

**PROCLAMATION BY CRAIG THURMOND, MAYOR OF THE CITY OF BROKEN ARROW,
OF AN EMERGENCY LIMITING AND CLOSING CERTAIN COMMERCIAL BUSINESSES
IN THE CITY OF BROKEN ARROW
DUE TO COVID-19 PANDEMIC**

WHEREAS, Chapter 20, Section 20.3 of the City of Broken Arrow Code of Ordinances and Title 21 Section 1321.1 *et al.* of the Oklahoma Statutes empowers the Mayor of the City of Broken Arrow to proclaim a state of emergency when the City of Broken Arrow is threatened by a local emergency that affects the life, health, property or the public peace and;

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 Pandemic; and

WHEREAS, on March 15, 2020 the Governor of the State of Oklahoma declared an emergency endangering the health, peace and safety of the citizens of the State of Oklahoma due to COVID-19 Pandemic;

WHEREAS, COVID-19 is a new virus that currently lacks widely available testing at pharmacies and doctor’s offices which reduces the ability to effectively track community spread;

WHEREAS, on March 16, 2020, as Mayor, I issued a Proclamation of Emergency in the City of Broken Arrow due to the COVID-19 Pandemic;

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

WHEREAS, Chapter 20, Section 20.3 of the City of Broken Arrow Code of Ordinances explicitly empowers the Mayor, during the existence of a state of emergency to prohibit such number of persons, as designated by the Mayor, from assembling or gathering on the public streets, parks or other areas of the city, either public or private;

WHEREAS, the Mayor of the City of Broken Arrow does hereby find that conditions affecting public order, life, health, property or the public peace have arisen within the City of Broken Arrow caused by the COVID-19 Pandemic continue to constitute an emergency;

NOW THEREFOR IT IS HEREBY PROCLAIMED that a local emergency now and continues to exist in the entirety of the City of Broken Arrow, State of Oklahoma;

IT IS FURTHER PROCLAIMED AND ORDERED that the Mayor of the City of Broken Arrow is empowered to evoke the powers enumerated in Chapter 20, Section 20.4 of the City of Broken Arrow Code of Ordinances; and

IT IS FURTHER PROCLAIMED AND ORDERED that due to the potential for rapid community spread and transmission of the COVID-19 virus, immediate action is required to protect public health, safety and welfare, it is hereby declared and ORDERED, as follows:

1. Restaurants, food courts, cafes, coffeehouses, and other places of public accommodation offering food and beverage are closed for dine-in customers and guests and for on premises consumption, are restricted and limited to curbside, drive-thru, takeout and delivery services, excluding institutional or in-house food cafeterias that serve residents, employees, and clients of businesses, child care facilities, hospitals, and longterm care facilities.
2. The following commercial establishments and places of public accommodation are closed to ingress, egress, use, and occupancy by members of the public:
 - a. Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption.
 - b. Hookah bars, cigar bars, and vaping lounges offering their products for on premises consumption.
 - c. Theaters, cinemas, indoor and outdoor performance venues, and museums.
 - d. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, and spas.
 - e. Amusement parks, arcades, bingo halls, bowling alleys, indoor climbing facilities, skating rinks, trampoline parks, and other similar recreational or entertainment facilities.
3. This Proclamation does not prohibit an employee, contractor, vendor, or supplier of a place of public accommodation from entering, exiting, using, or occupying that place of public accommodation in their professional capacity.
4. The restrictions imposed by this Proclamation do not apply to any of the following:
 - a. Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries, other than those portions of the place of public accommodation subject to the requirements of section;
 - b. Health care facilities, child care facilities, residential care facilities, congregate care facilities and juvenile justice facilities;
 - c. Crisis shelters, soup kitchens, or similar institutions;
5. For purposes of this Proclamation, "place of public accommodation" means a business, or an educational, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.
6. This Proclamation does not alter any of the obligations under law of an employer affected by this Proclamation to its employees or to the employees of another employer.

This Proclamation shall take effect this 20~~th~~ day of March, 2020, at 11:59~~am~~ m. However, as a rapidly evolving, fluid situation the Mayor will reevaluate the conditions giving rise to this Proclamation on an ongoing basis, including at the regularly scheduled April 7, 2020 City Council meeting.

IT IS FURTHER PROCLAIMED AND ORDERED that this state of emergency shall continue until the issuance of a proclamation of the Mayor declaring its termination.

Dated: 3-19-2020

By: Craig Thurmond
Craig Thurmond, Mayor, City of Broken Arrow

ATTEST:

[Signature]
City Clerk (Seal)

[Signature]
City Attorney

