

**AGENDA
EMERGENCY MEETING
JENKS CITY COUNCIL
SUNDAY, MARCH 29, 2020, 2:00 P.M.
JENKS CITY HALL, COUNCIL CHAMBERS, 211 NORTH ELM**

If you require special accommodations pursuant to the Americans with Disabilities Act, please notify the City Clerk's Office at 918-299-5883 or email agendas@jenksok.org.

CALL TO ORDER

ROLL CALL

BUSINESS

1. Request to approve Ordinance No. 1511 ordering citizens to shelter at their residences except to conduct essential activities or to operate essential businesses; imposing social distancing; closing city-owned park facilities but not open spaces; prohibiting social gatherings with anyone outside of the household; requiring self-quarantine of anyone who tests positive for covid-19 and their household; placing limits on quantities of toilet paper to be purchased; revoking all special event permits through April 16, 2020; providing a penalty; and declaring an emergency.

2. Request to approve the emergency clause for Ordinance No. 1511, making it effective immediately upon passage.

ADJOURNMENT

MEMBERS VIDEOCONFERENCING:

- Mayor Lee
- Vice Mayor Donna Ogez
- Cory Box
- Dawn Dyke
- Gary Isbell
- Craig Murray
- Kaye Lynn

All Council members may choose to appear physically if desired. Council Chambers will be open for public participation. A link to view the stream will be available at <https://www.jenks.com> at the time of the meeting.

ORDINANCE NO. 1511

AN ORDINANCE PURSUANT TO AUTHORITY GRANTED BY 11 O.S. § 22-120 TO PREVENT SPREAD OF CONTAGIOUS DISEASE; ORDERING CITIZENS TO SHELTER AT THEIR RESIDENCES EXCEPT TO CONDUCT ESSENTIAL ACTIVITIES OR TO OPERATE ESSENTIAL BUSINESSES; REQUIRING SOCIAL DISTANCING; CLOSING CITY-OWNED SPORT COURTS, SPORTS FIELDS, PLAYGROUNDS, SKATE PARKS, DOG PARKS AND PARK EQUIPMENT; PROHIBITING SOCIAL GATHERINGS WITH ANYONE OUTSIDE OF THE HOUSEHOLD; REQUIRING SELF-QUARANTINE OF ANYONE TESTING POSITIVE FOR COVID-19 AND THEIR HOUSEHOLD; PLACING LIMITS ON QUANTITIES OF TOILET PAPER TO BE PURCHASED; REVOKING ALL SPECIAL EVENT PERMITS THROUGH APRIL 16, 2020; PROVIDING A PENALTY; AND DECLARING AN 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, 2020, Mayor Robert Lee issued an Emergency Proclamation declaring an emergency in the City of Jenks and limiting public gatherings under CDC guidance; and

WHEREAS, on March 16, 2020, 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 19, 2020, pursuant to its authority under 11 O.S. § 22-120, the Jenks City Council passed Ordinance No. 1510 limiting the capacity of certain businesses and imposing spacing requirements; and

WHEREAS, on March 20, 2020, pursuant to his authority granted to him under Ordinance No. 1510, Mayor Robert Lee issued a Proclamation and Order further limiting those businesses; 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 the duty of the City of Jenks 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; and

WHEREAS, Oklahoma Statutes Title 11, Section 22-120, provides that municipal governing bodies may enact and enforce ordinances, rules and regulations to prevent the spread of contagious disease in the community; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JENKS:

1. All citizens living in the City of Jenks are ordered to shelter at their place of residence. For the purposes of this ordinance, residences include houses, apartments, condominiums, dormitories, hotels, motels, shared rentals, and similar facilities and accommodations. To the extent individuals are using shared or outdoor spaces, they must at all times reasonably possible maintain social distancing of at least six feet from any other person when they are outside their residence. 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 ordinance, 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 or household members or pets (for example, obtaining medical supplies or medication, visiting a health care professional, food and beverage, obtaining products necessary to maintain the safety, sanitation, and essential operation of residences or obtaining supplies need to work from home or for property maintenance).
 - ii. To engage in outdoor activity, provided the individuals, except for those from the same household, comply with social distancing requirements of six feet (for example, walking, biking, hiking, or running).
 - iii. To perform work at an Essential Business.
 - iv. To care for a family member or pet in another household.
 - v. To move to another residence.

- 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 the purposes of this ordinance, non-residents of the City of Jenks may be outside of a residence within the City limits only to engage in those activities for which a Jenks resident may leave their residence as stated in this ordinance.
2. All businesses operating within the City of Jenks, except Essential Businesses, are required to cease all activities at facilities located within the City:
 - a. Provided that any business may continue to perform 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; and
 - b. For clarity, non-essential businesses may continue operations consisting exclusively of employees or contractors performing activities remotely (i.e. working from home).
3. To the greatest extent possible, all businesses shall comply with social distancing requirements, including but not limited to maintaining six feet social 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
4. All City-owned sport courts, sports fields, playgrounds, skate parks and dog parks are closed and use of any fitness equipment, playground equipment, or shelters within City Parks is prohibited even if not locked, gated, or fenced; and
5. All public or private social events or gatherings, defined as more than one person outside of a single household or living unit, in the City of Jenks are hereby prohibited, provided that nothing in this ordinance prohibits the gathering of members of a household or living unit; and
6. When engaging in activity outside the household or living unit (for example, walking, biking, hiking, golfing, or running), individuals must comply with social distancing requirements of six feet from any individuals from outside of their household; and
7. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in the City of Jenks are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase.
8. If someone in a household has tested positive for coronavirus, all members of the household should quarantine at home separated from the infected person. Members of the household cannot go to work, school, or any other community function for a minimum of seven (7) days after the confirmed positive and at least 72 hours after the person with the positive test is symptom free, except for workers included in essential healthcare or governmental

operations who may continue to work in accordance with CDC guidance. For this time period, the household should utilize delivery, drive-thru or curbside pick-up services to the full extent possible to obtain necessary food, medicine and supplies.

9. All special event permits for event permits through April 15, 2020 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 Jenks until at least April 16, 2020, when the pandemic emergency conditions will be reassessed; and
10. Ordinance No. 1510 and the Mayoral Proclamation dated March 20, 2020, 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; and
11. Any person violating this ordinance, or violating or causing a business, commercial establishment, or other place of public accommodation to violate this ordinance, Ordinance No. 1510 or the Mayoral proclamation dated March 20, 2020, shall be subject to the penalties set forth in Jenks City Code, Chapter 1, Article 11, which states, in full, as follows:

Any person, firm or corporation who violates any provisions of this chapter shall be guilty of an offense, and upon conviction, shall be fined in any sum not to exceed \$100.00, plus court costs, and/or up to 30 days in jail. Each day's continuation of any such violation shall be deemed a separate offense.

This ordinance shall take effect as of 11:59 p.m. Monday, March 30, 2020, and continue until 11:59 p.m. Thursday, April 16, 2020, provided that this ordinance may be repealed or extended prior to said date and time if assessment of the pandemic so warrants.

Dated this _____ day of _____, 2020.

Since the immediate operation of the provisions of the Ordinance is necessary for the preservation of public health, welfare and safety, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the City Council.

Emergency Clause voted upon separately this __ day of March, 2020.

CITY OF JENKS, OKLAHOMA

MAYOR

Attest:

CITY CLERK

Approved:

CITY ATTORNEY