



## Staff Report to City Council July 20, 2020

**VIII. CONSIDERATION OF ORDINANCE OF THE CITY OF THE VILLAGE, OKLAHOMA AMENDING CHAPTER 8, DIVISION 2, SECTION 8-55 (e) OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; PERTAINING TO THE MANDATORY WEARING OF FACEMASKS IN CERTAIN LOCATIONS OR SITUATIONS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

Attached please find a copy of Ordinance 753, which is proposed for discussion by the Council.

Ordinance 753 would amend Chapter 8, Section 8-55 (d) by adding a Subsection (5) pertaining to facemasks. My thoughts were to keep the Ordinance basic and leave the specific requirements to be promulgated by Mayoral Proclamation. This would allow for facemask regulations to be tailored as specific circumstances warrant.

Respectfully,

  
Bruce K. Stone  
City Manager





## ORDINANCE 753

**AN ORDINANCE OF THE CITY OF THE VILLAGE, OKLAHOMA AMENDING CHAPTER 8, DIVISION 2, SECTION 8-55 (e) OF THE CODE OF ORDINANCES OF THE CITY OF THE VILLAGE; PERTAINING TO THE MANDATORY WEARING OF FACEMASK IN CERTAIN LOCATIONS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THE VILLAGE:**

**Section 1.** That Chapter 8, Division 2, Section 8-55 (e) of the Code of Ordinances is hereby amended to read as follows:

(e) **Prohibitions or restrictions:** In the event of a declared emergency, the mayor or city council may, at the time the emergency is declared by proclamation or resolution, or by subsequent proclamation or resolution, prohibit, require or restrict:

- (1) a designated number of persons from assembling or gathering on the public streets, parks, or other areas either public or private;
- (2) the sale, purchase, or dispensing of alcoholic beverages;
- (3) the sale, purchase, or dispensing of other commodities or goods; and
- (4) the wearing of facemasks in certain public places or settings.
- (5) such other activities as the mayor or city council reasonably believes should be prohibited or restricted to help preserve or maintain life, health, property, or the public peace.

By imposing any such prohibitions or restrictions, the mayor or city council may impose them for such times, upon such conditions, and with such exceptions and in such areas as the mayor or city council from time to time deems necessary.

**Section 2.** **Repealer Clause.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**Section 3.** **Severability Clause.** If any section, subsection, sentence, clause, or portion of this Ordinance is for any reason held invalid or unconstitutional, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.



## ORDINANCE 753

**Section 4. Emergency Clause.** WHEREAS, it being necessary for the preservation of the public health, peace, and safety of the City of The Village, Oklahoma, an emergency is declared to exist and by reason thereof this Ordinance shall take full force and effect from and after its adoption.

**PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF THE VILLAGE, OKLAHOMA,** this 20th day of July, 2020, at an emergency meeting held and noticed in compliance with the requirements of the Open Meeting Law (25 O.S. § 301, *et seq.*).

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**DAVID BENNETT, MAYOR**

**ATTEST:**

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**Bruce K. Stone, City Clerk**

**APPROVED AS TO FORM AND LEGALITY** this \_\_\_\_ day of \_\_\_\_\_, 2020.

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**City Attorney**