PROCLAMATION and CONTINUED DECLARATION OF EMERGENCY

COVID-19 – REQUIRING FACE COVERINGS IN PUBLIC

WHEREAS, on January 31, 2020, Secretary Alex Azar of the United States Department of Health and Human Services, declared a public health emergency to address the 2019 novel coronavirus (COVID-19); and

WHEREAS, on March 11, 2020, the Governor of the State of Arizona issued a declaration of Public Health Emergency due to the necessity to prepare for, prevent, respond to, and mitigate the spread of COVID-19; and

WHEREAS, on March 19, 2020, the Mayor of Guadalupe Arizona issued a proclamation declaring a COVID-19 local emergency in the Town of Guadalupe to address COVID-19; in accordance with Town Code of Ordinances, Chapter 2, Mayor and Council, Section 2-2-4 Powers and Duties of the Mayor; and

WHEREAS, on May 12, 2020, the Governor of Arizona issued Executive Order 2020-36 allowing for the gradual opening of businesses with his "Stay Healthy, Return Smarter, Return Stronger" initiative; and

WHEREAS, on June 16, 2020, the Town of Maricopa County number of COVID-19 cases per 100,000 population was 1975.6, four times the number for Maricopa County (as reported by the Maricopa County Public Health 495.7 cases per 100,000); and

WHEREAS, there is no vaccine, treatment or cure for COVID-19; without vaccine, treatment, or cure individuals must together prevent exposure to COVID-19; and

WHEREAS, on June 17, 2020, the Governor issued Executive Order 2020-40 allowing for a city to adopt policies regarding the wearing of face coverings in public for the purpose of mitigating the spread of COVID-19; and

WHEREAS, COVID-19 continues to pose a serious public health threat for infectious disease spread to Town of Guadalupe residents, particularly Elders and those with underlying health conditions, if proper precautions recommended by public health officials are not followed; and

WHEREAS, it is necessary and appropriate to take action to ensure the spread of COVID- 19 is controlled and that the residents of the Town of Guadalupe remain safe and healthy.

NOW, THEREFORE, I, Mayor Valerie Molina, of the Town of Guadalupe, Arizona, by virtue of the authority vested in me by the Constitution and Laws of the State, specifically A.R.S. §§ 26-311 and Guadalupe Town Code Section 2-2-4 Powers and Duties of the Mayor effective immediately, June 19, 2020, do hereby proclaim:

A local health emergency exists in the Town of Guadalupe, Maricopa County as a result of the COVID-19 pandemic conditions, which impact the life and health of Town of Guadalupe residents, visitors and businesses.

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of the local health emergency all individuals within the jurisdiction of the Town of Guadalupe are required to wear face coverings in all places of public accommodation, if they are or will be in contact with other individuals who are not in their household, AND / OR required in all spaces where it is difficult or impossible to maintain physical distancing. Physical distancing means keeping (6) feet distance between individuals who are not in the same household.

These spaces include but are not limited to grocery stores, markets, dispensaries, restaurants and bars, gyms, youth activity facilities, retail stores, special events, and public transit. Businesses that interact with the public must require employees to wear face coverings. While wearing the face covering, it is essential to maintain physical distance as it is the best defense against the spread of the COVID-19.

A face covering means material that covers the nose and mouth. It can be secured to the head with ties or straps, or wrapped around the lower portion of the face. It can be made from materials such as cotton, silk, or linen, or be a surgical mask. A cloth face covering may be made or sewn by hand, as well as improvised from household items such as a bandana, scarf, t-shirt, sweatshirt or towel. A face covering shall be worn per guidance provided by the Centers for Disease Control and Prevention.

A place of public accommodation means facilities, establishments, accommodations, services, commodities, or use offered to or for use by the general public, including public places where food or beverages are offered for sale, public places operated for temporary lodging, use or accommodation of those seeking health or recreation, and all establishments offering such goods or facilities, and entities soliciting patronage from the general public, except for religious organizations.

Exceptions for face coverings will be made under the following circumstances:

- For those who fall into the Centers for Disease Control and Prevention's guidance for those who should not wear face coverings due to a medical or mental health condition or developmental disability.
- For children under 6 years old.
- For people whose religious beliefs prevent them from wearing a face covering.
- For restaurant patrons while they are eating or drinking. If a patron is not seated at their table, a face covering is required.
- For individuals exercising outdoors, or while walking or exercising with other people from the same household, as long as physical distancing from others is maintained. For individuals congregating outdoors with other people not in their same household, face coverings are required when physical distancing is not maintained.
- In settings where it is not practical or feasible to wear a face covering, including when obtaining or rendering goods or services, such as the receipt of dental services, medical treatments or while swimming.
- When a person is in a personal or work office or vehicle (or similar space) where others are not present as long as the public does not regularly visit the space.
- For public safety employees and/or emergency responders and/or field employees engaged in essential functions, when wearing the face covering would interfere with or limit their ability to carry out their duties or functions.
- For individuals complying with the directions of public safety employees.

In compliance with Executive Order No. 2020-40, enforcement of this proclamation shall focus first on education and providing guidance issued by the Arizona Department of Health Services, in order to promote the health and safety of Guadalupe residents and further mitigate the spread of COVID-19. Individuals shall be notified and be given an opportunity to comply with the proclamation before any enforcement action is taken to enforce this order under ARS § 26-317 (a class 1 misdemeanor).

Private businesses and venues shall enforce this proclamation by asking any person failing to comply with the emergency proclamation to leave their premises. By allowing people / patrons to remain on the premise without a face covering, as described herein, is violation of this emergency proclamation. A continued failure to comply with an emergency proclamation by a business owner and/or responsible party is a misdemeanor under ARS § 26-317 (a class 1 misdemeanor).

This proclamation shall remain in effect until its declared termination or notice of repeal or revision by the Governor of the State of Arizona per Paragraph 7 of Executive Order 2020-4.

Proclaimed this 19th day of June, 2020

Valerie Molina
Mayor Town of Guadalupe, Arizona