

CITY OF MUSKOGEE RESOLUTION NO. 2803

**BOARD OF COUNTY COMMISSIONERS OF MUSKOGEE COUNTY
RESOLUTION**

JOINT RESOLUTION OF THE CITY OF MUSKOGEE AND THE BOARD OF COUNTY COMMISSIONERS OF MUSKOGEE COUNTY DIRECTING RESIDENTS OF THE CITY AND COUNTY TO STAY AT HOME UNLESS PERFORMING ESSENTIAL ACTIVITIES AS DEFINED; DIRECTING ALL BUSINESSES TO ESTABLISH MITIGATION PLANS AND PROCEDURES TO PROTECT AGAINST THE SPREAD OF COVID-19; ADOPTING PROVISIONS CONTAINED IN THE GOVERNOR’S EXECUTIVE ORDER ISSUED MARCH 24, 2020.

WHEREAS, on March 23, 2020, the City of Muskogee (“City”) adopted Amended Resolution No. 2801 declaring a local emergency due to presence of the novel coronavirus, COVID-19, within Muskogee County;

WHEREAS, on March 18, 2020, the Board of County Commissioners of Muskogee County (“County”) declared the existence of an emergency condition in Muskogee County in regard to the COVID-19 pandemic;

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

NOW, THEREFORE, BE IT RESOLVED BY THE RESPECTIVE GOVERNING BODIES OF THE CITY OF MUSKOGEE AND THE BOARD OF COUNTY COMMISSIONERS OF MUSKOGEE COUNTY, that the recommendations of the City-County Joint Task Force are hereby adopted as follows:

A. STATEMENT OF INTENT:

The intent of this Resolution is to ensure the maximum number of people self-isolate in their places of residence to the maximum extent feasible to slow the spread of COVID-19. With the inadequate number of testing supplies at present, we, as the governing bodies of our community, must assume: a) that there are a significant number of unreported cases locally, and b) that seemingly healthy individuals, unaware of their status, may unknowingly spread the virus to those around them through normal social contact. Guidelines have been issued and modified as the pandemic spreads and the science of the virus becomes better known. This Resolution is made jointly between the City and the County because of their shared concern of the well-being of the citizens and the intent to share resources, and further, that by adopting a mitigation plan, more restricted procedures and orders should be unwarranted in the future.

A. RESIDENTS:

1. Residents of the City and County are directed to stay at home and avoid discretionary travel unless they are performing essential activities. Essential activities mean:

A. Engaging in activities or performing tasks essential to their health and safety or to the health and safety of their family or household, such as going to a health care provider or obtaining medical supplies or medications;

B. Obtaining necessary services or supplies for themselves and their family, to obtain supplies needed to work from home or deliver those to others, such as purchasing food or household consumer goods, and products necessary to maintain the safety, and essential operations of residences;

C. Engaging in outdoor activity, provided compliance with Social Distancing Requirements of six (6) feet or more between persons is met, such as walking, hiking, running;

D. Caring for a family member or pet in another household;

E. Performing work at an Essential Business, as defined by Governor Stitt's Fourth Amended Executive Order 2020-07 ("Order 07") and Executive Department Executive Memorandum 2020-01 ("Order 01"), available on the City's website at cityofmuskogee.com;

B. BUSINESS ENTITIES:

1. Essential Businesses, as defined above, which are located within the City or the County shall establish such controls which are necessary to mitigate the spread of COVID-19 in the workplace, including but not limited to implementing and enforcing Social Distancing, permitting employees to work from home, and complying with all other advice from the State Department of Health, the Centers for Disease Control and Prevention, and the World Health Organization.

A. Owners and Managers of Essential Businesses are directed to coronavirus.health.ok.gov under the heading of "Resources & Recommendations" for a categorical list of available guidance documents, as well as, to ready.gov/business-continuity-plan for assistance in completing the necessary controls in mitigating the spread of COVID-19.

2. Non-Essential Businesses, which are all other businesses which are not defined as Essential Businesses shall be closed as ordered by the Governor in accordance with Order 07 and Order 01.

A. Order 07 and Order 01 as they relate to the closing of Non-Essential Businesses is set to expire on April 16, 2020. Providing the Governor's Orders are not extended, Non-Essential Businesses shall be permitted to resume operations and reopen. Prior to reopening, each Non-Essential business shall establish such controls which are necessary to mitigate the spread of COVID-19 in the workplace, including but not limited to implementing and enforcing Social Distancing, permitting employees to work from home, and complying with all other advice from the State Department of Health, the Centers for Disease Control and Prevention, and the World Health Organization, in the same manner and using the same resources as provided in (1)(A) above.

C. PRIOR DECLARATIONS OF EMERGENCY:

1. Prior Resolutions adopted by the City and the County are not replaced by the passage of Resolution No. 2803. The direction and orders contained herein are intended to supplement, rather than replace all previous resolutions, including Amended Resolution No. 2801, as adopted by the City, and resolutions adopted by the Board of County Commissioners on March 18, 2020; and two issued on March 23, 2020.

D. EFFECTIVE DATE:

This Resolution shall be effective at 11:59 p.m. (CST) on the date of adoption by both the City and the County, and shall remain in effect until modified by one or both governing bodies.

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ADOPTED, PASSED AND APPROVED by the Council of the City of Muskogee to be effective immediately this **25th day of March, 2020.**

JANEY BOYDSTON, Mayor

ATTEST:

TAMMY L. TRACY, City Clerk

APPROVED as to form and legality this **25th day of March, 2020.**

ROY D. TUCKER, City Attorney

ADOPTED, PASSED AND APPROVED by the Board of County Commissioners of Muskogee County to be effective immediately this **25th day of March, 2020.**

KEN DOKE, District 1

STEPHEN WRIGHT, District 2

KENNY PAYNE, District 3

ATTEST:

DIANNA COPE, County Clerk

APPROVED as to form and legality this **25th day of March, 2020.**

ORVIL LOGE, District Attorney