

**A FIFTH ORDER OF THE MAYOR OF THE CITY OF OZARK, MISSOURI,
AMENDING THE EXISTING STAY AT HOME ORDER ISSUED MARCH 24,
2020 AND EXTENDING THE DURATION OF THE STATE OF EMERGENCY,
AS AUTHORIZED PURSUANT TO ORDINANCE NO. 20-017.**

WHEREAS, pursuant to Section 79.380 RSMo, the Board of Aldermen is authorized to make regulations and pass ordinances for the prevention of the introduction of contagious diseases, such as COVID-19, 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, including, among other things, a declaration that a state of emergency exists in Ozark, Missouri, and the exercise of all emergency powers not otherwise in conflict with any rules or regulations delegated to cities of the fourth class by the laws of the State of Missouri; and

WHEREAS, pursuant to Section 79.110 RSMo, the Mayor and Board of Aldermen shall have the power to enact and ordain any and all ordinances not repugnant to the constitution and laws of this state, and such as they shall deem expedient for the good government of the city, the preservation of peace and good order, the benefit of trade and commerce and the health of the inhabitants thereof, and such other ordinances, rules and regulations as may be deemed necessary to carry such powers into effect, and to alter, modify, or repeal the same; and

WHEREAS, the Board of Aldermen of the City of Ozark, Missouri, approved Ordinance No. 20-017 on March 18, 2020, delegating authority to the Mayor, after consultation with appropriate city, county, and state officials as determined within his discretion, to issue orders amending the original declaration of civil emergency; and

WHEREAS, on March 13, 2020, the Governor of Missouri declared that a state of emergency exists in the State of Missouri to address the spread of COVID-19 and to prevent a substantial risk to public health and safety; and

WHEREAS, the Governor of Missouri directed the Department of Health and Senior Services Director to issue an order on March 21, 2020, prohibiting social gatherings of more than ten (10) people in the state of Missouri from 12:01 a.m. Monday March, 23, 2020 and remaining in effect until 12:01 a.m. Monday, April 6, 2020 unless extended by further order of the Director of the Department of Health and Senior Services with said extensions not to exceed the duration of the effective period of Executive order 20-02, which expires on May 15, 2020; and

WHEREAS, there have been confirmed cases of COVID-19 in Christian County, Missouri; and

WHEREAS, on April 3, 2020, the Governor of the State of Missouri, through the Missouri Department of Health and Senior Services (DHSS), issued a stay at home order signed by Randall W. Williams, M.D.; and

WHEREAS, on May 28, 2020, the Governor of the State of Missouri, through the Missouri Department of Health and Senior Services, extended the current order through June 15,2020; and

WHEREAS, after consultation with appropriate city, county, and state officials it is my judgment that there continues to reasonably appear to exist a state of civil emergency which requires response by the City to protect public health, welfare, and safety, including the protection of human life.

NOW, THEREFORE, I, RICK GARDNER, MAYOR OF THE CITY OF OZARK, MISSOURI, PURSUANT TO ORDINANCE NO. 20-017, DO HEREBY PROCLAIM AND ORDER:

SECTION 1 – Pursuant to the exercise of powers granted to me in Ordinance No. 20-017, I hereby amend Order No. 2020-04 by extending the duration of the Order, including the declaration of a State of Emergency, and replace “Exhibit A” with a new “Exhibit A” which is attached hereto and incorporated herein by this reference, hereby imposing the orders described in the new “Exhibit A.”

SECTION 2 – I delegate to the City Administrator and his designees the authority to enforce this Order.

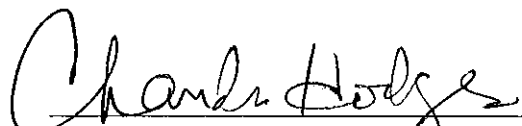
SECTION 3 – No person shall fail, neglect, or refuse to comply with, or in any manner aid, assist, encourage, allow, or permit the commission or perpetration of a violation of the prohibitions in this Order during the time said proclamation of civil emergency, or any extension thereof, shall be in effect. Any person who shall violate this provision shall, upon conviction, be punished as provided by the Municipal Code of the City of Ozark, Missouri, Section 100.220, General Penalty.

SECTION 4 – That if any section, subsection sentence, clause, or phrase of this Order is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Order. The Mayor hereby declares that he would have adopted this Order and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 5 – This Order shall be effective at 12:00 a.m. on June 1, 2020, and the declaration of a State of Emergency shall continue until 11:59 p.m. on August 31, 2020, and all other provisions of this Order shall continue until 11:59 p.m. on June 15 2020, unless renewed or withdrawn.


RICK GARDNER, MAYOR

ATTEST:


CHANDRA HODGES, CITY CLERK

FILED: 5/29/2020 2:23 PM

Exhibit A to Mayoral Order No. 5

1. When individuals leave their homes or places of residence to work, to access food, health care, necessities, or to engage in other activities, they should at all times practice social distancing. Individuals may go to and from an individual's place of worship, provided that limitations on social distancing are properly adhered to.
2. In accordance with the guidelines from the President and the Centers for Disease Control and Prevention (CDC), every person and business in the City of Ozark, Missouri shall abide by social distancing requirements, including maintaining six feet (6') of space between individuals. This provision shall not apply to family members or individuals performing job duties that require contact with other people closer than six feet (6'). Individuals performing job duties that require contact with other people closer than six feet (6') should take enhanced precautionary measures to mitigate the risks of contracting or spreading COVID-19. This provision shall apply in all situations, including, but not limited to, when customers are standing in line or individuals are using shared indoor or outdoor spaces.
3. In accordance with the guidelines from the President, the CDC, and the Centers for Medicaid and Medicare Services, people shall not visit nursing homes, long-term care facilities, retirement homes, or assisted living homes unless to provide critical assistance or in end-of-life circumstances. Elderly or otherwise vulnerable populations should take enhanced precautionary measures to mitigate the risks of contracting COVID-19.
4. Any entity that employs individuals that is engaged in retail sales to the public, shall limit the number of individuals in any particular retail location as follows:
 - (1) Twenty-five (25) percent or less of the entity's authorized fire or building code occupancy, as set by local authorities, for a retail location with square footage of less than ten thousand square feet (10,000 ft²);
 - (2) (10) percent or less of the entity's authorized fire or building code occupancy, as set by local authorities, for a retail location with square footage of ten thousand square feet (10,000 ft²) or more.
5. All publicly accessible locations not covered by Section 4 shall limit the number of individuals present in any such publicly accessible location to fifty (50) percent or less of the location's authorized fire or building code occupancy while also maintaining required social distancing as set forth herein.
6. In accordance with the guidelines from the President and the CDC, schools shall remain closed for the remainder of the 2019-2020 academic school year. At the discretion of the school district, nothing in this Order shall prohibit school teachers, school staff, students, and parents from reentering school buildings in order to work, retrieve personal belongings, or return school property as long as limitations on

social distancing are properly adhered to. Summer school may proceed under guidelines set forth by the Department of Elementary and Secondary Education. Notwithstanding section 2 of this Order, nothing in this Order shall prohibit daycares, child care providers, or schools from providing child care in accordance with CDC guidelines. Further, this Order does not prohibit schools from providing Food and Nutritional Services for those children that qualify.

7. In addition to the requirements set forth in Section 5, Restaurants may offer dining-in services, provided that the limitations on social distancing and other precautionary public health measures, including proper spacing of at least six feet (6') between tables, lack of communal seating areas to parties that are not connected, and having no more than ten (10) people at a single table, are properly adhered to. The continued use of drive-thru, pickup, or delivery options is encouraged throughout the duration of this Order.
8. Large gatherings of individuals increase the risk of exposure and transmission of COVID-19 and pose a health risk to our community and therefore, gatherings of more than fifty (50) individuals is discouraged.
9. Pursuant to Section 44.101 RSMo, this Order shall not be construed to prohibit or restrict the lawful possession, transfer, sale, transportation, storage, display, or use of firearms or ammunition during the declared state of emergency, subject to the provisions set forth herein.