AMENDED MAYOR’S PROCLAMATION
AND EMERGENCY DECLARATION

WHEREAS, pursuant to the Town of Miami Code (Town Code) Chapter 2, Section 2.08.010, and Chapter 2 of Title 26, Arizona Revised Statutes (A.R.S.), the Mayor of the Town of Miami, Arizona governs the Town by proclamation during times of declared emergency; and,

WHEREAS, A.R.S. § 26-311(A) provides that the Mayor may by proclamation declare an emergency or local emergency to exist due to any natural or man-made calamity or disaster, or by reason of threats or occurrences of riots, routs, affrays, or other acts of civil disobedience which endanger life or property within the Town, and,

WHEREAS, on January 30, 2020, the World Health Organization (WHO) declared a Public Health Emergency of International Concern related to the novel coronavirus that causes COVID-19 and thereafter on January 31, 2020, the United States Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak; and,

WHEREAS, the novel coronavirus that causes COVID-19 is highly contagious, has a multi-day incubation period during which an infected person shows no symptoms and the virus can be transmitted by asymptomatic people; and,

WHEREAS, COVID-19 has led to a global pandemic and conditions throughout the United States have resulted in widespread illness, business and services closures, health care saturation and many other conditions that pose significant threats to communities;

WHEREAS, on March 11, 2020, the Governor of the State of Arizona issued a state-wide Declaration of Emergency in connection with the COVID-19 outbreak, declaring that COVID-19 poses a serious public health threat if precautions recommended by public health are not followed and that necessary and appropriate actions are required to ensure the spread of COVID-19 is controlled and that the residents of Arizona remain safe and healthy; and,

WHEREAS, on March 13, 2020, the President of the United States of America found and proclaimed that the COVID-19 outbreak in the United States constituted a national emergency; and,

WHEREAS, on March 23, 2020 the Town of Miami issued a Resolution to declare a Local Emergency in an effort to control the COVID-19 outbreak; and,
WHEREAS, the COVID-19 Pandemic has resulted in a condition of extreme peril to the health and safety of many Town of Miami citizens as well as economic impacts to our small businesses and tourism industry; and

WHEREAS, the Governor has issued various Executive Orders concerning COVID-19 and the Mayor of the Town of Miami has issued various Resolutions and Proclamations concerning COVID-19; and,

WHEREAS, the Governor’s Executive Order 2020-33 set forth a plan to extend current regulations and guidance in previous Executive Orders while preparing to implement plans to reopen business entities in Arizona previously deemed non-essential and expanding operations of businesses previously deemed essential operations; and,

WHEREAS, as set forth in Paragraph 15 of Executive Order 2020-33, no local order, rule or regulation may be issued which conflicts with the policy, directives or intent of Executive Order 2020-33; and,

WHEREAS, on May 4, 2020, Governor Ducey issued additional guidance to permit more Arizona businesses to reopen consistent with the Governor’s Executive Orders related to COVID-19 and provided further guidance in subsequent Executive Orders; and,

WHEREAS, on April 27, 2020, Mayor Darryl Dalley term of office ended and he was succeeded by Mayor Sammy Gonzales; and,

WHEREAS, the undersigned Mayor Sammy Gonzales of the Town of Miami, Gila County, Arizona, has determined that an emergency or local emergency continues to exist within the Town limits of the Town of Miami due to COVID-19; and,

WHEREAS, while the existence of an emergency due to COVID-19 remains in the Town of Miami and in the State of Arizona, Governor Ducey’s Executive Orders are in effect statewide, removing the need to restate the Executive Orders through a local resolution or proclamation.

NOW, THEREFORE, pursuant to A.R.S. §§ 26-307 and 26-311, and the Miami Town Code, the elements of which are met under the circumstances described in the March 20, 2020 Emergency Declaration Resolution, and the Executive Orders related to COVID-19 issued by Governor Ducey, as amended, I, Sammy Gonzales, Mayor of the Town of Miami, Arizona hereby PROCLAIM AND ORDER AS FOLLOWS:

1. The COVID-19 outbreak, consistent with above listed executive orders, declarations, proclamations, and recommendations, presents conditions in the Town of Miami that endanger life and justify this proclamation.

2. Pursuant to Title 26 of the Arizona Revised Statutes, the Governor’s Executive Orders related to COVID-19 have been and shall remain the law of the State of
Arizona and nothing in the March 20, 2020 Emergency Declaration Resolution or any supplemental Resolutions or Proclamations thereto shall be interpreted inconsistent with such Executive Orders.

3. Any and all existing Town of Miami Resolutions and Proclamations issued in connection with COVID-19 shall remain in effect and shall be read and interpreted in accordance with the Executive Orders related to COVID-19 issued by Governor Ducey.

4. As the Governor issues future Executive Orders due to the COVID-19 virus, any and all existing Resolutions and Proclamations related to the COVID-19 shall be read and interpreted in accordance with those future Executive Orders related to COVID-19 issued by Governor Ducey without the necessity of issuing an amendment to any existing Resolution or Proclamation.

5. At such time Governor Ducey withdraws the state of emergency in the State of Arizona, the March 20, 2020 Emergency Declaration Resolution and any all other Resolutions and Proclamations related to COVID-19 are hereby withdrawn and rescinded simultaneously by operation of law.

6. In accordance with A.R.S. § 26-307(B), this Proclamation shall be effective when a copy is filed in the office of the Town Clerk.

7. The current public health crisis related to COVID-19 is being monitored as it is evolving, and additional regulations may be forthcoming as needed.

PROCLAIMED AND ORDERED this 12th day of April, 2021, at 6:30 o'clock, a.m / p.m. in the Town of Miami, Arizona.

Sammy Gonzales, Mayor

Attest:

Karen Norris, Town Clerk

Approved as to form and found to be within the powers granted to the Mayor of the Town of Miami:

Joseph D. Estes, Town Attorney