MAYOR REGINA ROMERO
CITY OF TUCSON

255 W. ALAMEDA, 10TH FL.
TUCSON, ARIZONA 85701
PHONE: (520) 791-4201

CITY OF TUCSON, ARIZONA

PROCLAMATION OF THE MAYOR

DECLARING AN EMERGENCY OR LOCAL EMERGENCY

WHEREAS, the Tucson Charter, Chapter VI, Section 5 empowers the Mayor of the City of Tucson, Arizona to govern the City by proclamation during times of great danger; 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 City; and

WHEREAS, 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, on March 11, 2020 the World Health Organization declared the spread of COVID-19 to constitute a pandemic;

WHEREAS, on March 11, 2020, the Governor of the State of Arizona, Douglas A. Ducey, declared that a State of Emergency exists in Arizona due to the COVID-19 outbreak; and

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

WHEREAS, on March 15, 2020, Governor Ducey announced the temporary closure of all schools in Arizona due to COVID-19; and

WHEREAS, on March 16, 2020, President Trump and the Center for Disease Control and Prevention issued their "Coronavirus Guidelines for America: 15 Days to Slow the Spread" which includes guidance to avoid social gatherings of more than 10 people; avoid eating or drinking at bars or restaurants; avoid discretionary travel and social visits; and listen to and follow the directions of your state and local authorities; and further advises that in states with evidence of community transmission of COVID-19, bars, restaurants, food courts, gyms, and other indoor and outdoor venues where groups of people congregate should be closed; and

WHEREAS, in the last several days, the Mayors of various Arizona cities and towns, including Flagstaff, Yuma, Prescott Valley, Gilbert, and others have issued proclamations declaring a local emergency in connection with the COVID-19 outbreak; and

WHEREAS, there is reasonable cause to believe that the spread of COVID-19 can lead to severe respiratory illness, disease complications, and death for Tucson residents, particularly those with underlying medical conditions and the elderly; and

WHEREAS, public health professionals have identified precautions and interventions that can mitigate the spread of COVID-19; and

WHEREAS, as of the date of this Proclamation, the Pima County Health Department has confirmed four (4) COVID-19 cases within Pima County; and

WHEREAS, the undersigned, the Mayor of the City of Tucson, Arizona, has determined that an emergency or local emergency exists within the City limits of the City of Tucson due to COVID-19; and

WHEREAS, emergency management measures are required to reduce the severity of the local emergency and mitigate the spread of COVID-19; and to protect the health, safety and welfare or the people and property located in the City of Tucson; and to pursue and receive available aid: and

WHEREAS, on March 17, 2020, Governor Ducey and the Arizona Department of Health Services released guidance concerning the actions needed and recommended to reduce and mitigate the spread of COVID-19, which includes the closure of bars, restaurants, gyms, and other places of public gathering:

NOW, THEREFORE, IT IS PROCLAIMED AND ORDERED, EFFECTIVE IMMEDIATELY, AS FOLLOWS:

SECTION 1. I, REGINA ROMERO, Mayor of the City of Tucson, Arizona, do hereby declare, pursuant to A.R.S. § 26-311 and Chapter VI, Section 5 of the Tucson Charter, an emergency or local emergency to exist.

SECTION 2. Having determined that the following orders are necessary to preserve the peace and order of the City of Tucson, and to protect life and/or property and to promote and preserve public safety and welfare, and in particular to mitigate the spread of COVID-19 and provide essential protections to Tucson residents, including those who are most vulnerable to infection, I order the following regulations:

The Mayor orders that effective March 17, 2020 at 8:00 p.m. and continuing until March 31, 2020 at 11:59 p.m.:

a. All restaurants, food courts, cafes, coffeehouses, retail food facilities, and other similar businesses and establishments are prohibited from serving food and beverages for consumption on premises.

   Members of the public are prohibited from entering said premises and remaining on site to consume food and/or beverages.

   Businesses and establishments subject to this section that offer food and beverages for on-premises consumption are encouraged to offer food and beverages using delivery service, window service, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing. In offering food or beverages, a business or establishment subject to this section that does not have

the ability to offer window, drive-through or drive-up service may permit member of the public on its premises for the purpose of picking up their food or beverage orders.

b. The following businesses and establishments are hereby closed to use and occupancy by members of the public:

   i. Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, special licensees, clubs, and other similar businesses and establishments offering alcoholic beverages or spirituous liquor for consumption on-premises.
   ii. Theaters, cinemas, and indoor and outdoor performance venues.
   iii. Museums.
   iv. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, yoga and barre studios, and other similar facilities.
   v. Bingo halls, bowling alleys, indoor climbing or jumping/bouncing facilities, skating rinks, and other similar recreational or entertainment facilities.

This section does not prohibit a proprietor, employee, contractor, vendor, or supplier of a local business from entering, using or occupying that place of business in their professional capacity.

Section 3. The restrictions imposed by Section 2 of this Proclamation do not apply to any of the following:

a. Grocery stores, markets, convenience stores, and other similar businesses and establishments that offer food and beverage that is not for on-premises consumption;
b. Pharmacies and drug stores;
c. Food banks and food pantries;
d. Cafeterias, commissaries, and restaurants located within health care facilities, nursing homes, shelters, group homes, places of worship, or similar facilities;
e. Cafeterias, commissaries, and restaurants located within or on the premises of institutions of higher learning;
f. Vendors and concessionaires located within the Tucson International Airport;
g. Banks and financial institutions;
h. Other establishments not listed in Section 2.

Section 4. Pursuant to A.R.S. § 26-317, a person who violates any of the above prohibitions shall be guilty of a Class 1 misdemeanor. Any violation that is continuing in nature shall constitute a separate offense on each successive date the violation continues, unless otherwise provided.

Section 5. In addition, I strongly urge the leaders of the City's houses of worship to limit gatherings on their premises and to observe social distancing practices.

Section 6. I also urge all business owners and employers to establish social distancing practices for their patrons and employees and avoid social gatherings of more than 10 people.

Section 7. In addition to the prohibitions and regulations ordered under Section 2 above, I order that effective March 17, 2020 at 8:00 p.m. and continuing until March 31, 2020 at 11:59 p.m., the City Manager of the City of Tucson is authorized and directed to implement the provisions of this Proclamation and Declaration as otherwise provided under the powers as prescribed by federal, state and local law, and to take those measures that are necessary and appropriate to protect and promote public health and safety. Those measures include taking all actions reasonable and appropriate to limit face-to-face interactions between City staff and members of the public; limiting or prohibiting public access to public buildings and facilities, including prohibiting public access to service counters and lobbies within City buildings. Additionally, limitations on public attendance at Mayor and Council meetings or the meetings of other City of Tucson boards, committees and commissions shall be in effect as authorized under Arizona law.

Section 8. That the City of Tucson requests immediate assistance from other public agencies and jurisdictions, to include any federal or state funding that might be made available in connection with the COVID-19 response.

Section 9. The City of Tucson Emergency Operations Plan and Continuity of Operations Plans shall be immediately implemented to meet the needs of the community.

Section 10. The orders included in Section 2 and otherwise in this Proclamation are effective immediately and shall remain in effect as provided above or until such time that the Mayor terminates or modifies them or issues a proclamation determining that an emergency no longer exists, whichever occurs first.

PROCLAIMED at 1:15 a.m./p.m. this 17th day of March, 2020.

at 1:15 o'clock p m.

REGINA ROMERO
Mayor of the City of Tucson

Attest:

ROGER W. RANDOLPH
City Clerk

Approved as to form:

MICHAEL RANKIN
City Attorney