



City of Casa Grande

CITY OF CASA GRANDE EMERGENCY PROCLAMATION WEARING OF FACE COVERINGS WITHIN THE CITY

WHEREAS, A.R.S. § 26-311 authorizes the Mayor of the City of Casa Grande, Arizona to proclaim the existence of a local emergency when the City of Casa Grande is affected or likely to be affected by a public calamity or disaster and the Casa Grande City Charter and State Law allow the Mayor to govern by proclamation during such times; and

WHEREAS, on March 18, 2020, the Mayor and City Council of the City of Casa Grande adopted Resolution No. 5223 declaring an emergency within the City as a result of the threat of the COVID-19 Outbreak and the Mayor of the City of Casa Grande proclaimed an emergency within the City of Casa Grande and set forth certain regulations and orders concerning the operation of the City during this time of emergency; and

WHEREAS, the novel coronavirus, COVID-19, continues to constitute an immediate threat to the life, public health, safety and welfare of the residents of the City of Casa Grande, as well as to the general welfare and economic viability of the City and its residents; and

WHEREAS, although the City has taken steps to encourage social distancing and its residents and businesses have generally worked to adhere to good sanitation practices and physical distancing, cases of COVID-19 have been increasing in the City and Pinal County based on the data from the Arizona Department of Health Services, resulting in the area facing significant community-based transmission of the disease; and

WHEREAS, in addition to maintaining appropriate physical distancing, the Centers for Disease Control and Prevention (CDC) recommends that all persons wear cloth face coverings as a means to help prevent the spread of COVID-19 in areas where physical distancing is difficult to maintain, especially when significant community-based transmission is possible; and

WHEREAS, Governor of the State of Arizona, Douglas A. Ducey has previously declared a statewide emergency as a result of the COVID-19 outbreak and issued a number of Executive Orders regulating businesses and persons during the emergency, and in Executive Order 2020-40 delegated responsibility to the City to determine, based on conditions within the City, whether to require face coverings in public; and

WHEREAS, the Mayor of the City of Casa Grande has determined that the increased and increasing spread of COVID-19, and the likelihood that widespread use of face coverings may help reduce the rate of spread of the disease, warrants requiring that face coverings be used within the City of Casa Grande to help promote the public health and safety of the community and to help ensure the long term social and economic well-being of the City of Casa Grande and its residents; and

NOW THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED AS FOLLOWS:

1. Effective June 20, 2020 at 6:00 a.m., each person within the jurisdiction of the City of Casa Grande is required to cover his or her nose and mouth with a face covering in any Public Setting, if he or she is or will be in contact with other individuals who are not in their household, in spaces where it is difficult or impossible to maintain continuous physical distancing. In addition, businesses must take appropriate measures to ensure that employees wear face coverings when dealing with the public as well as in any other circumstance where the employees cannot maintain continuous physical distancing among employees.
2. For purposes of this Proclamation, the following terms have the following meanings:
 - a. Public Setting means (i) any indoor area generally open and accessible to the public such as grocery stores, retail stores, barber shops, spas, salons, pharmacies and health care facilities, restaurants and bars, gyms and similar facilities, temporary lodging, and any other places where the public is allowed to enter; (ii) outdoor public spaces where people can or may congregate, including but not limited to outdoor recreation areas or where persons stand in lines for entering an establishment; (iii) in or on public transportation including a ride-sharing vehicle or other vehicle for hire. Public Setting does not include a personal vehicle.
 - b. Person means any person, regardless of whether the person is an employee, customer, vendor, licensee, invitee or other.
 - c. Face Covering shall mean a covering made of cloth, fabric or other soft or permeable material that covers the nose and mouth and surrounding areas of the lower face. A Face Covering may be factory-made or may be handmade or improvised from ordinary materials, including a bandana or scarf. Face Coverings need to be worn to cover the nose and mouth at all times and should remain in place until taken off safely once no longer required.
 - d. Physical Distancing means keeping six (6) feet of distance between individual persons who are not of the same household.
3. Exemptions for Face Covering use will be made under the following circumstances:
 - a. When a person is in a personal office, personal vehicle, or work vehicle where no other persons are present (other than members of the same household) as long as the public does not regularly visit the space and provided that a covering shall be worn when others enter the space if physical distancing is not possible.
 - b. For children under the age of six (6). Parents of, guardians of, and those accompanying minor children six (6) and over shall make reasonable efforts to ensure the Face Coverings of minor children are properly worn.
 - c. For a person that cannot wear a Face Covering because of a medical condition, mental health condition or developmental disability, or who is unable to remove the

Face Covering without assistance. A person who is unable to wear a Face Covering because of a medical condition is not required to produce medical documentation of the condition in a Public Setting, provided that an employer may require such documentation from an employee in accordance with state and federal law.

- d. For restaurant patrons when seated at a table for purposes of eating or drinking. A Face Covering must be worn prior to seating or when a patron leaves the table for any purpose.
 - e. For persons exercising or walking outdoors alone or with other people from the same household, provided that appropriate physical distancing from persons not of the same household can be maintained. For individuals meeting with, congregating with, or exercising with other people not in their same household Face Coverings are required unless continuous physical distancing is maintained. For example, if working out at a health club and able to stay at least six (6) feet apart, masks may be removed.
 - f. For public safety employees, healthcare employees and/or emergency responders when wearing a Face Covering would interfere with or limit their ability to carry out their duties or functions; and for any person acting at the direction of a public safety employee or emergency responder.
 - g. In settings where it is not practicable or feasible to wear a Face Covering such as when receiving dental treatments, medical treatments, swimming or sleeping.
 - h. For persons whose honestly held religious beliefs prevent them from wearing a Face Covering.
4. Face Coverings, although required, are not a substitute for adhering to Physical Distancing and sanitation and hygiene protocols. The Mayor strongly advises and encourages all persons to continue to maintain Physical Distancing even while wearing Face Coverings.
 5. Any enforcement of this Proclamation shall focus first on education and providing guidance issued by the Arizona Department of Health Services. Violations of any of the terms of this Proclamation are punishable as a misdemeanor under State law, but all persons shall be given an opportunity to comply with the terms of the Proclamation before being cited for any violation. Business shall have the right and obligation to educate about and enforce this Proclamation by asking any person failing to comply with the Proclamation to leave the premises. Any person refusing to leave a place of business after being asked shall be guilty of trespass in addition to a violation of this Proclamation, and any responsible party for a business that repeatedly does not ask persons violating the Proclamation to leave will also be guilty of violating this Proclamation and a misdemeanor.
 6. The Mayor of Casa Grande has determined that the orders included in this Proclamation are necessary to preserve the peace and order, to protect life and property, and to promote and preserve the public safety and welfare of the City of Casa Grande by taking actions to mitigate the spread of COVID-19 and provide protections to City residents, including those

most vulnerable to infection, while still preserving the availability of essential services. The Mayor retains and reserves the emergency powers as set forth in the City Charter and under Arizona law to revise, extend, modify or amend this Proclamation or issue such other regulations as required during this continuing emergency.

7. This Proclamation shall be in effect until repealed but shall be reviewed weekly to determine when a significant and steady decline in infection rate within the community warrants a reduction or cessation of the Regulations contained herein.

All citizens and businesses are again urged to cooperate with all Proclamations of the City and the Executive Orders of the Governor of the State of Arizona, and to continue to comply with directives and suggestions concerning limiting gatherings, social distancing, and maintaining good personal hygiene and any other advisories or restrictions established by national, state, and local officials.

Dated this ____ day of June, 2020

Craig H. McFarland, Mayor

Attest:

Approved as to form:

Gloria Leija, City Clerk

Brett Wallace, City Attorney