



**PROCLAMATION AND CONTINUED
DECLARATION OF EMERGENCY**
BY THE MAYOR OF THE CITY OF SOMERTON
REQUIRING FACE COVERINGS IN PUBLIC

WHEREAS, the World Health Organization declared a Public Health Emergency of International Concern on January 30, 2020, the United States Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020, and the World Health Organization officially declared a pandemic due to COVID-19 on March 11, 2020, and the Governor of Arizona declared an emergency due to COVID-19 and issued Executive Order 2020-07 providing Proactive Measures to Protect Against COVID-19; and

WHEREAS, on March 16, 2020 the Mayor of Somerton issued a proclamation declaring an emergency in the City of Somerton to address COVID-19; and

WHEREAS, on May 12, 2020 the Governor of Arizona issued Executive Order 2020-36 allowing for the gradual opening of businesses with his "Stay Healthy, Return Smarter, Return Stronger" initiative; and

WHEREAS, despite the reopening of businesses and relaxed social distancing, on June 15, 2020, the Yuma County number of COVID-19 cases per 100,000 population was 1,592, nearly three times the number for the State of Arizona (as reported by the ADHS 543.8 cases per 100,000); and

WHEREAS, the number of cases in Yuma County is on an upward trajectory as reported by the Yuma County Health District; and

WHEREAS, the Arizona Department of Health Services has identified the "85350" zip code as the largest concentration of COVID-19 infections in Yuma County following the reopening of all businesses and relaxed social distancing; and

WHEREAS, there is no vaccine, treatment or cure for COVID-19; and

WHEREAS, without vaccine, treatment or cure individuals must together prevent exposure to COVID-19; and

WHEREAS, on June 17, 2020 the Governor issued Executive Order 2020-40 allowing for a city to adopt policies regarding the wearing of face coverings in public for the purpose of mitigating the spread of COVID-19; and

WHEREAS, COVID-19 continues to pose a serious public health threat for infectious disease spread to City of Somerton residents and visitors if proper precautions recommended by public health are not followed; and

WHEREAS, it is necessary and appropriate to take action to ensure the spread of COVID-19 is controlled and that the residents of the City of Somerton remain safe and healthy; and

WHEREAS, the Mayor of the City of Somerton is authorized by the Somerton City Code § 2-2-4 POWERS AND DUTIES OF THE MAYOR and by A.R.S. § 26-311 to declare an emergency; and

WHEREAS, during the emergency, the Mayor shall govern by proclamation and have the authority to preserve the peace and order of the City of Somerton.

NOW, THEREFORE I, Gerardo Anaya, Mayor of the City of Somerton, by virtue of the authority vested in me by the Constitution and Laws of the State, specifically A.R.S. §§ 26-311 and Somerton City Code § 2-2-4, do hereby proclaim and order:

1. A public health emergency continues to exist in the City of Somerton.
2. The City of Somerton abides by all Executive Orders of the Governor of Arizona.
3. "Face Covering" as used in this proclamation means either
 - a. a face mask fabricated to cover the nose and mouth or
 - b. a cloth face covering which covers the nose and mouth and is large enough to be secured under the chin and kept on the face hands-free with either loops or rubber bands over the ears or can be tied or looped to the back of the head. Cloth face coverings should be made of a tight-weave-fabric and be folded or sewn to have more than one layer.
 - c. a bandana, scarf, or similar clothing.
4. A "Face Covering" is **not** a mask or other face-covering that incorporates a one-way valve. Typically, a one-way valve is a raised plastic cylinder about the size of a quarter on the front or side of the mask designed to facilitate easy exhaling.
5. A mask or other face-covering that incorporates a one-way valve does not comply with this proclamation.
6. Face Coverings shall fit snugly but allow the wearer to breathe easily.
7. Individuals who are not required to wear a Face Covering are children and infants two (2) years old or younger and people of all ages with medical conditions which would preclude them from wearing Face Coverings.
8. Beginning June 17, 2020 at 8:00 am Arizona time, all other individuals shall wear a Face Covering while in public within the city limits of the City of Somerton under these circumstances:
 - a. when in public space and in proximity to people, including multi-use pathways
 - i. indoors if another person is present,
 - ii. outdoors if another person is 30 feet away (about the length of a school bus, this gives pedestrians time to put their Face Coverings on as they see the person 30 feet away),
 - b. when in the public areas of business or government building and
 - c. when waiting in line.
9. All businesses and employers shall supply, at the request and at no cost to an employee only, a Face Covering to comply with this proclamation.
10. The public shall not be allowed to enter the City of Somerton Government buildings or facilities, including open space areas, without a Face Covering.
11. Face Coverings are not required:
 - a. when at home,
 - b. when alone in a vehicle or in the vehicle only with people you live with,
 - c. when eating,
 - d. when exercising outdoors alone or with people you live with,
 - e. when swimming and
 - f. in workspaces not open to the public. [It is recommended in nonpublic workspaces Face Coverings be worn as recommended or required by the Arizona Division of Occupational Safety and Health (ADOSH) and any policies set by a business or employer].

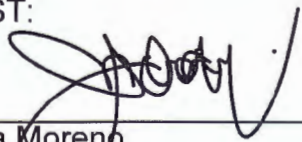
12. Any enforcement of this proclamation shall focus first on educating and working to promote best practices to accomplish the goal of mitigation. Before any enforcement action is taken to enforce this order under ARS § 26-317 (a class 1 misdemeanor), a person shall be notified and given an opportunity to comply. Thereafter, all enforcement matters shall be referred to the City Prosecutor for a determination of charges.
13. If any provision of this proclamation or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity affects no other provision or application of this proclamation. Those provisions that remain valid shall be given effect without the invalid provision or application. To achieve this purpose, the provisions of this proclamation are declared to be severable.
14. This Proclamation shall remain in full force and effect for the duration of the COVID-19 Public Health Emergency or until lawfully amended or terminated.

Proclaimed this 18 day of June, 2020.



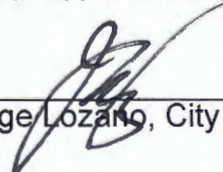
Gerardo Anaya, Mayor
City of Somerton

ATTEST:



Andrea Moreno
Deputy City Clerk

APPROVED AS TO FORM AND DETERMINED TO BE WITHIN THE SCOPE OF PERFORMANCE OF DUTY OF THE CITY OF SOMERTON MAYOR AND COUNCIL.



Jorge Lozano, City Attorney