

ORDINANCE NO. 20-06

By: Councilmember Guy Sewell

AN ORDINANCE AMENDING ARTICLE IV, "EMERGENCY MANAGEMENT", OF CHAPTER 62, "PUBLIC SAFETY", OF THE CITY OF ADA, OKLAHOMA CODE OF ORDINANCES, BY ADDING SECTION 62-137, "CORONAVIRUS (COVID-19); ESTABLISHING REQUIREMENTS, DUTIES AND RESTRICTIONS ON BUSINESSES AND CITIZENS 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 adding the following section 62-137:

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

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

B. All businesses open to the public (where customers enter the business) are limited to 1 customer for each 100 square feet of space or 50% of the maximum occupancy as determined by the building codes adopted by the City of Ada, whichever is less; customers must maintain a distance of 6 feet from other customers; with the following additional requirements for these specific businesses:

1. Beauty salons, barber shops, hair salons, tattoo and massage parlors and nail salons shall be by appointment only with no walk-in customers; appointments shall be at least 15 minutes between the end and start of the next appointment; at all times there must be at least 6 feet separating customers; only those customers scheduled by appointment shall be present inside the facility; and all work stations shall be sanitized and cleaned before and after each use.

2. Gyms, fitness facilities and exercise facilities which provide classes are limited to 10 per class, inclusive of instructors/coaches; classes shall be at least 15 minutes between the end of a class and start of the next class; at all times there must be at least 6 feet separating customers; and all work stations shall be sanitized and cleaned before and after each use.

C. The following are prohibited:

1. All in-person social, spiritual and recreational gatherings and meetings of more than ten persons. This does not prohibit the presence of employees or support services.
2. Theaters, cinemas, indoor and outdoor performance venues, and museums.

D. The restrictions imposed by this ordinance do not apply to the following:

1. Manufacturing businesses, child care facilities, crisis shelters, homeless shelters, soup kitchens, residential care facilities, congregate care facilities, hospitals, long-term facilities and nursing homes.

E. All businesses are encouraged to: Provide sanitizers (gel/wipes) for customers entering their business; sanitize all equipment used by the public; and screen employees for temperature and symptoms associated with the Coronavirus.

F. All food service businesses are encouraged to offer food for take-out and delivery.

**Section 2.** **CITY MANAGER AUTHORIZATION.** The City Manager is authorized during the time period this Ordinance is in effect 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.

**Section 3.** **PENALTY.** The fine for a violation of any of the provisions contained in this article shall be Five Hundred Dollars per occurrence plus court costs.

**Section 4.** **END DATE.** This ordinance shall be effective until April 6, 2020 at 10:00 p.m. unless extended by a vote of the Ada City Council.

**Section 5.** **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 6.** **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 23<sup>rd</sup> day of March, 2020.

ATTEST:

CITY OF ADA

  
\_\_\_\_\_  
City Clerk

By   
\_\_\_\_\_  
Mayor

