

**EMERGENCY RESOLUTION NO. 1372**

**CITY OF NICHOLS HILLS, OKLAHOMA**

AN EMERGENCY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NICHOLS HILLS, OKLAHOMA, IMPOSING REGULATIONS ASSOCIATED WITH THE COVID-19 CORONAVIRUS DISEASE

**WHEREAS**, pursuant to Sections 301-314 of Title 25 of the Oklahoma Statutes (the “Oklahoma Open Meeting Act”), municipalities in Oklahoma are authorized to conduct Emergency Meetings in a “situation involving injury to persons or injury and damage to public or personal property or immediate financial loss when the time requirements for public notice of a special meeting would make such procedure impractical and increase the likelihood of injury or immediate financial loss;”

**WHEREAS**, on December, 2019, a novel (new) coronavirus known as SARS-CoV-2 (the “Virus”) has caused global spread of the coronavirus disease COVID-19 (the “Disease”);

**WHEREAS**, on March 11, 2020 the World Health Organization (WHO) declared the Virus Disease to be a pandemic;

**WHEREAS**, on March 13, 2020 the President of the United States declared a National Emergency due to the Virus pandemic;

**WHEREAS**, on March 15, 2020, the Governor of the State of Oklahoma declared an emergency for all seventy-seven (77) Oklahoma Counties caused by the impending thread of the Disease;

**WHEREAS**, several persons in the Oklahoma City metropolitan area have tested positive for the Disease and pose a risk of injury to persons or injury and damage to public or personal property or immediate financial loss;

**WHEREAS**, this City Council has determined it necessary to conduct an emergency meeting because the time requirements for public notice of a special meeting would make such procedure impractical and increase the likelihood of injury or immediate financial loss;

**WHEREAS**, pursuant to Section 22-120 of Title 11 of the Oklahoma Statutes, municipalities are authorized to make regulations to prevent the introduction of contagious diseases into the municipality and may enforce quarantine laws; and

**WHEREAS;** pursuant to Section 18-23 of the Nichols Hills City Code, “in the event of an enemy-caused emergency or emergencies resulting from natural causes, the director of emergency management, after due authorization as provided in section 18-26 of this article, shall have the power and authority to enforce all rules and regulations relating to civil emergencies and, if necessary, take control of transportation, communications, stocks of fuel, food, clothing, medicine and public utilities for the purpose of protecting the civilian population;” and

**NOW, THEREFORE, BE IT RESOLVED;** that the City Council of the City of Nichols Hills, Oklahoma pursuant to the authority vested in the Council pursuant to the Ordinances of the City and the Laws of the State of Oklahoma, takes the following actions:

1. All bars and similar venues without on-premises food must close from 12:00 p.m. on March 18, 2020 through April 12, 2020.
2. All bars and similar venues with on-premises food, restaurants and coffee shops may serve only take-out or delivery food, or pre-packaged alcohol authorized for sale under state law, from 12:00 p.m. March 18, 2020 through April 12, 2020. They must otherwise remain closed to everyone but employees.
3. All athletic gyms, exercise facilities, indoor sports facilities, indoor climbing facilities, trampoline parks, bowling alleys, skating rinks and similar indoor recreational facilities must close from 12:00 p.m. March 18, 2020 through April 12, 2020;
4. Staff of the foregoing establishments listed may still perform maintenance duties at these facilities; and

**BE IT FURTHER RESOLVED,** that the regulations and restrictions imposed by this Resolution shall remain in effect until terminated by law or by future action of the Council; and

**BE IT FURTHER RESOLVED,** that Resolution Number 1371 adopted by the City Council of the City of Nichols Hills, Oklahoma on March 16, 2020 remains in full force and effect.

**PASSED** by the Council of the City of Nichols Hills, Oklahoma, on the \_\_\_ day of \_\_\_\_\_, 2020.

**APPROVED** by the Mayor of the City of Nichols Hills, Oklahoma, on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**ATTEST:**

\_\_\_\_\_  
City Clerk [Seal]

\_\_\_\_\_  
Mayor

Reviewed as to Form and Legality:

\_\_\_\_\_  
City Attorney