



PROCLAMATION 09-08-2020 (A)

A PROCLAMATION RE-ISSUING AND PUTTING BACK INTO EFFECT THE EMERGENCY MEASURES ENACTED BY PROCLAMATION 07-20-2020 (A)

WHEREAS, the United States continues to experience an outbreak of Novel Coronavirus-2019 (also known as “COVID-19”); and

WHEREAS, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency because of the COVID-19 pandemic and which declaration is still in effect today; and

WHEREAS, on March 15, 2020, the Governor of Oklahoma declared a State of Emergency because of the COVID-19 pandemic and which declaration is still in effect today; and

WHEREAS, the Centers for Disease Control (“CDC”), the nation’s health care agency, has emphasized the COVID-19 risk to individuals is dependent on exposure, and transmission is through respiratory droplets produced when an infected person coughs, sneezes, or otherwise expels such droplets; and

WHEREAS, there have been COVID-19 related deaths statewide, with over 160 deaths in the Oklahoma City metropolitan area, within which the City of The Village lies; and

WHEREAS, the Oklahoma City-County Health Department (“OCCHD”) states this is the worst public health crisis to face the Oklahoma City metropolitan area in the last half-century; and

WHEREAS, COVID-19 remains present, extremely contagious, and potentially deadly within the City of The Village and the greater Oklahoma City metropolitan area; and

WHEREAS, there has been a significant increase in positive COVID-19 tests, hospitalizations, and cases since mid-June; and

WHEREAS, OCCHD has identified safety measures that will substantially improve the region’s response to this pandemic, preserving the public health; and



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WHEREAS, the CDC and OCCHD continue to strongly recommend the wearing of face coverings (masks) over the nose and mouth as a critical tool in the fight against COVID-19 that could reduce the spread of the disease, particularly when used universally within communities; and

WHEREAS, there is increasing scientific evidence that cloth face coverings help prevent airborne virus particles from causing new infections and, depending on the design of the face covering, can help prevent the persons wearing the face covering from becoming infected with COVID-19; and

WHEREAS, with the transmission of COVID-19 and COVID-related hospitalizations continuing at an elevated level, provisions for the safety of the life, health, and property of City residents are still necessary; and

WHEREAS, the recent surge of COVID-19 cases in several U.S. states is raising concern that the economic recovery that likely began in May could falter if authorities re-impose shelter-in-place or lockdown orders that result in consumers reducing spending out of fear of getting out and catching the sometimes-fatal disease; and

WHEREAS, prominent economists have argued that a national mask mandate would boost chances of a faster recovery; and

WHEREAS, the continuing occurrence and threat of widespread or severe damage, injury, or loss of life or property, and economic fallout from COVID-19, including severe economic damage to the City, region, and the State of Oklahoma, which can result from COVID-19 justifies implementing emergency measures mandating wearing of face coverings over the nose and face whenever persons are in any indoor place or setting open to the general public, in order to help avert such danger or damage and to protect the public health; and

WHEREAS, based on information from local healthcare providers and public health experts, the City had previously enacted a face covering mandate through Proclamation 07-20-2020(A), which expired at midnight on September , 2020, to allow local healthcare providers and public health experts to gather empirical evidence regarding the effect of the face covering policy and may help prevent the potential for an additional surge associated with the Labor Day holiday; and

WHEREAS, empirical evidence collected during the time Proclamation 07-20-2020(A) has shown a positive effect from face covering policies by showing a plateau and slight drop in the



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number of new cases being reported in the Oklahoma City metropolitan area, and local healthcare providers and public health experts have recommended that such face covering mandates be extended or re-issued to continue these positive effects; and

WHEREAS, the Mayor of the City of The Village finds it is appropriate and in the interests of public health, safety, and welfare, and would further protect property and civil order, to issue this Proclamation re-issuing the face covering mandates originally enacted in Proclamation 07-20-2020(A), pursuant to the provisions and emergency powers granted by Chapter 8 of The Village City Code.

NOW, THEREFORE, BY VIRTUE OF THE AUTHORITY GRANTED BY CITY CHARTER, CITY ORDINANCE, AND STATE LAW, THE MAYOR THE CITY OF THE VILLAGE, OKLAHOMA, PROCLAIMS AS FOLLOWS:

SECTION ONE: Effective from 12:00 A.M. on September 9, 2020, and continuing until repealed by subsequent mayoral proclamation, all persons shall wear face coverings when entering and while inside any indoor place open to the public. The term “face covering,” as used in this Proclamation, shall mean a uniform piece of material that securely covers a person’s nose and mouth and remains affixed in place without the use of one’s hands, and/or a face shield.

SECTION TWO: The public is encouraged to wear face coverings that:

- (a) fit snugly but comfortably against the side of the face;
- (b) are secured;
- (c) allow for breathing without restrictions; and
- (d) may be of disposable or non-disposable material and construction.

SECTION THREE: Nothing in this Proclamation shall require the wearing of face coverings by:

- (a) persons under 11 years of age, unless required by a school or day care;
- (b) persons working in a professional office who do not have any face-to-face interactions with the public;
- (c) restaurant patrons while eating or drinking;
- (d) persons in a setting where it is not practical or feasible to wear a face covering, such as when receiving dental services, medical treatments, or while swimming or at a splash pad;
- (e) persons engaged in any physical exercise or competitive sporting activities, whether for professional, amateur, recreational, or personal health purposes, provided such persons make a reasonable effort to practice social distancing from persons not from their own household;
- (f) persons inside any Federal, State, or county government building or facility;



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- (g) persons inside any public or private school building or facility, unless required by the school;
- (h) persons attending any indoor religious service or ceremony, as long as all persons who do not live in the same household are social distancing from one another (meaning not less than six (6) feet apart); and
- (i) persons with a development disability, including persons who are deaf and hard of hearing;

SECTION FOUR: There shall be no specific penalty for violation of this Proclamation. However, persons refusing to wear a face covering as required by this Proclamation may be subject to prosecution under criminal trespass, disturbing the peace, disorderly conduct or similar offenses as circumstances warrant. In enforcing this Proclamation, code enforcement officers and sworn police officers shall, at the initial contact, offer a face covering or the option of leaving the indoor place to a person who is not excepted from the face covering requirements (as described in Section Three of this Proclamation). It shall be a defense to any prosecution enforcing this Proclamation if an individual produces a document demonstrating that his/her/their physician has verified that wearing a face covering could cause impairment or would constitute a hazard to the individual.

PASSED AND APPROVED BY THE MAYOR OF THE CITY OF THE VILLAGE, OKLAHOMA, this 8th day of September, 2020.

DAVID BENNETT, MAYOR

ATTEST:

City Clerk