

**MARCH 26<sup>th</sup>, 2020, EMERGENCY ORDERS AND RECOMMENDATIONS FROM  
JACK SMILEY, MAYOR OF THE CITY OF ALTUS, OKLAHOMA**

Altus Municipal Code, Chapter 9, Article II, §9-26 through §9-35 empowers the Mayor of the City of Altus (“City”) to issue emergency orders during a declared emergency.

An Emergency Proclamation was issued by the Mayor of Altus on March 17<sup>th</sup>, 2020, and the Altus City Council extended the emergency period and emergency orders until April 7<sup>th</sup>, 2020, at 6:00 o’clock p.m. for further consideration and possible action. Thereafter emergency orders and amended emergency orders were issued by the Altus Mayor due to changing circumstances, events, knowledge and state and federal directives and recommendations.

On March 24<sup>th</sup>, 2020, Oklahoma Governor J. Kevin Stitt issued Fourth Amended Executive Order 2020-07 and on March 25<sup>th</sup>, 2020, Oklahoma Governor J. Kevin Stitt issued Amended Executive Memorandum 2020-01.

The Mayor of the City of Altus has directed that all currently effective emergency orders issued for the City of Altus and all emergency orders issued by the Governor of Oklahoma be combined in a single document and coordinated to aide citizen understanding and compliance and to provide uniformity.

Protection of the health, safety and welfare of Altus citizens and visitors to the City of Altus, as well as support of the local economy and businesses is of paramount concern to the Mayor and City officials and administration.

Title 11 O.S. §22-120 provides that “[t]he municipal governing body may enact and enforce such ordinances, rules and regulations as it deems necessary for the protection of the public health, not inconsistent with state law; and may establish and regulate hospitals, and provide for their operation and support. The governing body may make regulations to prevent the introduction of contagious diseases into the municipality and may enforce quarantine laws within five (5) miles of the municipal limits.”

Title 21 O.S. §1321.5 provides:

- “(a) Whenever the restrictions imposed pursuant to this act are more restrictive than are required by any other statute, local ordinance or regulations, the provisions of the restrictions imposed pursuant to this act shall govern.
- (b) Whenever the restrictions of any other statute, local ordinance or regulations are more restrictive than the restrictions imposed pursuant to this act, the provisions of such statute, local ordinance or regulations shall govern.”

**NOW THEREFORE**, Jack Smiley, the Mayor of Altus, Oklahoma issues the following emergency orders and recommendations.

## EMERGENCY ORDERS

**The following orders must be followed. Violation of these orders is a misdemeanor under Altus Municipal Code Section 9-34. This document contains all emergency orders in effect as of March 26<sup>th</sup>, 2020.**

1. All prior emergency orders for the City of Altus issued by the Mayor of Altus are rescinded to the extent that they are inconsistent with these orders.
2. To the extent that the same apply to cities, individuals, businesses, workers and occupations within the City of Altus, the following Executive Orders and Executive Memorandum issued by Oklahoma Governor J. Kevin Stitt are incorporated by reference, adopted and are made emergency orders and recommendations for the City of Altus:
  - 2.01. *Executive Order 2020-07* issued March 15<sup>th</sup>, 2020.
  - 2.02. *Amended Executive Order 2020-07* issued March 17<sup>th</sup>, 2020;
  - 2.03. *Third Amended Executive Order 2020-07* issued March 21<sup>st</sup>, 2020.
  - 2.04. *Fourth Amended Executive Order 2020-07* issued March 24<sup>th</sup>, 2020.
  - 2.05. *Executive Memorandum 2020-01* issued March 24<sup>th</sup>, 2020.
  - 2.06. *Amended Executive Memorandum 2020-01* issued March 25<sup>th</sup>, 2020.
3. The essential critical infrastructure businesses (also referenced as “critical infrastructure sector”) as identified by the United States Department of Homeland Security (USDHS) in the *Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response* and in *Executive Memorandum 2020-01* and in *Amended Executive Memorandum 2020-01* are adopted and made applicable to the City of Altus.
4. Adults over the age of sixty-five (65) and people of any age who have serious underlying medical conditions, collectively referred to as “vulnerable individuals,” shall stay in their home or place of residence except for working in a critical infrastructure sector and the conduct of essential errands. Essential errands shall mean those errands which are critical to everyday life and includes obtaining medication, groceries, gasoline and visiting medical providers. The vulnerable population is encouraged to use delivery and/or curbside services whenever available.
5. Social gatherings of more than ten (10) people are prohibited. Businesses within a critical infrastructure sector shall take all reasonable steps necessary to protect their employees, workers and patrons and to comply with this Order and, as applicable, the Orders found in *Executive Order 2020-07*, *Amended Executive Order 2020-07*, *Third Amended Executive Order 2020-07*, *Fourth Amended Executive Order 2020-07*, *Executive Memorandum 2020-01* and *Amended Executive Memorandum 2020-01*.

6. Effective immediately, all businesses not identified as being within a critical infrastructure sector and located within the City of Altus shall close. The word “close” shall mean not open for business; all trading, services and work-related tasks ceased.
7. In the event that a business has been determined by the City to be excluded as a critical infrastructure sector then the business owner or manager may obtain clarification and approval from the State of Oklahoma at <https://criticalworker.ok.gov/>. Once a business has obtained approval from the State to remain open the proof of approval must be posted at all business entrances.
8. Visitors are prohibited from entering and visiting patients and residents at nursing homes, long-term care facilities and retirement homes.
9. All City issued permits for parades, activities or other gatherings are revoked.
10. All tours and field trips of City facilities are immediately suspended until further order.
11. All personnel engaged in any aspect of food service or processing must wear gloves made of poly material, vinyl, nitrile, plastic or similar material.
12. All personnel working in a critical infrastructure sector exhibiting the known symptoms of COVID-19 infection must cease work at the business site immediately. This does not prohibit personnel, workers or employees from working remotely from their home or place of residence.
13. 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-thru, delivery or take out services.
14. All businesses that remain open must provide at least one (1) hour at the beginning of the business day for the establishment in which seniors and those people that are health compromised may shop or obtain service separate and apart from the remainder of the community. In the alternative, a business that remains open may provide separate areas in which seniors and those people that are health compromised may shop or obtain service separate and apart from the remainder of the community.
15. All businesses that remain open must sell essential items 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.

16. The Oklahoma Emergency Price Stabilization Act, prohibits an increase of more than ten percent (10%) for the price of goods or services after a declared emergency. This statute is in effect and anyone violating this law will be prosecuted. Reports of violation may be made to the Oklahoma Attorney General at [ConsumerProtection@oag.ok.gov](mailto:ConsumerProtection@oag.ok.gov) or at telephone number (405) 521-2029.
17. All businesses remain subject to daily inspection by City officials and employees to ensure compliance with these emergency orders.
18. These emergency orders do not apply to emergency services and emergency services personnel in the performance of their job functions and duties.
19. Combative sports remain prohibited until further order.
20. City parks remain open but all playground, recreation and fitness areas and commonly used items or apparatus remain closed and use is prohibited until further order.
21. The responsibility of compliance with guidance from the Centers for Disease Control and Prevention (CDC), to the fullest extent possible, shall be upon the owner of the business or venue.
22. All businesses that remain open must make available to customers hand sanitizer and sanitizing wipes at each entrance to the business establishment.
23. All 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.
24. Self-service areas for food and beverage remain prohibited and closed until further order.
25. Additional sectors may be designated by the Oklahoma Governor as critical by Executive Order or Executive Memorandum. Any additional designations by the Oklahoma Governor adding sectors or deleting sectors as critical are adopted by reference and made applicable to the City of Altus.
26. Title 21 O.S. §1321.4 provides “[n]otwithstanding this section or any other law of this state, neither the Governor nor any official of a municipal or state entity shall prohibit or suspend the sale, ownership, possession, transportation, carrying, transfer and storage of firearms, ammunition and ammunition accessories during a declared state of emergency, that are otherwise legal under state law.” Businesses designated under 21 O.S. §1321.4 are not closed in the City of Altus.
27. The goals during this emergency period are to protect the public health, safety and welfare and at the same time to permit continued business operations in an effort to protect the local economy. Pursuant to Title 21 O.S. §1321.5(b) the more restrictive emergency orders, whether they are the emergency orders issued by the Oklahoma Governor or the Altus Mayor, shall govern.

## RECOMMENDATIONS

The following are recommendations and are **NOT** orders at this time.

1. All persons should employ “social distancing” which is to allow at least six (6) feet of space between you and any other person. The prevention of the spread of COVID-19 starts with each person. Be responsible and cautious for yourself and your family.
2. Work and educational activities should be accomplished from home whenever possible.
3. Avoid discretionary travel.
4. Practice good hygiene.
5. Wash your hands frequently, especially after touching any frequently used item or surface.
6. Avoid touching your face.
7. Sneeze or cough into a tissue or the inside of your elbow. Dispose of the tissue in an appropriate trash receptacle
8. Disinfect frequently used items and surfaces as much as possible.
9. If you work in a critical infrastructure industry as defined by the Department of Homeland Security, such as healthcare services, pharmaceutical services and the food supply, you have a special responsibility to maintain your normal work schedule. You and your employers should follow the guidance provided by the Centers for Disease Control (CDC) to protect your health at work.
10. Review the CDC guidelines and recommendations often and follow the recommendations provided.
11. Current information indicates that COVID-19 may be spread at gas pump handles and similar common use areas. Consumers should use gloves made of poly material, vinyl, nitrile, plastic or similar material when using these areas. If gloves of these types are not available the consumer should use a disposable plastic bag. Consumers should dispose of the gloves or bags in a trash receptacle prior to re-entering his, or her, vehicle.
12. As more information and knowledge about COVID-19 becomes available additional orders or recommendations may be necessary or prudent. Citizens, business owners and business management should look to outlets maintained by the City of Altus for up-to-date and reliable information regarding current emergency orders for the City of Altus.
13. If any business owners or managers have questions regarding the emergency orders issued you may contact the City of Altus at (580) 482-4121.

WITNESS my hand as Mayor of the city of Altus, Jackson County, Oklahoma, and affixed thereto on this the 26<sup>th</sup> day of March, 2020.



(SEAL)

A handwritten signature in black ink, appearing to read "Jack Smiley".

Jack Smiley, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Paula Puckett or Deborah Lott".

Paula Puckett or Deborah Lott  
Deputy City Clerk-Treasurer

Approved as to Form and Legality:

A handwritten signature in black ink, appearing to read "Michael T. Beason".

Michael T. Beason, City Attorney