

AMENDED PROCLAMATION DECLARING AN EMERGENCY IN THE CITY OF BLACKWELL, OKLAHOMA, DUE TO COVID-19 PANDEMIC

WHEREAS, an Emergency Proclamation was issued by the City of Blackwell, Oklahoma, on the 16th day of March 2020, declaring a state of emergency in the City of Blackwell related to the COVID 19 Pandemic and setting out specific rules governing the same; and

WHEREAS, the President of the United States has declared an emergency due to the COVID-19 Pandemic and appears daily to the Nation on television to provide updates; and

WHEREAS, on March 24th, 2020, Oklahoma Governor J. Kevin Stitt issued the Fourth Amended Executive Order 2020-07 and on March 25th, 2020, the Governor issued Amended Executive Memorandum 2020-01; and

WHEREAS, on March 29, 2020, Oklahoma Governor J. Kevin Stitt imposed a 14-day quarantine on persons entering Oklahoma by air from the New York Tri-State Area, California, Louisiana, and the State of Washington; and

WHEREAS, Oklahoma Governor Stitt has continued to make Executive Orders including one issued on March 31, 2020, making all provisions of his executive orders effective to all 77 counties, and one issued on April 1, 2020, relating to the National Guard;

WHEREAS, as of April 2, 2020, twenty-four (24) people in Kay County are confirmed positive and are being treated for COVID 19 and one person has died;

WHEREAS, I, Cory Hanebrink, as the Director of Emergency Management, as authorized by Janet Smith, City Manager, pursuant to Section 2-163 of the Blackwell Municipal Code 2019 and Article IV, Section 2 of the Blackwell City Charter, with the consent and approval of the Blackwell City Council, hereby declare and find that certain additional emergency orders are required at this time:

NOW, THEREFORE, BE IT DETERMINED THAT THE FOLLOWING EMERGENCY PROCLAMATION AND ORDERS SHALL GO INTO EFFECT ON THURSDAY, APRIL 2, 2020, AT 11:59 P.M.

Section 1. State of Emergency. A state of emergency exists with the corporate limits of the City of Blackwell, Kay County, Oklahoma.

Section 2. Prior Proclamations and Orders. All previous proclamations and orders of the City of Blackwell, Oklahoma, are rescinded but only to the extent that they are inconsistent with these orders.

Section 3. Full Range of Emergency Powers Granted. This declaration grants the full range of emergency powers to the City to promulgate regulations, orders and guidelines consistent with federal, state and local laws and regulations and the CDC's infectious disease protocols to help minimize the transmission to Blackwell residents.

Section 4. Meetings. The City has canceled meetings of its boards and commissions that are not mandatory or required during this state of emergency. Venues and times for critical meetings may be modified consistent with state law and CDC's guidelines. In addition, meetings may be made telephonically or telecast as now permitted by state law. If that occurs, the public is encouraged to follow these meetings by viewing them on the City's Facebook Page and/or the City's website. The City will attempt to manage meetings and the business to be considered so that attendees remain safe and "Social Distancing" is practiced. Announcements concerning municipal court will be made by separate announcement from the municipal judge.

Section 5. Public Buildings and City Services. All City of Blackwell offices, including City Hall, Blackwell Public Library, Public Safety Building are closed to the public. City employees will be present in such buildings to answer the telephone and emails. Utility bills can be paid via the city's payment link shown on the City's website by mail, or by depositing checks or money orders in the 24-hour drop box at the southside of the city hall in the alley. Fire and Police will be on the job as usual, Electric outages, water leaks and other problematic situations can be reported to city hall's customer service staff during regular office hours at 580-363-7200. Staff can also be contacted via the internet at citymanager@blackwellok.org When contacting city hall or other city departments, please be patient as we work through calls and emails in this most unusual circumstance. Although City Hall will be closed to the public, it may be staffed from 8:00 AM to 5:00 PM, Monday through Friday, or the employees may be working remotely from their residences. After that time and on weekends, please use the after-hours number 580-363-5490 to report problems. City of Blackwell is continuing the suspension of utility shutoffs and disconnects through the period of this Emergency Proclamation. The City of Blackwell will make payment arrangements for customers experiencing economic hardship as a result of the loss of employment related to the COVID 19 pandemic. In addition, the City of Blackwell will waive the reconnect fee for those customers who pay their current utility bill within the period of this Emergency Proclamation. For further information, please call 580-363-7200. For Low-income and Fixed-income customers, the State of Oklahoma offers payment assistance through the Low-income Energy Assistance Program. LIHEAP at 1-877-751-2972. When circumstances permit city offices and facilities to reopen to the public, that notification will be posted via the city's website and Facebook page.

Section 6. Parks and Park Equipment. All parks shall remain open. However, all Big Toys, swings, slides and all other recreational equipment (hereinafter "playground equipment"), present in any and all parks in the City of Blackwell, Oklahoma, are closed to the public. Only the playground equipment is closed to use; all other activities in such parks may be conducted. The golf course shall also remain open under specific rules posted at the golf course.

Section 7. Public Will Receive Updates. The City will alert the public to safe alternatives that do not require person to person contact to seek city services. Specific updates will be released as they are available.

Section 8. Quarantine

- A. All persons who have entered Oklahoma by air from an area with substantial community spread, to include the New York Tri-State Area (Connecticut, New Jersey, and New York), the states of Washington, California, and Louisiana shall be quarantined for a period of 14 days from their entry into Oklahoma or for their duration in Oklahoma, whichever is shorter.

- B. This Quarantine does not apply to persons employed by the airlines and those performing military, emergency or health response.
- C. This Quarantine applies retroactively to all persons entering Oklahoma after being in any area with substantial community spread within the previous 14 days.
- D. All persons subject to the Quarantine must inform anyone in Oklahoma with whom they have had direct personal contact in the past 21 days that they traveled from an area with substantial community spread.

Section 9. Stay at Home Order: Individuals may leave their residences only to perform “Essential Activities” or to perform any work necessary at an “Essential Business.” See, definitions in Section 14.

Section 10. Vulnerable Individuals: Persons over the age of sixty-five or people of any age who have serious underlying medical conditions shall stay in their place of residences except for working in an “Essential Business” and the conducting of “Essential Activities”. These persons are encouraged to use delivery or curbside service whenever available and to request help when needed from friends and family for errands.

Section 11. Cessation of Non-Essential Business: All businesses except as defined herein or exempted by force of law or Order, are required to cease all in-person operations. Non-essential businesses and operations may continue to operate to the extent employees, contractors, or other agents can perform business activities at their own residences.

Section 12. Additional Rules for Essential Businesses. All essential businesses that provide consumables to the public remain open should consider providing at least one (1) hour at the beginning of the business day for the establishment in which Vulnerable Individuals may shop or obtain service separate and apart from the remainder of the community. In the alternative, an essential business that provide consumables for the public and remain open may provide separate areas in which Vulnerable Individuals may shop or obtain service separate and apart from the remainder of the community. All essential businesses that provide consumables for the public and remain open shall make available to customers hand sanitizer and sanitizing wipes at each entrance of the essential business establishment. All essential businesses that remain open must sanitize all areas frequently used by customers after each customer has been served, or at least twice per hour, whichever is greater. All essential businesses that remain open and which sell essential items, such sale must be in a manner to prevent and prohibit hoarding and to ensure that all consumers have the opportunity to purchase essential items, such as, but not limited to, eggs, dairy, water, paper goods, disinfectant, meats, vegetables, baby formula, diapers, necessities for infants and children and feminine hygiene products. When customers are waiting in lines to receive or pay for their good and services, the essential business and its employees should strive to maintain a six-foot (6’) distance between customers, especially when the wait period exceeds ten (10) minutes.

Section 13. Additional Rules for Businesses which Serve Food or Beverages, including Alcoholic Beverages. All dine-in services and on premises dining, even if in an outside area, in all restaurants remain prohibited until further order. All restaurants may provide food service only through drive-through, delivery or take out services. All personnel engaged in any aspect of food service or processing must wear gloves made of poly material, vinyl, nitrile, plastic or similar material. All businesses located within the City of Blackwell, Oklahoma, which sell alcohol beverages, including

beer and wine, for on-site consumption shall continue to be closed during the term of this Emergency Proclamation; exempted from this Order are "carry-out", and "delivery" services conducted in accordance with the latest ABLE Commission directive or as otherwise permitted by state law.

Section 14. Definitions: For purposes of this proclamation, the following terms will have the meaning as set forth herein.

A. "Essential Activities" shall include the following:

- a. Activities or tasks essential to one's health and safety, or to the health and safety of their family or household members, or close acquaintances, such as obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies needed to work from home;
- b. Activities necessary to obtain needed services for oneself and one's family or household members, or close personal acquaintances, or to deliver those services or supplies to others, such as groceries, needed household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences;
- c. Outdoor activities, provided the individuals comply with Social Distancing Requirements, as defined herein, such as walking, to include with pets, biking, hiking, or running;
- d. Activities or tasks required to perform work at an Essential Business or to otherwise carry out activities specifically permitted in this Order;
- e. Activities or tasks required to care for a family member, close personal acquaintance, or a pet or livestock; and,
- f. Essential activities do not include weddings, funerals, wakes, memorial services, church services, live auctions, or similar gatherings with attendance exceeding ten people.

B. "Social Distancing Requirements" refers to the maintenance of at least a 6-foot minimum social distancing from other individuals, washing hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer, regularly cleaning high-touch surfaces, and not shaking hands.

C. "Substantial Community Spread" is a term used by the CDC which refers to large scale community transmission, where health care staffing is significantly impacted and where there are multiple cases within communal settings.

D. "Essential Businesses" refers to any for-profit or non-profit business regardless of its corporate or entity structure and includes:

- a. Healthcare/Public Health
 - Health care providers (e.g. physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists).
 - Manufacturers, technicians, logistics and warehouse operators, and distributors of personal care/hygiene products.

- Behavioral health workers (including mental and substance use disorder) responsible for coordination, outreach, engagement, and treatment to individuals in need of mental health and/or substance use disorder services.
 - Workers who provide support to vulnerable populations to ensure their health and well-being including family care providers.
 - Medicinal marijuana dispensaries and all licensed medicinal marijuana companies that are in the supply chain for any medicinal marijuana dispensary
 - Workers supporting veterinary hospitals and clinics.
- b. Law Enforcement, Public Safety, First Responders
- Including frontline and management, personnel include emergency management, law enforcement, Emergency Management Systems, fire, and corrections, search and rescue, tactical teams including maritime, aviation, and canine units.
 - Workers at Public Safety Answering Points.
 - Fire mitigation activities.
 - Private security, private fire departments, and private emergency medical services personnel.
 - State and County workers responding to abuse and neglect of children, elders, and dependent adults.
 - Animal control officers.
- c. Food and Agriculture
- Groves, greenhouses, nurseries, and vineyards
 - Agriculture, Forestry, Fishing and Hunting
 - Food from Restaurants limited to drive through, carry out, or delivery
 - Food manufacturing, beverage and tobacco product manufacturing
 - Manufacturing of fiber and forestry products
 - Veterinary services
 - Certified farmers' markets, farm, and produce stands
 - Food cultivation, including farming, livestock and fishing
 - Support of agricultural production including manufacturers, processors, sellers, transporters, and suppliers of livestock, poultry, feed, seed, water, fertilizer, herbicides, or insecticide and those that care for animals, crops, groves, greenhouses, nurseries, vineyards, forests, farms, and ranches
 - Hardware stores, farm stores, and garden centers
- d. Energy
- Electricity Industry
- Acquisition (SCADA) systems, and utility data centers; Cybersecurity engineers, cybersecurity risk management
 - Power Generation, Transmission
 - Safety and environmental personnel, and those who support and ensure the supply chain and supply chain management
 - These categories of workers apply to all wind, solar, gas, hydroelectric and coal facilities
- Petroleum Workers
- Midstream Companies
 - Liquids or produced water/waste storage facilities
 - Petroleum refinery fractionators, blenders

- Produced water waste facilities, including UIC wells and transportation
- Brine separation and processing facilities
- Transportation maintenance and inspection workers
- Pipeline maintenance and construction workers who may be required to traverse state lines to maintain facilities that cross state lines
- Workers who maintain supply chain for these facilities
- Petroleum security operations employees and workers who support emergency response services

Natural and Propane Gas Workers

- Other compression facilities
- Processing, refining, and transporting natural gas liquids, including propane gas, for use as end-use fuels or feedstocks for chemical manufacturing
- Propane gas storage, transmission, and distribution centers
- Compressed natural gas, liquefied natural gas, and propane gas retail and non-retail fuel stations, depots, and truck stops, that serve the public as well as private stations that support local and regional transportation companies such as transit authorities, refuse fleets, and freight haulers

e. Water and Wastewater

- Drinking water and wastewater
- Drinking water plant superintendents, managers, operators and maintenance technicians
- Drinking water distribution system operators and maintenance technicians
- Wastewater plant superintendents, managers, operators and maintenance technicians
- Wastewater collection system operators and maintenance technicians
- Laboratory certified operators and employees of a government or privately-owned laboratory that are accredited to analyze routine compliance drinking water or municipal wastewater samples
- Rural water association staff and technical support staff
- Rural water districts, including all facilities

f. Transportation and Logistics

- Taxis, transportation services including Transportation Network ComTaxis, transportation services including Transportation Network Companies, and delivery services, including Delivery Network Companies.
- Wholesale trade
- Transportation and warehousing
- Postal services and distribution centers

g. Public Works

- Solid waste & hazardous waste
- Utilities
- Underground damage prevention services
- Operational staff for solid waste pick-up
- Operational staff at solid waste transfer and disposal facilities
- Operational staff at hazardous waste treatment, storage, and disposal facilities, including underground injection control sites

h. Communications and Information Technology

- Broadcasting
 - Publishing industries
 - Telecommunications
 - Data processing, hosting, and related services
 - Software publishers
 - All other miscellaneous schools and instruction
 - Computer systems design and related services
- i. Other Community-Based Government Operation and Essential Functions
- Faith-based services that are provided through streaming or other technology
 - Critical government workers, as defined by the employer and consistent with Continuity of Operations Plans and Continuity of Government plans.
 - Workers supporting public and private childcare establishments, pre-K establishments, K-12 schools, career and technology centers, colleges, and universities for purposes of distance learning, provision of school meals, or care and supervision of minors to support essential workforce across all sectors.
 - County workers responsible for determining eligibility and safety net benefits.
 - The Courts, consistent with guidance released from the Oklahoma Supreme Court and Oklahoma Court of Appeals.
 - Tag agencies
 - Workers and instructors supporting academics and training facilities and courses for the purpose of graduating students and cadets that comprise the essential workforce for all identified critical sectors.
 - Hotel Workers where hotels are used for COVID-19 mitigation and containment measures, including measures to protect homeless populations.
 - Hotels
 - Construction Workers, including residential and commercial, and workers who support the construction sites and construction projects (including housing construction and heavy and civil engineering construction)
 - Businesses and workers that support the supply chain for commercial and/or residential construction and development
 - Workers such as plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, construction material sources, and essential operation of construction sites and construction projects (including those that support such projects to ensure the availability of needed facilities, transportation, energy and communications; and support to ensure the effective removal, storage, and disposal of solid waste and hazardous waste).
 - Oklahoma One-Call or OKIE 811
 - Commercial Retail Stores, that supply essential sectors, including convenience stores, general merchandise stores, liquor, pet supply stores, auto supplies and repair, hardware and home improvement, and home appliance retailers.
 - Motor vehicle and parts dealers
 - Workers critical to operating Rental Care companies that facilitate continuity of operations for essential workforces, and other essential travel.
 - Workers that provide or determine eligibility for food, shelter, in-home supportive services, child welfare, adult protective services and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals (including family members).

- Workers at animal care facilities that provide food, shelter, veterinary and/or routine care and other necessities of life for animals.
 - Public and private golf courses, public parks, and workers needed to maintain normal operations.
 - Workers involved with home repair and maintenance including roofing, lawn care, foundation repair, and similar businesses whose work is primarily performed out of doors.
 - Executive, legislative, and other general government support
 - Administration of human resources programs
 - Administration of environmental quality programs
 - Administration of housing programs, urban planning, and community development
 - Administration of economic programs
- j. Critical Manufacturing
- Paper manufacturing
 - Printing and related support activities
 - Plastics and rubber products manufacturing
 - Mineral product manufacturing
 - Primary metal manufacturing including equipment
- k. Financial Services
- Finance and Insurance
 - Real estate and Leasing services
 - Management of companies
 - Business associations
 - Financial advisory
- l. Chemical
- Petroleum and coal products manufacturing
 - Chemical manufacturing
- m. Commercial and Professional Services
- Professional (such as legal and accounting), scientific, and technical services
 - Administrative and support services
 - Waste management and remediation services
 - Death care services
 - Dry cleaning and laundry services
 - Repair and maintenance
- n. Defense Industrial Base
- Explosives manufacturing
 - National security and international affairs

Section 15. Enforcement. Any resident may contact the Police Department with specific information about the violation of this Order by any person. Police may investigate. Officers will ask for voluntary compliance from individuals but can issue violations or enforce quarantines in special circumstances. The Police Department will not be stopping residents for leaving their homes nor asking for permits or letters. However, the City is taking this pandemic very seriously in order to protect the community. Police will make every effort to use education and warnings before issuing a citation.

IT IS FURTHER PROCLAIMED AND ORDERED that this state of emergency shall continue until April 30, 2020, and thereafter until the issuance of a proclamation declaring its termination.

Dated this 2nd day of April 2020.

THE CITY OF BLACKWELL, OKLAHOMA



Cory Hanebrink, Director of Emergency Management



Janet Smith, City Manager

Consent and Approval of the City Council on this April 2, 2020.



T. J. Greenfield, Mayor

(Seal)

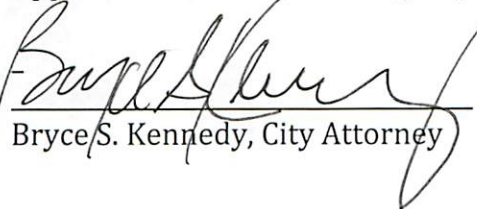
ATTEST:



Traci Hanebrink, City Clerk



Approved as to Form and Legality:



Bryce S. Kennedy, City Attorney