 2020 and expire by its terms on September 8, 2020; and

WHEREAS, on August 3, 2020, the Edmond City Council adopted Ordinance 3792 extending the expiration date of Ordinance 3791 to October 12, 2020; and

WHEREAS, on August 24, 2020, the City of Edmond issued a Revised Declaration of Emergency; and

WHEREAS, on October 7, 2020, the City of Edmond issued a Revised Declaration of Emergency; and

WHEREAS, on October 7, 2020, the Edmond City Council adopted Ordinance No. 3799 extending the expiration date of Ordinance 3791 to November 30, 2020; and

WHEREAS, on November 16, 2020, the Governor issued the Executive Department Seventh Amended Executive Order 2020-20 requiring social distancing at bars and restaurants and requiring bars and restaurants to stop in-person service from 11:00 p.m. to 8:00 a.m.

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 including the Open Up and Recover Safely Plan (OURS – Plan) 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 that the previously issued Declarations of Emergency of March 18, 2020, March 25, 2020, March 30, 2020, April 6, 2020, May 11, 2020, June 1, 2020, June 15, 2020, July 13, 2020, July 27, 2020, August 24, 2020, and October 7, 2020 are hereby revoked and replaced with this Declaration and shall continue through February 28, 2021.

IT IS FURTHER DECLARED AND ORDERED that the Open Up and Recover Safely Plan – A Three Phase Approach to Open Oklahoma’s Economy is hereby adopted by the City of Edmond, effective May 1, 2020, and as subsequently revised by the Governor, including all applicable guidelines, to wit:

- a. All citizens of Edmond (but particularly adults over the age of sixty-five (65) and people of any age who have serious underlying medical conditions collectively referred to as “vulnerable individuals”) are encouraged to regularly consult the Oklahoma State Department of Health’s COVID-19 Alert System ([www.coronavirus.health.ok.gov/covid-19-alert-system](http://www.coronavirus.health.ok.gov/covid-19-alert-system)) and follow the Guidelines published therein for Oklahoma County. Vulnerable individuals are strongly encouraged to follow the “General Guidelines for High-Risk Individuals” on the Department of Health’s Alert System website described above. For those vulnerable

individuals living in Counties color-coded Orange or Red on the Department of Health's Alert System website, such individuals should consider staying in their home or place of residence except for working in a critical infrastructure sector and conducting essential errands. Essential errands shall mean those errands which are critical to everyday life and includes obtaining medication, groceries, gasoline, and visiting medical providers. Vulnerable individuals are also encouraged to use delivery and/or curbside services whenever available.

- b. Unless otherwise specified in the Open Up and Recover Safely (OURS) Plan on the Oklahoma Department of Commerce website, individuals should follow Centers for Disease Control (CDC) guidelines for social distancing and gathering in groups.
- c. All businesses should adhere to the statewide Open Up and Recover Safely (OURS) Plan as provided on the Oklahoma Department of Commerce website.

IT IS FURTHER DECLARED AND ORDERED the following provisions are issued and applicable within The City of Edmond. The requirements provided below are intended to limit the spread of the virus and are based upon the recommendations of health officials. These requirements shall be effective immediately and shall continue through February 28, 2021:

- a. All restaurants, bars, breweries, wineries, taverns, shopping mall food courts, food halls, cafeterias, or night clubs shall ensure a minimum of six (6) feet of separation between the parties or groups at different tables, booths, or bar tops, unless the tables are separated by properly sanitized glass or plexiglass.
- b. Food or beverage of any kind shall not be sold, dispensed, or served for on-premises consumption by any license holder authorized to make such sales or services after 11:00 p.m. CST daily. The sale and service of food and non-alcoholic beverages for on-premises consumption may resume at 5:00 a.m. CST daily. The sale and service of alcoholic beverages for on-premises consumption may resume at 8:00 a.m. CST daily.

All restaurants, bars, breweries, wineries, taverns, shopping mall food courts, food halls, and cafeterias are restricted to providing only take-out, drive-thru service, or delivery of food and beverages during the time listed above. During those times, patrons may enter the building to receive carry-out service for consumption off the premises, but the interior spaces of such locations are otherwise closed to the public and persons, other than employees, and are restricted from such places for any other purpose.

- c. Businesses with theater-style seating where persons gather for presentation or entertainment shall offer seating in a staggered manner so that customer groups are socially distanced.

These businesses include, but are not limited to, movie and live theaters, concert halls, sporting venues, amusement parks, places of worship, wedding venues, event venues, and funeral homes.

- d. OCCHD developed health guidelines which every business in Edmond should consult for further best practices beyond those requirements listed here. That document is available at [www.OCCHD.org](http://www.OCCHD.org).

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 that all Edmond citizens are encouraged to take extra measures to put a physical distance of six (6) feet between yourself and other people and are strongly recommended to wear a face covering as recommended by the CDC to further reduce your risk to being exposed to this new virus, and avail themselves of the resources and information through the Oklahoma City-County Health Department(OCCHD), the Oklahoma State Department of Health (OSDH) and the Center for Disease Control (CDC). All citizens and businesses should comply with the Governor’s Open Up and Recover Safely Plan.

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

Approved this 23<sup>rd</sup> Day of November, 2020.



Dan O’Neil, Mayor

Attest:



Cinda Covell, City Clerk

Approved as to Form and Legality:



Stephen T. Murdock, City Attorney

