OFFICE OF THE MAYOR
CITY OF TAHLEQUAH, OKLAHOMA

EXECUTIVE ORDER NO. 2020-2
SUPERSEDED EXECUTIVE ORDER 2020-1

ORDER AND PROCLAMATION ISSUED PURSUANT TO CIVIL EMERGENCY AUTHORITY LIMITING AND CLOSING CERTAIN COMMERCIAL BUSINESSES

WHEREAS City of Tahlequah Ordinances, Part 13, Chapter 3, Section 13-313 provides authority as Mayor to proclaim a civil emergency in the City of Tahlequah; 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 Virus pandemic; and

WHEREAS, on March 15, 2020, the Governor of the State of Oklahoma declared an emergency caused by the impending threat of COVID-19 to the people of this State and the public’s peace, health and safety; and

WHEREAS, on March 19, 2020, I issued Executive Order 2020-1 proclaiming the existence of a civil emergency in the City of Tahlequah and limiting certain services and closing to the public certain businesses; and

WHEREAS, on March 24, 2020, the Governor of the State of Oklahoma amended Executive Order 2020-07 requiring vulnerable individuals to stay home except for essential errands, closing nonessential businesses in counties with confirmed cases of COVID-19, suspending certain elective and minor medical procedures, prohibiting gatherings of 10 or more individuals and restricting visitation at nursing homes; and

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

WHEREAS, it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers and facilities to handle and care for the influx of new patients in order to safeguard public health and safety; and

WHEREAS, within the City of Tahlequah there are two health care systems providing primary health care to an extended, multi-county patient base; and
WHEREAS, as of March 30, 2020, these two regional health care systems report fourteen (14) confirmed COVID-19 patients positive without regarding the county of residence for those patients, and with a number of other patients hospitalized without test results returned; and

WHEREAS, the City and the County created and populated a joint task force to make recommendations to their respective governing bodies for further action to mitigate the spread of COVID-19; and

WHEREAS, City of Tahlequah Ordinances, Part 13, Chapter 3, Section 13-313 provides that the Mayor, after proclaiming a civil emergency may in the interest of public safety and welfare shall “have all necessary emergency powers to care for the citizens of this City.”

Therefore, by the power vested in me as Mayor of the City of Tahlequah, I find that due to the rapid community spread and transmission of the COVID-19 virus within Northeastern Oklahoma, I hereby proclaim the continued existence of a civil emergency in the City of Tahlequah and further, it is hereby declared and ORDERED, as follows:

1. Executive Order 2020-1, issued March 19, 2020, ordering closing of certain business and commercial establishments either in-full, or with special conditions for limited operation shall remain in full force and effect; and

2. All citizens living in or visiting the City of Tahlequah are ordered to shelter at their place of residence. For the purposes of this Order, residences include a single-family home, an apartment unit, a condominium unit, a dormitory room, a hotel room, a motel room, shared rentals, and similar facilities and accommodations. All persons may leave their residences only for Essential Activities as defined herein, or to provide or perform Essential Governmental Functions as defined by the government performing the function, or to operate Essential Businesses as defined by the Governor of the State of Oklahoma, or his designee:

   A. For purposes of this Order, individuals may leave their residence only to perform any of the following “Essential Activities”:

      I. To engage in activities, perform tasks, or obtain supplies essential to their health and safety, or to the health and safety of their family, those living in their residence, or pets (for example, obtaining necessary medical supplies, medication, food and beverage, or other products necessary to maintain safety, sanitation, and essential operation of the residence, visiting a health care professional, obtaining supplies needed to work from home, or performing property maintenance).

      II. To engage in outdoor activity, provided that individuals, except those from the same residence, must comply with physical distancing requirements of six feet (for example, walking, biking, hiking, or running).

      III. To perform work at an Essential Business, as defined by Governor Stitt’s Sixth Amended Executive Order 2020-07, including any future amendments.
IV. To care for or transport a family member or pet in another residence.

V. To move to another residence either in or outside the City of Tahlequah.

B. “Essential Businesses” shall mean those businesses identified by the Governor of the State of Oklahoma, or his designee, as critical infrastructure sectors, including critical government workers as defined by the government employer; and

C. For purposes of this order, non-residents of the City of Tahlequah may be outside of a residence within the City limits only to engage in those activities for which a Tahlequah resident may leave their homes as stated in this Order.

3. A public safety curfew, is hereby imposed in the City of Tahlequah. This curfew shall be in effect from 10:00 p.m. until 5:00 a.m. daily until this Executive Order expires and/or is rescinded; and

4. To the greatest extent feasible, all businesses shall comply with physical distancing requirements, including but not limited to maintaining six feet physical distancing for both employees and the general public, off-setting shift hours and/or days, and requiring employees to conduct work remotely where feasible; and

5. Non-Essential Businesses, which are all other businesses operating within the City of Tahlequah, except Essential Businesses, are required to cease all in-person activities at facilities located within the City:

   A. Provided that any business may continue to perform essential functions with employees or contractors as necessary to maintain the value of the business’ inventory, preserve the condition of the business’ physical plant and equipment, ensure security, process payroll and employee benefits and related functions.

   B. Non-essential businesses may continue operations consisting exclusively of employees or contractors performing activities remotely (i.e. working from home).

6. All City-owned sport courts, golf courses, and sports fields are hereby closed, and use thereof and use of any fitness equipment, playground equipment, or shelters within City Parks is prohibited even if not locked, gated, or fenced. All remaining park facilities and walking trails shall remain open; and

7. All itinerant vendor licenses allowing door-to-door sales within the City of Tahlequah that are currently active are hereby revoked, and as of this date, no further such itinerant vendor licenses shall be issued until this Executive Order expires and/or is rescinded; and
8. This Executive Order 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.

This Executive Order shall take effect as of 11:59 p.m. Wednesday, April 1, 2020, and shall continue in effect until the expiration of Governor Stitt’s Sixth Amended Executive Order 2020-07, which is at the end of thirty (30) days after March 29, 2020, provided that this Order may be rescinded or extended prior to said date and time if assessment of the pandemic so warrants.

Dated this 31st day of March, 2020.

________________________________________
Sue Catron, Mayor

ATTEST:

________________________________________
City Clerk

APPROVED:

________________________________________
City Attorney