

**AN ORDINANCE OF THE CITY OF ODESSA, MISSOURI, RELATED TO THE ODESSA 4-STEP RECOVERY PLAN FOR COVID-19.**

**WHEREAS**, the City of Odessa has been closely monitoring an outbreak of respiratory illness caused by COVID-19; and

**WHEREAS**, on January 30, 2020, the World Health Organization (WHO) Director General declared the outbreak of COVID-19 and on March 11, 2020, declared it a global pandemic; and

**WHEREAS**, on March 13, 2020, the President of the United States issued a Proclamation declaring a national emergency concerning the COVID-19 outbreak and Missouri Governor Michael L. Parson signed Executive Order 20-02 declaring a state of emergency in Missouri in response to COVID-19; and

**WHEREAS**, Chapter 1, Section 1.200 of the City of Odessa Code of Ordinances empowers the Mayor to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity; and

**WHEREAS**, Mayor Adam Couch declared a local emergency on Monday, March 16, 2020; and

**WHEREAS**, Section 79.380, RSMo., authorizes the Board of Aldermen to make regulations and pass ordinances for the prevention of the introduction of contagious diseases in the City, and for the abatement of the same, and may make quarantine laws and enforce the same within five (5) miles of the City; and

**WHEREAS**, on Tuesday, March 24, 2020, the City of Odessa Board of Aldermen approved Ordinance Number 3008, issuing a stay home order designed to slow the spread of COVID-19 within the City of Odessa, Missouri, and surrounding areas to protect the health care resources and the health, safety, and welfare of the citizens of Odessa, Missouri, and surrounding areas; and

**WHEREAS**, the Board of Aldermen of the City, pursuant to authority granted by Section 79.380, RSMo., issued a quarantine in the form of a stay home order designed to slow the spread of COVID-19 within the City of Odessa and surrounding areas and within said Ordinance granted the Mayor the authority to extend and modify the stay home order for up to an additional thirty (30) days without further action by the Board of Aldermen; and

**WHEREAS**, on April 22, 2020, under the extension authority of Ordinance No. 3008, Mayor Adam Couch issued Extension Order No. 01-2020 to the City of Odessa Stay Home Order, that went into effect at 11:59 pm on April 24, 2020, and is set to expire at 11:59 pm on May 3, 2020; and

**WHEREAS**, following ongoing communication with local, county, and state officials while continuing to monitor the ever changing situation and statistics of COVID-19 cases, it was in the best interest of the health, safety, and wellness of Odessa, to extend the stay home order with local modifications to the guidance provided in the State of Missouri Stay Home Order to allow certain businesses to open and restore business operations previously deemed non-essential, furthermore became Extension Order No. 02-2020 and beginning at 11:59 p.m. on May 3, 2020, implemented

Step 1 of the Odessa Recovery Plan for COVID-19, and set forth the remaining steps of the Odessa Recovery Plan as attached hereto as Exhibit A for the consideration and approval by the Board of Aldermen, as described herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ODESSA, MISSOURI, AS FOLLOWS:**

**Section 1. Intent.**

The intent of this order is to continue to slowly and methodically allow businesses to restore operations while continuing to slow the spread of COVID-19 within City of Odessa, Missouri. When people leave their place of residence, whether to obtain or perform essential services, or to otherwise facilitate otherwise authorized activities, they should at all times reasonably comply with Social Distancing Requirements through the duration of the 4-Step Recovery Plan.

**Section 2. Definitions.**

The definitions established in Ordinance No. 3008 remain in effect.

**Section 3. Odessa 4-Step Recovery Plan for COVID-19.**

The City of Odessa 4-Step Recovery Plan began on May 3, 2020, at 11:59 P.M. with the issuance of Extension Order No. 02-2020 by the Mayor. With consideration and approval by the City of Odessa Board of Aldermen, Extension Order No. 03-2020, the Odessa 4-Step Recovery Plan will continue through 11:59 P.M. on July 18, 2020 as described herein:

STEP 1				
Begins	11:59 P.M. – May 3, 2020		Ends	11:59 P.M. – May 16, 2020

- Restaurants may offer dine-in options as long as they adhere to the State of Missouri’s Stay Home Order and must follow those restrictions put forth as it relates to social distancing requirements
- Businesses having worker functions that are unable to maintain required social distancing because job duties require contact with other people closer than six feet (6’) may open; provided, that the owners, managers, and workers take extra precautionary measures to mitigate the risks of contracting or spreading COVID-19. (examples: nail salons, beauty salons, barber shops, and massage parlors)
- Retail businesses (regardless of essential or non-essential classification) must follow the state order limiting occupancy to either 25% or 10% of occupancy based on the state formula provided for in Extension Order No. 02-2020
- Individuals may go to and from their places of worship, provided that limitations on social distancing are properly adhered to

- Unless otherwise specified in this Ordinance, gathering limits, as defined in Ordinance No. 3008, remain at ten (10) or less
- Social distancing, as defined in Ordinance No. 3008, of six feet (6') must be maintained, where applicable as outlined in Section 3.2 of Extension Order No. 02-2020

STEP 2				
Begins	11:59 P.M. – May 16, 2020*		Ends	11:59 P.M. – June 6, 2020

- Within STEP 2, immediately after 11:59 P.M. on May 31, 2020, when the current state order expires (and provided no extension is issued), all retail businesses will be able to increase their occupancy restrictions to fifty percent (50%) of occupancy based on the state formula provided for in Extension Order No. 02-2020
- Unless otherwise specified in this Ordinance, gathering limits, as defined in Ordinance No. 3008, increase to fifty (50) people or less
- Social distancing, as defined in Ordinance No. 3008, of six feet (6') must be maintained, where applicable as outlined in Section 3.2 of Extension Order No. 02-2020

*\*All provisions of Step 2 become effective immediately after 11:59 P.M. on May 16, 2020, EXCEPT for the occupancy limits which will remain in accordance with the State of Missouri State Home Order. Should the state order be extended this provision will continue to model aforesaid order. If the state order is allowed to expire at 11:59 P.M. on May 31, 2020, then the occupancy provisions set forth above will become effective.*

STEP 3				
Begins	11:59 P.M. – June 6, 2020		Ends	11:59 P.M. – June 27, 2020

- All occupancy restrictions in retail businesses is lifted
- Unless otherwise specified in this Ordinance, gathering limits, as defined in Ordinance No. 3008, remain at fifty (50) people or less
- Social distancing, as defined in Ordinance No. 3008, of six feet (6') must be maintained, where applicable as outlined in Section 3.2 of Extension Order No. 02-2020

STEP 4				
Begins	11:59 P.M. – June 27, 2020		Ends	11:59 P.M. – July 18, 2020

- No occupancy restrictions
- Gathering limits, as defined in Ordinance No. 3008, increase to two-hundred fifty (250) people or less

- Social distancing, as defined in Ordinance No. 3008, of six feet (6') must be maintained, where applicable as outlined in Section 3.2 of Extension Order No. 02-2020

*Following the end of Step 4, it is expected that all restrictions will be lifted, the City's active response to COVID-19 will cease, and anything further will come as a recommendation from the City of Odessa based on guidance provided by county, state, and/or federal authorities.*

### **Conclusion**

- At any point during this four (4) step re-opening and recovery process following collaboration with the Lafayette County Health Department, or if directives are given from county, state, or federal authorities, that the healthcare system becomes or is becoming overwhelmed, authority within the Odessa 4-Step Recovery Plan (Extension Order No. 03-2020) will be granted to the Mayor of the City of Odessa to extend the period of time between steps or if necessary move backwards a step.
- The Local Emergency Proclamation declared on Monday, March 16, 2020, will remain in effect until rescinded by the Mayor. Through this proclamation the following declarations have been made, are in effect until May 31, 2020, and are subject to extensions authorized by the Mayor:
  - A waiver of utility late fees and credit card convenience fees, and a stay placed on utility disconnections
  - An exemption from obtaining a City of Odessa fishing or boating permit
  - A waiver of the associated fee on business license **renewals** for the period of July 1, 2020 through June 30, 2021. All other requirements outlined by ordinance for the business license renewal process remain in effect as well as the fees associated for a new business license application.
- Modifications to City operations, including but not limited to the modifications to staffing schedules, telecommuting, and re-opening of city facilities will be handled at an administrative level with guidance of our local emergency management team. Parks and Recreation programming and pool operations will involve the City Administrator, Parks and Recreation Director, Park Board President, with input provided by the Park Board.

### **Section 4. Enforcement-Penalties.**

- Upon conviction of a violation of this Ordinance the penalty to be imposed may be a fine not to exceed five hundred dollars and court costs, or ninety days' imprisonment, or both the fine and imprisonment.
- In addition to the enforcement mechanism provided in subsection A, the City Attorney or City Prosecutor may also seek emergency injunctive or other civil relief, as the City Attorney deems appropriate. Such other relief may also consist of revocation of the business license of any business that violates the provisions of this Ordinance. Any action by the City Attorney or City Prosecutor, shall be considered an emergency proceeding that is necessary to protect the public health and safety.

- C. The owner, or manager on duty on the premises at the time of violation, or both are responsible for violations occurring at a business.

**Section 5. Severability Clause.**

If any provision of this Order or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the individual provisions of this Order are severable.

**Section 6. Administrative Discretion.**

The Mayor is hereby authorized to modify the provisions, extend the period of time between steps, or if necessary move backwards one (1) step at any point as necessary during the Odessa 4-Step Recovery plan for COVID-19, also referred to as Extension Order No. 03-2020, without need for additional approval from the Board of Aldermen. The Mayor may make aforesaid modifications after receiving guidance from the City of Odessa Emergency Management Director, the Lafayette County Health Department, the CDC, or other Federal or State of Missouri authorities to address the rapidly changing conditions arising from the COVID-19 pandemic or if information is provided that the local healthcare system becomes or is becoming overwhelmed.

**Section 7. Effective Date of this Ordinance as Extension Order No. 03-2020.**

This Ordinance shall be in full force and effect from and after its passage and approval. The Odessa 4-Step Recovery Plan for COVID-19 shall remain in effect through 11:59 P.M. on July 18, 2020, unless modifications are made by the authority granted under Section 6 of this ordinance.

PASSED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR OF THE CITY OF ODESSA, MISSOURI, THIS 11<sup>th</sup> DAY OF MAY, 2020.



Adam R. Couch, Mayor

ATTEST:



Peggy Eoff, City Clerk