

ORDINANCE NO. 3405

AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 5, ARTICLE I, IN GENERAL, ADDING SECTION 5-1 EMERGENCY OPERATING HOURS AND PROCEDURES FOR FOOD ESTABLISHMENTS; PROVIDING FOR REPEALER AND SEVERABILITY AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF THE CITY OF MIDWEST CITY, OKLAHOMA:

EMERGENCY ORDINANCE

SECTION 1. The Midwest City Municipal Code, Chapter 5, Article I In General, Section 5-1 Emergency Operating Hours and Procedures for Food Establishments is hereby added as follows:

Sec. 5-1. – Emergency Operating Hours and Procedures for Food Establishments.

1. During the course of the State of Emergency declared by the City of Midwest City on March 16, 2020, until April 12, 2020 unless extended or reduced by the City of Midwest City’s City Manager, all bars and similar venues without on-premises food must close from 12:00 p.m. on March 20, 2020 through April 12, 2020.
2. All bars and similar venues with on-premises food, may serve take-out or delivery food, or pre-packaged alcohol authorized for sale under state law, from 12:00 p.m. March 20, 2020 through April 12, 2020. They must otherwise remain closed to everyone but employees.
3. Dine in services for food products shall be limited to every other table in the establishment of only up to six seated at each table and with CLOSED FOR SERVICE signs clearly indicating which tables are so designated set up on each table not being used for dine in service, in order to preserve the recommended public distancing guidelines issued by the CDC. Each table being served food products should be six feet apart, and with sufficient space at each table for the party being seated to distance themselves while being served.
4. The “dine-in”, “carry out” and “delivery” services shall be allowed to continue operating during the State of Emergency declared on March 16, 2020 unless state or federal guidelines indicate otherwise.
5. The owner and/or operator of any establishment upon which premises any of the violations of this subsection occurs will be in violation for allowing such offense to occur upon the premises and shall be fined an amount not to exceed \$200.00 and may have its municipal license or permit revoked or suspended for a period of time up to one (1) year. Any patrons or staff present may also be cited for any violations of this subsection and shall be fined an amount not to exceed \$200.00 for each such violation.

40 **SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict herewith are
41 hereby repealed.

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43 **SECTION 3. SEVERABILITY.** If any section, sentence, clause or portion of this ordinance is
44 for any reason held to be invalid, such decision shall not affect the validity of the remaining
45 portions of the ordinance.


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47 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
48 on the 20 day of March, 2020.



THE CITY OF MIDWEST CITY, OKLAHOMA


MATTHEW D. DUKES, II, Mayor

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55 ATTEST:

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58 SARA HANCOCK, City Clerk

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60 APPROVED as to form and legality this 20 day of March, 2020.

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63 HEATHER POOLE, City Attorney

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65 **SECTION 4. EMERGENCY.** The City Council declares this ordinance to be an emergency, it
66 being immediately necessary for the preservation of the peace, health and safety of the City of
67 Midwest City and the inhabitants thereof that the provisions of this ordinance be put into full
68 force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall
69 take effect and be in full force from and after its passage as provided by law.

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71 EMERGENCY CLAUSE PASSED AND APPROVED by the Mayor and the Council of the
72 City of Midwest City,

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74 Oklahoma, this 20 day of March, 2020

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77 CITY OF MIDWEST CITY, OKLAHOMA
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A handwritten signature in blue ink, reading "Matthew D. Dukes II".

MATTHEW D. DUKES II, Mayor

ATTEST:

A handwritten signature in blue ink, reading "Sara Hancock".

SARA HANCOCK, City Clerk

APPROVED as to form and legality this 20 day of March, 2020

A handwritten signature in blue ink, reading "Heather Poole".

HEATHER POOLE, City Attorney