

Mayor's Proclamation: Slowing the Spread of Covid 19

As Mayor of the City of Bisbee, I David M. Smith, state:

WHEREAS, protecting the health, safety and well being of Bisbee families and residents is of highest priority; and

WHEREAS, on March 11, 2020, the Governor of the State of Arizona, Douglas A. Ducey, determined that the COVID-19 outbreak justifies a declaration of a State of Emergency; and

WHEREAS, on March 30, 2020, the Director of the Arizona Department of Health Services (ADHS), based on an epidemiological assessment of Arizona specific data and in alignment with the Centers for Disease Control and Prevention (CDC) guidance, recommended the State implement enhanced mitigation strategies which are continuing; and

WHEREAS, on May 12, 2020, Executive Order 2020-36, *Stay Healthy, Return Smarter, Return Stronger*, was issued outlining requirements for businesses to assist in mitigating the spread of COVID-19, as they reopened and mandated that businesses adopt policies consistent with guidance from the CDC and the ADHS; and

WHEREAS, on June 17, 2020, the Governor issued Executive Order 2020-40, which provides that a City, based on conditions in its jurisdiction, may adopt policies regarding the wearing of face coverings in public to mitigate the spread of COVID-19; and

WHEREAS, the United States Centers for Disease Control and Prevention and the Arizona Department of Public Health have recommended that members of the public, when they interact with others outside the home, and, especially in settings where many people are present, should cover their mouth and nose to prevent the spread of COVID-19, and this recommendation was discussed more fully in the Mayor's Proclamation of June 20, 2020, which is incorporated herein by this reference; and

WHEREAS, as of June 28, 2020, there have been 73,908 diagnosed cases of COVID-19 in Arizona including 1,588 deaths, and overnight there were 4,000 new

cases; accordingly, the State is tragically and unfortunately seeing an increase in the number of cases and hospitalizations; and

WHEREAS, the increased case numbers and hospitalizations also necessitate the need for an increased focus on precautionary measures by both businesses and individuals; and

WHEREAS, data has shown that community spread continues to grow at an exponential pace and is greatest among the demographic of 20-44 year olds; and

WHEREAS, there has not been sufficient time for mask mandates and limiting groups to have a demonstrable effect on containing the spread and additional measures need to be taken to ensure quicker containment; and

WHEREAS, it is necessary to impose additional measures to protect public health and safety and mitigate the strain on our health care providers by slowing the spread of COVID-19; and

WHEREAS, as noted in the Governor's Executive Order of 2020-43, A.R.S. § 4-203, allows "[a] spirituous liquor license... [to] be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and, with the exception of wholesaler, producer, government or club licenses, that the public convenience requires and that the best interest of the community will be substantially served by the issuance"; and

WHEREAS, the Mayor Smith, on behalf of the City of Bisbee, is committed to containing the spread of COVID-19.

NOW, THEREFORE, I, David Smith, direct:

1. The Governor's Executive Order, effective at 8:00 pm on Monday, June 29, 2020, is accepted by this Proclamation, and, quoting from the Governor's Order, "the following establishments shall pause operations until at least July 27, 2020, unless extended:

- a. Bars, meaning an entity who holds a series 6 or 7 liquor license from the Department of Liquor Licenses and Control and whose primary business is the sale or dispensing of alcoholic beverages. These entities may continue serving the public through pick up, delivery, and drive-thru operations as provided for series 12 liquor licenses in Executive Order 2020-09, Limiting The Operations Of Certain Businesses To Slow The Spread Of COVID-19, and
- b. Indoor gyms and fitness clubs or centers."

2. As mandated by the Governor's Executive Order 2020-43 in order to reopen, entities shall complete and submit a form as prescribed by the Arizona Department of

Health Services that attests the entity is in compliance with guidance issued by ADHS related to COVID-19 business operations. The form will be created in late July 2020 and shall also be posted in an easily visible public place on the entity's premises. ADHS indicates provide information to the public on those entities that have submitted such attestations on its website.

3. Again, quoting the Governor, in the future “local governmental jurisdiction shall have the authority to take immediate action against an entity that operates without submitting the prescribed attestation to the Arizona Department of Health Services.”


4. The Governor has directed that “law enforcement and any regulatory agency, pursuant to their regulatory authority, take immediate enforcement action against any business that fails to follow this Executive Order or any guidance issued by the Arizona Department of Health Services relating to COVID-19 for the protection of the public health, safety and welfare up to and including summary suspension for any license that the business holds.” The City of Bisbee will initiate appropriate, enforcement action.

5. The Mayor has determined that the orders and advisories, included in this Proclamation, are to protect life and preserve public safety and welfare, and, in particular, to mitigate the spread of COVID-19 and provide essential protections to the Citizens and Guests in the City, including, but not limited to, those who are most vulnerable to infection.


6. Businesses in the City of Bisbee shall continue to have the right to refuse service for the failure to comply with this Proclamation.

7. This Proclamation is effective as of 12:01 a.m. June 30, 2020, and shall remain in effect until such time as further action by the City Council of the City of Bisbee.

Dated this 30th day of June, 2020



David M. Smith, Mayor

ATTEST: 

Ashlee Coronado, City Clerk

