

**OFFICE OF THE MAYOR CITY
OF BIXBY, OKLAHOMA,
EXECUTIVE ORDER, AND
PROCLAIMING A CIVIL
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 Virus pandemic; and

WHEREAS, on March 13, 2020, the Oklahoma Attorney General announced that the Emergency Price Stabilization Act, which prohibits an increase of more than 10% for the price of goods or services after a declared emergency, is in effect statewide; and

WHEREAS, on March 15, 2020, the Governor of the State of Oklahoma issued Executive Order 2020-07 declaring 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 16, the State Board of Education ordered all accredited public schools to cease operations, effective March 17 until April 6, 2020; and

WHEREAS, on March 16, 2020, the Oklahoma Supreme Court cancelled all jury terms and suspended all civil, juvenile, and criminal cases for 30 days; and

WHEREAS, on March 18, 2020, the Bixby City Council approved Resolution 2020-7 declaring an Emergency in the City of Bixby and setting forth guidelines to contain the spread of the COVID-19 virus; and

WHEREAS, on March 23, 2020, the City of Bixby passed Resolution 2020-7 based on updated recommendations of the Centers for Disease Control (CDC) proclaiming the existence of a civil emergency in Bixby and restricting certain events and the maximum numbers of persons that could gather to 10; and

WHEREAS, on March 24, 2020, the Governor of the State of Oklahoma amended

Executive Order 2020-07 requiring vulnerable individuals to stay home except for essential errands, closing non-essential businesses in counties with confirmed cases of COVID-19, suspending certain elective and minor medical procedures, prohibiting gatherings of 10 or more individuals and restricting visitation at nursing homes; and

WHEREAS, on March 25, 2020, the State Board of Education unanimously approved an order that implements a Distance Learning Plan to complete the 2019-20 school year for Oklahoma students without reopening school buildings; and

WHEREAS, it is my duty as Mayor to protect the health and safety of the City and its inhabitants, to preserve the peace, and to provide civil defense and emergency functions; and

WHEREAS, it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers and facilities to handle and care for the influx of new patients in order to safeguard public health and safety.

Therefore, by the power vested in me as Mayor of the City of Bixby, pursuant to the Bixby City Charter, Ordinance No. 2304, and Title 11 O.S. Section 22-120, I hereby proclaim the continued existence of a civil emergency in the City of Bixby and further, it is hereby declared and **ORDERED**, as follows:

1. Ordinance No. 2304 proclaiming the existence of a civil emergency in the City of Bixby is hereby amended and revised to reflect physical distancing requirements and to address the increase in positive COVID-19 cases in an attempt to reduce the number of cases and burden on healthcare infrastructure, as encompassed hereinafter.
2. Ordinance No. 2304, ordering closing of certain business and commercial establishments either in-full, or with special conditions for limited operation, and other public accommodations shall remain in full force and effect, except as modified herein, and
3. All citizens living in or visiting the City of Bixby are ordered to shelter at their place of residence. For the purposes of this Order, residences include a single-family home, an apartment unit, a condominium unit, a dormitory room, a hotel room, a motel room, shared rentals, and similar facilities and accommodations. All persons may leave their residences only for Essential Activities as defined herein, or to

provide or perform Essential Governmental Functions as defined by the government performing the function, or to operate Essential Businesses as defined by the Governor of the State of Oklahoma, or his designee:

a. For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities":

i. To engage in activities, perform tasks, or obtain supplies essential to their health and safety, or to the health and safety of their family, those living in their residence, or pets (for example, obtaining necessary medical supplies, medication, food and beverage, or other products necessary to maintain safety, sanitation, and essential operation of the residence, visiting a healthcare professional, obtaining supplies needed to work from home, or performing property maintenance).

ii. To engage in outdoor activity, provided that individuals, except those from the same residence, must comply with physical distancing requirements of six feet (for example, walking, biking, hiking, or running).

iii. To perform work at an Essential Business.

iv. To care for or transport a family member or pet in another residence.

v. To move to another residence either in or outside the City of Bixby.

b. "Essential Businesses" shall mean those businesses identified by the Governor of the State of Oklahoma, or his designee, as critical infrastructure sectors, including critical government workers as defined by the government employer; and

c. For purposes of this order, non-residents of the City of Bixby may be outside of a residence within the City limits only to engage in those activities for which a Bixby resident may leave their homes as stated in this Order.

4. All businesses operating within the City of Bixby, except Essential Businesses, are required to cease all activities at facilities located within the City:

a. Provided that any business may continue to perform essential functions with employees or contractors as necessary to maintain the value of the business' inventory, preserve the condition of the business' physical plant and equipment, ensure security, process payroll and employee benefits and related functions.

b. For clarity, non-essential businesses may continue operations consisting exclusively of employees or contractors performing activities remotely (i.e. working from home).

5. To the greatest extent feasible, all businesses shall comply with physical distancing requirements, including but not limited to maintaining six feet physical distancing for both employees and the general public, off-setting shift hours and/or days, and requiring employees to conduct work remotely where feasible; and

6. All City-owned sport courts, sports fields and playgrounds are hereby closed, and use thereof and use of any fitness equipment, playground equipment, or shelters within City Parks is prohibited even if not locked, gated, or fenced; and

7. All events, public or private, or social events, shall in no instance exceed State or Federal guidelines, and all social events or gatherings, regardless of size, shall strictly adhere to the social distancing requirement of 6 feet from any individual from outside a household or living unit, and violations thereof are prohibited, provided that nothing in this Order and Emergency Proclamation prohibits the gathering of members of a household or living unit; and

8. When engaging in activity outside the residence (for example, walking, biking, hiking, or running), individuals must comply with physical distancing requirements of six feet; and

9. If someone in a residence has tested positive for coronavirus, all members of the household should quarantine at home in a separate area from the isolated person. Members of the residence should not go to work, school, or any other community function, except for workers included in essential healthcare operations who may continue to work in accordance with CDC guidance; and

10. All special event permits issued by the City of Bixby are hereby revoked, and as of this date, no further such special event permits shall be issued and no such special events may be held in the City of Bixby until at least April 16, 2020, when the pandemic emergency conditions will be reassessed; and

11. Any person violating the provisions of Ordinance No. 2304, or violating or causing a business, commercial establishment, or other place of public accommodation subject to said Ordinance to violate such Ordinance or this Emergency Proclamation, shall be subject to the penalties set forth in Ordinance No. 2304.

This Emergency Proclamation shall take effect as of 11:59 p.m., Wednesday, April 1, 2020, and continue until 11:59 p.m., Thursday, April 16, 2020, provided that this Emergency Proclamation and Order may be rescinded or extended prior to said date and time if assessment of the pandemic so warrants.

Dated this 31st day of March, 2020.

DocuSigned by:
Brian Guthrie
Brian Guthrie, Mayor



APPROVED

Stephen L. Oakley
Stephen L. Oakley
City Attorney