

**ORDINANCE NO. 20-28**

**By: Councilmember Ben McFarlane**

AN ORDINANCE AMENDING ORDINANCE 20-06 AND SUBSEQUENT AMENDMENTS, WHICH ADDED/AMENDED SECTION 62-137, "CORONAVIRUS (COVID19)" TO ARTICLE IV, "EMERGENCY MANAGEMENT" OF CHAPTER 62, "PUBLIC SAFETY", BY AMENDING AND REPLACING THE EXISTING SECTION 62-137 IN ITS ENTIRETY WITH CERTAIN RESTRICTIONS UPON BUSINESSES AND CITIZENS OF THE CITY OF ADA FOR THE PROTECTION OF THE PUBLIC HEALTH; SETTING FINE FOR THE VIOLATION OF SAID REQUIREMENTS, DUTIES AND RESTRICTIONS; ESTABLISHING ORDINANCE END DATE; AUTHORIZING CITY MANAGER TO MODIFY CITY SERVICES AS NEEDED IN RESPONSE TO THE STATE OF EMERGENCY, INCLUDING, BUT NOT LIMITED TO, HOURS OF OPERATION, PUBLIC ACCESS, AND EMPLOYEE WORKING CONDITIONS; ALLOWING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ADA, OKLAHOMA, THAT:**

**Section 1.** **AMENDMENT.** Article IV, "Emergency Management", of Chapter 62, "Public Safety", of the City of Ada, Oklahoma Code of Ordinances is amended by replacing Section 62-137 with the following:

**Sec. 62-137. Coronavirus (COVID19).**

A. Due to the onset of the Coronavirus (COVID 19) pandemic, a State of Emergency continues from the previous declaration in the City of Ada, Oklahoma; and the following are ordered for the protection of public health.

B. All orders contained in the Executive Orders issued by the Governor of the State of Oklahoma relating to Coronavirus (COVID 19) and all subsequent Executive Orders relating to COVID 19 are hereby adopted by the City of Ada and ordered to be complied with, subject to additional requirements, restrictions, recommendations and exceptions set forth in (C) below.

C. All persons shall wear facial masks which are consistent with CDC guidelines or facial shields as follows: (1) INDOOR PUBLIC SPACES AT ALL TIMES (2) OUTDOOR PUBLIC SPACES WHEN SOCIAL DISTANCING OF 6 FEET OR MORE CANNOT BE MAINTAINED, with the following exceptions:

1. Any person younger than 16 years of age or if 16 years of age or older while attending a school or university, where masks or facial shields have not been made mandatory;

2. Any person with a medical condition or disability that prevents wearing a face covering as recommended by their physician;
3. Any person at a restaurant to eat or drink (at table). Masks should be worn at other times inside restaurant;
4. Any person while the person is exercising outdoors or engaging in physical activity outdoors, and maintaining a safe distance (6 feet or more) from other people not in the same household;
5. Any person while the person is driving alone or with passengers who are part of the same household as the driver;
6. Any person obtaining a service that requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a personal care or dental service involving the face, but only to the extent necessary for the temporary removal;
7. Any person while the person is in a swimming pool, lake or similar body of water;
8. People at a religious service or ceremony where social distancing is observed between groups of people from different households;
9. Any person while the person is giving a speech for a broadcast or to an audience and social distancing of 6 feet or more can be maintained;
10. Any person performing work in which face coverings present or exacerbates a hazard;
11. Any person who is deaf or hard of hearing or communicating with a deaf or hard of hearing person;
12. People working in an office who don't have face-to-face interactions with the public.

Although the above are exceptions to wearing of a face covering or shield, it is strongly encouraged that those persons included within an exception wear a face covering or face shield when possible.

D. The City Manager's authorization to modify city services as needed in response to the State of Emergency, including, but not limited to, hours of operation, public access, and employee working conditions, shall continue.

E. Each building which fronts a public street shall temporarily be entitled to one public parking space for usage for curbside delivery/services.

F. Pursuant to the guidelines established for the receipt by a municipality of funds pursuant to the Cares Act and the Coronavirus Relief Fund, the City Council confirms the presumption that all public safety personnel costs of the City for the period from March 1, 2020, through November 1, 2020, were substantially dedicated to the City's COVID-19 response efforts. City staff is authorized and directed to proceed with an application to the State of Oklahoma for reimbursement of COVID-19 related public safety personnel costs for the stated period. The Mayor and/or City Manager are authorized to execute all documents necessary to complete the application and funding process.

G. The fine for a violation of any of the provisions contained in this article shall be One Hundred Dollars (\$100.00), inclusive of court costs.

**Section 2. SEVERABILITY.** Should any section, subsection, sentence, provision, clause or phrase hereof be held invalid, void, or unconstitutional for any reason, such holding shall not render invalid, void, or unconstitutional any other section, subsection, sentence, provision, clause, or phrase of this ordinance, and the same are deemed severable for this purpose.

**Section 3. EMERGENCY CLAUSE.** It being immediately necessary for the preservation of the peace, health, safety and public good of the City of Ada and the inhabitants thereof that the provisions of this Ordinance be put into full force and effect, an emergency is hereby declared to exist, by reason whereof, this Ordinance shall take effect and be in full force and effect after its passage, as provided by law.

**PASSED AND APPROVED** and the emergency clause voted on separately this 2<sup>nd</sup> day of November, 2020.

ATTEST:

  
City Clerk

CITY OF ADA

By:   
Mayor

