

ORDINANCE NO. 3463

“AN ORDINANCE AMENDING THE STILLWATER CITY CODE BY AMENDING CHAPTER 14, CIVIL EMERGENCIES, ARTICLE I, IN GENERAL, TO AMEND SECTION 14-1, FINDINGS OF FACT, AND SECTION 14-7, SUNSET; AND DECLARING AN EMERGENCY”

(AMENDMENTS HIGHLIGHTED BY STRIKETHROUGH AND UNDERLINING)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STILLWATER, OKLAHOMA:

SECTION 1: That the Stillwater City Code, Chapter 14, Civil Emergencies, Article I, In General, Section 14-1, Findings of Fact, be amended to read as follows:

Sec. 14-1. Findings of Fact.

WHEREAS, COVID-19, a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can spread from person to person; and

WHEREAS, the current scientific understanding of this virus from the U.S. Centers for Disease Control and Prevention (CDC) indicates that it spreads mainly from person to person, mainly through respiratory droplets produced when an infected person talks, coughs, or sneezes; and

WHEREAS, these respiratory droplets can land in the mouths or on noses of nearby people or can possibly be inhaled into the lungs; and

WHEREAS, spread is more likely when people are in close contact with one another (within six feet); and

WHEREAS, currently there is no vaccine, treatment, or cure for COVID-19; and

WHEREAS, the incidence of "community spread" of COVID-19 within the City of Stillwater remained consistent through June 1, 2020, peaking at 22 cumulative confirmed cases for nearly six weeks; and

WHEREAS, in accordance with Governor J. Kevin Stitt's May 30 2020 Executive Order 2020-20 and June 12, 2020 Amended Executive Order 2020-20 the City of Stillwater allowed previously declared emergency orders to expire and adopted State requirements set forth in the "Phase III" Open Up Recover Safely ("OURS") Plan (Proclamation Declaring State of Emergency, June 1, 2020 Amendment); and

WHEREAS, since that date, the incidence of positive COVID-19 tests increased from 22 cases on June 8, 2020 to 389 on July 7, 2020; and

WHEREAS, most of the active cases in Stillwater involve persons between 18-25 years of age; and

WHEREAS, the Payne County Health Department reports that contact tracing has linked much of this exposure to congregation of persons within this demographic in bars and gatherings where those attending did not exercise social and physical distancing or wear face coverings; and

WHEREAS, students and faculty will begin returning to Stillwater during July and August from throughout the United States including COVID-19 "hotspots" such as Tulsa County and the Dallas-Fort Worth Metroplex; and

WHEREAS, studies have found that mandated face coverings significantly reduce the number of infections; and

WHEREAS, the United States Center for Disease Control (CDC), Oklahoma State Department of Health (OSDH), and Stillwater Medical Center all recommend the wearing of face coverings in public settings to prevent the transmission of COVID-19 from person to person; and

WHEREAS, in response to the foregoing, Oklahoma State University Administration (OSU) has ordered that all students, faculty, employees, vendors, and visitors entering campus buildings and facilities wear face coverings throughout the Fall 2020 Semester; and

WHEREAS, the passage of an ordinance mandating the wearing of face coverings in certain public settings is necessary to protect the health and safety of Stillwater residents and together with the OSU face covering requirements will reduce the transmission of COVID-19 within the community.; and

WHEREAS, since the passage of Ordinance 3452 COVID-19 has continued to spread statewide, especially in those cities and counties where no face covering mandate or similar protection is in place; and

WHEREAS, there are presently 396 active cases in Payne County and 271 in Stillwater; and

WHEREAS, the number of active cases in Payne County and Stillwater has doubled since November 1, 2020; and

WHEREAS, statewide there are more than 20,000 active COVID-19 cases; and

WHEREAS, 1,444 deaths from COVID-19 have been reported statewide; 15 deaths in Payne County and 8 in Stillwater since the onset of this pandemic; and

WHEREAS, the United States Center for Disease Control, (CDC) Oklahoma State Department of Health (OSDH) and other public health organizations attribute much of the new spread to persons not wearing face coverings in public settings and inadequate social distancing; and

WHEREAS, a recent study conducted by the Oklahoma State Epidemiologist found that Oklahoma cities that had adopted face covering ordinances had less community spread of COVID-19 than those that had not taken such measures to protect their citizens; and

WHEREAS, this finding is consistent with studies and guidance issued by the CDC, OSDH and other public health organizations; and

WHEREAS, as of this date, there is no Federal Drug Administration approved vaccine available in the United States to combat the spread of COVID-19; and

WHEREAS, once a vaccine does become available, the CDC and others have indicated that the wearing of face coverings will still be necessary for some time until certain immunity levels are established; and

WHEREAS, the Governor of the State of Oklahoma has left it to the cities to decide what steps are necessary to protect their citizens from the spread of COVID-19; and

WHEREAS, the City Council reaffirms its previous finding that the adoption of a face covering mandate is necessary to protect the citizens of Stillwater and that it is advisable to extend that mandate until February 28, 2021.

SECTION 2: That the Stillwater City Code, Chapter 14, Civil Emergencies, Article I, In General, Section 14-7, Sunset, be amended to read as follows:

Sec. 14-7. Sunset.

This ordinance Ordinance 3452 adopted on July 9, 2020 shall expire the earlier of: ~~November 30, 2020~~ February 28, 2021; the expiration of all COVID-19 related emergency declarations issued by the Mayor; or repeal, modification or extension by the City Council through a subsequent ordinance.

SECTION 3. EMERGENCY CLAUSE. It being immediately necessary for the preservation of the peace, health and safety of the citizens of the City of Stillwater, Oklahoma, an emergency is hereby declared to exist, by reason whereof this ordinance shall become effective from and after the date of publication.

PASSED, APPROVED, AND ADOPTED THIS 19TH DAY OF NOVEMBER, 2020.

WILLIAM H. JOYCE, MAYOR

(SEAL)
ATTEST:

TERESA KADAVY, CITY CLERK

THE EMERGENCY CLAUSE IS HEREBY PASSED, APPROVED AND ADOPTED THIS
19TH DAY OF NOVEMBER, 2020.

WILLIAM H. JOYCE, MAYOR

(SEAL)
ATTEST:

TERESA KADAVY, CITY CLERK

APPROVED AS TO FORM AND LEGALITY THIS 19TH DAY OF NOVEMBER, 2020.

JOHN E. DORMAN, CITY ATTORNEY

First Reading: 11-16-20
Second Reading: 11-19-20