

Office of the Mayor



Proclamation

**CITY OF GOODYEAR
SECOND AMENDMENT TO
DECLARATION OF EMERGENCY
COVID-19**

WHEREAS, pursuant to A.R.S. Sec. 26-311 (A), the Goodyear City Charter Article II, Sec. 9, and the City of Goodyear Code of Ordinance Art. 3-7-4 (B), the Mayor of the City of Goodyear is authorized to, by proclamation, declare an emergency to exist; and

WHEREAS, pursuant to A.R.S. Sec. 26-311 (B) and the City of Goodyear Code of Ordinance Art. 3-7-4 (B), the Mayor shall, during an emergency, govern the City by proclamation and impose all necessary regulations to preserve the peace and order of the City; and

WHEREAS, on March 30, 2019, Governor Ducey issued an Executive Order enacting “Stay Home, Stay Healthy, Stay Connected” policy to promote social distancing to slow the spread of COVID-19; and

WHEREAS, COVID-19, a respiratory disease that while most persons who are infected either recover or are asymptomatic, nevertheless can result in serious illness or death; and

WHEREAS, as of June 19, 2020, data shows that 25,945 cases of COVID-19 exist in Maricopa County, with 516 of those cases in Goodyear with an increase in infection rates; and

WHEREAS, as of June 19, 2020, over 585 deaths from COVID-19 have occurred within Maricopa County; and

WHEREAS, the current scientific understanding of COVID-19 from the U.S. Centers for Disease Control and Prevention (the “CDC”) indicates that it spreads mainly from person to person, mainly through respiratory droplets produced when an infected person talks, coughs, or sneezes; and

WHEREAS, these respiratory droplets can land in the mouths or noses of nearby people or possibly be inhaled into the lungs; and

WHEREAS, CDC guidance now recommends the wearing of cloth face coverings to reduce the spread of COVID-19 from infected persons who may be asymptomatic and also may provide some level of protection from COVID-19 to uninfected persons; and

WHEREAS, studies have found that mandated face coverings significantly reduce the number of infections, *see, e.g.,* C. Raina MacIntyre & Abrar Ahmad Chughtai, *A rapid systematic review of the efficacy of face masks and respirators against coronaviruses and other respiratory transmissible viruses for the community, healthcare workers and sick patients*, 108 Int’l J. Nursing Stud. (Aug. 2020), <http://doi.org/10.1016/j.ijnurstu.2020.103629>; and

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WHEREAS, the wearing of face covering, in combination with physical distancing of at least 6 feet and frequent hand-washing, may reduce the risk of transmitting the COVID-19 virus when in public and engages in necessary activities by reducing the spread of respiratory droplets. Therefore, this Declaration requires that people wear face coverings in certain public settings as further described below; and

WHEREAS, on March 19, 2020, as Mayor of Goodyear, I issued a Declaration of Emergency for the City of Goodyear related to the COVID-19; and

WHEREAS, on March 31, 2020, as Mayor of Goodyear, I issued the First Amendment to the Declaration of Emergency related to COVID-19; and

WHEREAS, on June 17, 2020, Governor Ducey issued Executive Order 2020-40, which in part delegated to Arizona counties, cities and towns the authority to adopt policies regarding the wearing of face coverings in public for the purposes of mitigating the spread of COVID-19; and

WHEREAS, on June 19, 2020, the Board of Supervisors of Maricopa County enacted a public health regulation requiring the use of face coverings within all jurisdictions of Maricopa County; and

NOW THEREFORE, I, Georgia Lord, Mayor of the City of Goodyear, Arizona, and by authority of Arizona statutes, the Charter of the City of Goodyear, and the City of Goodyear Code of Ordinance, and with the support of the Goodyear City Council, in furtherance of the Governor's Executive Orders and the City of Goodyear Declaration of Emergency- COVID 19, I hereby amend the Declaration of Emergency to add the following provisions:

- (1) All persons six years old or older who are present in the City of Goodyear shall have possession of a face covering described in Arizona Department of Public Health Face Covering Guidance issued on May 21, 2020, (available at: <https://directorsblog.health.azdhs.gov/clothface-coverings-what-you-need-to-know/>), when they leave their home or place of residence and shall wear the face covering whenever they are within six feet of another person who is not a member of their family or household.
- (2) 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 condition, mental health condition, developmental disability, or are otherwise covered under the Americans with Disabilities Act; or
 - for children under 6 years old; or
 - for people whose religious beliefs prevent them from wearing a face covering; or
 - in schools or educational facilities; or
 - for restaurant patrons while they are dining; or
 - for individuals exercising outdoors or while walking or exercising with other people from the same household, if social distancing from others who are not your family members can be maintained; or
 - for engaging in organized group or team sports, exercise, swimming or other physical activities where it is not practicable or feasible to wear a mask or socially distance; or
 - 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 or medical treatments.
- (3) Consistent with the Governor's Order, enforcement of this Declaration shall focus first on educating and working to promote the mitigation of the spread of COVID-19. A person or business shall be notified of the provisions of this Declaration and the Governor's Order and will be provided an opportunity to explain an exception or follow the guidelines prior to issuance of any citation or other enforcement action.

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- (4) Violation of this Declaration shall be a civil offense.
 - (a) A first offense under this Declaration shall result in a warning.
 - (b) Second and subsequent violations may subject the person violating this Declaration to a civil penalty of not more than \$50.
- (5) Businesses have the right to refuse service for failure to comply, if there are no exceptions under this Declaration.
- (6) The City Manager shall provide all necessary assistance in executing this Declaration, and amend policies or procedures as needed to and to the extent required.
- (7) This Declaration is effective at 12:01 a.m. Sunday, June 21, 2020.
- (8) All other provisions of the original Declaration of Emergency and First Amendment thereto shall remain in full force and effect until such Declarations of Emergency are terminated.

Given under my hand in these free United States in the City of Goodyear on the 20th day of June, 2020, and to which I have caused the Seal of the City of Goodyear to be affixed and have made this proclamation public.

Georgina Lord
Mayor



Attest:
Dacie McCaster
City Clerk

Approved as to Form:
[Signature]
City Attorney