



## PROCLAMATION

### ORDER EXTENDING THE DECLARATION OF EMERGENCY ADOPTED ON JUNE 19, 2020 REQUIRING THE WEARING OF FACE COVERINGS WHILE IN PUBLIC SPACES FOR THE PURPOSE OF COVID-19 MITIGATION EFFORTS

**WHEREAS**, ARS §26-311 authorizes the Mayor of the Town of Miami, Arizona or his designee to proclaim the existence or threatened existence of a local emergency when the Town of Miami is affected or likely to be affected by a public calamity; and

**WHEREAS**, the novel coronavirus, COVID-19, was first detected in Wuhan Town, Hubei Province, China in December 2019, and the Centers for Disease Control (CDC) considers this virus to be a significant public health threat that has, and continues to spread globally; and

**WHEREAS**, on January 30, 2020, the World Health Organization declared the COVID-19 illness a public health emergency of International concern and on January 31, 2020 the United States Secretary of Health and Human Services declared a public health emergency due to the COVID19 illness; and

**WHEREAS**, the Town continues to plan and prepare for event and facility closures, modified staffing plans, work-from-home programs, and enhanced communications to employees to ensure effective Continuity of Operations of Town Government; and

**WHEREAS**, prudence requires that precautionary measures be taken proactively due to the widespread nature of COVID-19 and its threat to public health, safety, and welfare as referenced in the Governor's Declaration of Emergency, and that impacts from the same threaten public health and safety and the economic recovery of Miami; and

**WHEREAS**, this local declaration of emergency will help ensure the emergency procurement and economic recovery of Miami; and

**WHEREAS**, the immediate threat of COVID-19 is widespread across the State and precautionary measures are necessary to curtail the imminent impact on numerous

homes and businesses in Miami because it is a threat to the health, safety, and welfare of the general public in Miami; and

**WHEREAS**, the above facts give credence to the conditions of extreme peril and public health emergency; and the declaration of a local emergency will enable the Town of Miami to provide emergency resources, request additional resources and receive mutual aid from other political sub-divisions and entities; and

**WHEREAS**, on June 17, 2020, the Governor of the State of Arizona issued Executive Order 2020-40 authorizing local governmental agencies to adopt policies regarding the wearing of face coverings.

**NOW THEREFORE, IT IS HEREBY PROCLAIMED** that a local emergency continues to exist in the Town of Miami, and

**IT IS FURTHER PROCLAIMED AND ORDERED** that during the existence of said local emergency:

Effective June 25, 2020, all individuals within the jurisdiction of the Town of Miami 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, in 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, pharmacies, restaurants and bars, gyms and similar 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 still maintain physical distance as it is the best defense against the spread of the COVID-19.

A place of public accommodation means facilities, establishments, accommodations, services, merchandises, 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.

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 or face shield. A cloth face covering may be made or sewn by hand. A face covering shall be worn per guidance provided by the Centers for Disease Control and Prevention.

For those employed in serving the public, they shall be required to wear a face covering, unless behind a permanent enclosed protective barrier. The public shall not

be allowed to enter the Town of Miami Government buildings or facilities, including parks and open space areas, without a face covering, pursuant to exceptions below.

**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 5 years old.
- As part of a religious service or ceremony.
- For restaurant or bar patrons while they are eating or drinking. If a patron is not seated at their table, a face covering is required.
- For individuals congregating outdoors with other people not in their same household, face coverings are required when physical distancing is not maintained.
- 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 exercising indoors at a workout station or in groups spaced in excess of six feet.
- 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 public safety employees are performing essential services that prohibit the wearing of face covering.
- For individuals complying with the directions of public safety employees.
- At a public meeting held pursuant to the open meeting law, if social distancing is maintained, and in-person attendance is limited to essential attendees. If an attendee is not at their seat, a face covering is required.

In compliance with the Governor's Executive Order No. 2020-40, enforcement of this proclamation shall focus on education and providing guidance issued by the Arizona Department of Health Services, in order to promote the health and safety of Miami residents as well as to further contain the spread of COVID-19.

Individuals shall be given an opportunity to comply with the proclamation. Businesses have the right to refuse service for failure to comply, if they do not qualify for

exceptions under this Proclamation. Continued failure to comply with this proclamation shall be deemed a violation of the Town Code pursuant to Section 1.16.010 of the Town of Miami Town Code.

The proclamation adopted on June 25, 2020 is hereby extended to "until further notice".

**APPROVED** this 14<sup>th</sup> day of December, 2020.

  
Sammy Gonzales, Mayor

12-14-2020  
Date

**ATTEST:**



Karen Norris, Town Clerk