

CITY OF BULLHEAD CITY
EMERGENCY PROCLAMATION NO. 2020-2

WHEREAS, section 2.08.050 (F) of the Bullhead City Municipal Code authorizes the Mayor to take such emergency measures by proclamation as he determines necessary to protect the health and safety, and welfare of the citizens of Bullhead City; and

WHEREAS, on March 17, 2020, under Resolution No. 2020R-15 the Bullhead City Council declared an emergency in the City of Bullhead City to address COVID-19; and

WHEREAS, on May 12, 2020, the Governor of the State of Arizona, Douglas A. Ducey, issued Executive Order 2020-36, Stay Healthy, Return Smarter, Return Stronger rescinding certain prior Executive Orders to allow, with some exclusions, businesses to gradually open in compliance with federal guidelines, and advising any business profession or entity, both for-profit or non-profit, to develop, establish, and implement policies based on guidance from the Centers for Disease Control and Prevention (CDC) and the Arizona Department of Health Services (ADHS) to limit the spread of COVID-19 including, but not limited to, “promoting healthy hygiene practices;” and

WHEREAS, on June 17, 2020, the Governor of the State of Arizona, Douglas A. Ducey, issued Executive Order 2020-40, Containing the Spread of COVID-19 – Continuing Arizona Mitigation Efforts ordering that businesses update and enforce written policies adopted by the CDC and ADHS to limit and mitigate the spread of COVID-19, such as recommending that all persons wear face coverings in public where other physical distancing measures are difficult to maintain, and authorizing local jurisdictions to enact regulations to help limit the spread of COVID-19 such as requiring face coverings in public where appropriate; and

WHEREAS, COVID-19 poses a health risk to the residents of the City of Bullhead City, particularly elderly residents and those who are immunosuppressed or otherwise have high-risk medical conditions; and

WHEREAS, I find that COVID-19 presents a continuing danger to the health, safety and welfare of the public; and

WHEREAS, COVID-19 is spread through airborne transmission from individuals speaking, coughing, and sneezing, and infectious droplet nuclei can spread for a great distance, although how far is not fully understood at present; and

WHEREAS, since March 2020, the City has proactively directed the implementation of numerous efforts, including an aggressive communications campaign, to encourage persons in the City to practice social distancing, wash and sanitize their hands, clean high touch surfaces, and wear face coverings as community mitigation strategies to decrease the spread of COVID-19; and

WHEREAS, Governor Ducey has issued a series of executive orders with the intent to safely re-open Arizona; and

WHEREAS, the re-opening of the State has led to more contact between individuals and Bullhead City has seen a significant upward trajectory of new COVID-19 cases; and

WHEREAS, federal, state and county health officials have indicated that they expect additional cases of COVID-19 to be identified in the coming days which could severely impact the ability of our medical community and first responders to adequately treat the anticipated increased case load; and

WHEREAS, conditions presented by the threat of COVID-19 continue to pose a threat to the public health that requires dynamic emergency response, including the imposition of additional mitigation strategies as conditions require; and

WHEREAS, the use of face coverings has been identified as a measure to assist in preventing individuals who may have the COVID-19 virus from spreading it to other individuals; and

WHEREAS, to reduce the spread of the disease, the Centers for Disease Control and Prevention (“CDC”) recommends the use of cloth face coverings in public settings where other social distancing measures are difficult to maintain, such as inside businesses; and

WHEREAS, the CDC advises that the virus can spread between persons interacting in close proximity even if those persons are asymptomatic (persons not exhibiting symptoms) or are pre-symptomatic (persons who transmit the virus to others before showing symptoms); and

WHEREAS, cloth coverings are relatively inexpensive and readily available as the CDC states that they can be made from household items and provides online guidance for making “do-it-yourself” coverings for people who cannot or do not want to buy one from the increasing sources producing and selling coverings; and

WHEREAS, the CDC delineates circumstances in which a face covering should not be worn; and

WHEREAS, the Mayor finds implementation of this emergency proclamation is necessary for the preservation of the health, safety, and welfare of the community.

NOW, THEREFORE, I, Tom Brady, Mayor of the City of Bullhead City hereby order as follows:

Section 1. Mandatory requirements.

- a. An individual in an enclosed place of business and in areas open to the public, must wear a face covering while in that business whether or not six feet of social distancing may be accomplished. A face covering includes a surgical mask, cloth cover or other similar material that covers the mouth and nose.
- b. All persons who own, manage, or are employed by a business located in the City must wear a face covering while on-duty and having direct or indirect customer contact, including persons working in a kitchen or otherwise preparing or serving food or beverages to customers.

- c. Each business must post signage notifying individuals of the requirements to wear a face covering as provided by this order.

Section 2. Exceptions.

This order shall not apply to:

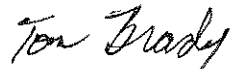
- a. A child under six years of age.
- b. A person who has one or more medical conditions or disabilities that prevent wearing a face covering, including anyone who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove a face covering without assistance. A person asserting this exception for medical conditions or disabilities is not required to carry or produce documentation verifying the health condition to a business or law enforcement.
- c. A person who is communicating with an individual who is hearing impaired who needs to see the mouth of the person speaking to facilitate communication.
- d. An individual who is obtaining a service involving the nose or face which temporary removal of the face covering is necessary to the service.
- e. Public safety, police, fire and other life safety and health care personnel whose personal protective equipment requirements are governed by their respective agencies and employers.
- f. A person in a federal, state or Mohave county government building.
- g. Persons while eating or drinking in a restaurant. It is the intent of this provision that a face covering be worn at all other times while moving about in the restaurant.
- h. Business owners, managers, and employees who are in an area of a business that is not open to customers, patrons, or the public. This exception does not apply to employees who are present in the kitchen or other food and beverage preparation area of a business.
- i. An individual in a lodging establishment who is inside of the lodging unit, including, but not limited to, a hotel room, motel room, vacation rental unit, timeshare unit, or similar unit.
- j. Private or public schools in the City as they have their own governing board policies and procedures.
- k. City Hall, City Facilities or other city buildings closed to the public. If public access is allowed, employees and visitors will wear a mask.
- l. Individuals engaged in outdoor work or recreation.

Section 3. It is the intent of this proclamation to educate and obtain the voluntary compliance of all responsible citizens within the City.

Section 4. This order shall be effective starting at 1:00 a.m. on Wednesday, July 1st, 2020.

Section 5. This order is effective through July 31, 2020 unless extended by the Mayor of Bullhead City. The order may also be cancelled earlier by action of the Mayor.

IN WITNESS THEREOF, I have hereto set my hand on this 29th day of June, 2020.



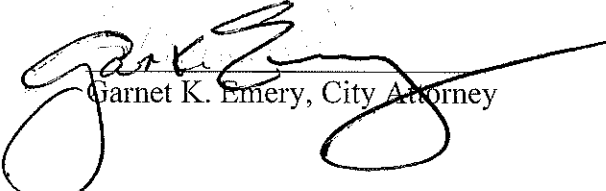
Tom Brady, Mayor

Attest:



Susan Stein, City Clerk

Approved as to form:



Garnet K. Emery, City Attorney