



**FOURTH PROCLAMATION  
BY THE MAYOR OF THE CITY OF PEORIA  
UNDER THE DECLARATION OF EMERGENCY  
REQUIRING FACE COVERINGS IN PUBLIC SETTINGS  
TO MITIGATE THE SPREAD OF COVID-19**

**BY THE AUTHORITY VESTED** in me, I, Cathy Carlat, as Mayor of the City of Peoria, do hereby proclaim a state of local emergency continues to exist and acknowledge the necessity of requiring face coverings in public settings in the City of Peoria where social distancing measures are difficult to maintain to encourage voluntary compliance and to mitigate the spread of COVID-19.

WHEREAS, the City of Peoria ("City") is responding to the developments associated with the COVID-19 pandemic and in order to preserve the public peace, health, and safety of the City and its residents, this Fourth Proclamation ("Fourth Proclamation") intends to provide for the requirement that all members of the general public wear face coverings in public settings in the City where social distancing measures are difficult to maintain; and

WHEREAS, on March 11, 2020, the Governor of the State of Arizona, Douglas A. Ducey, declared that a State of Emergency exists in Arizona due to the COVID-19 outbreak and determined that that COVID-19 outbreak presents conditions that are, or are likely to be, beyond the control of services, personnel, equipment, and facilities of any single county, city or town, and which requires the combined efforts of the State of Arizona and its political subdivisions; and

WHEREAS, on March 13, 2020, the President of the United States, Donald J. Trump, declared the COVID-19 outbreak a state of national emergency that began March 1, 2020; and

WHEREAS, on March 19, 2020, the Mayor of the City of Peoria, Cathy Carlat, by proclamation declared a State of Emergency ("Declaration of Emergency") to protect the health, safety and welfare of the City and its residents; the Declaration of Emergency is incorporated herein; and

WHEREAS, on April 29, 2020, the Honorable Douglas A. Ducey, issued Executive Order 2020-33, "Return Stronger," allowing for retailers to resume operations in a limited capacity, and on May 4, 2020 issued Executive Order 2020-34, "Building on COVID-19 Success," referencing the federal guidelines, Arizona specific health data in alignment with guidance from the Centers for Disease Control and Prevention ("CDC") and initiating the phased resumption of certain additional business operations to account for continued mitigation of COVID-19, while slowly and strategically loosening restrictions to reenergize the economy, which prevented cities and towns from issuing more strict orders or rules than what was set forth in the Governor's Executive Orders; and

WHEREAS, the City has developed the City of Peoria COVID-19 Recovery Plan consistent with the federal guidelines and the State of Arizona's reopening guidance to provide for the phased resumption of City operations and City services; and



WHEREAS, on May 11, 2020, the Honorable Cathy Carlat issued the Third Proclamation under the Declaration of Emergency reopening City Buildings and Facilities; and

WHEREAS, as of June 17, 2020 there were 40,924 total cases of COVID-19 in the State of Arizona; 1497 new cases in Maricopa County; and 20 new deaths for a total of 1,239 confirmed deaths due to COVID-19; and an average of 247 cases in the City, above the urban average of 213; and

WHEREAS, on June 17, 2020, the Honorable Douglas A. Ducey issued Executive order 2020-40 "Containing the Spread of COVID-19; Continuing Arizona Mitigation Efforts" which allows, notwithstanding directives in Executive Order 2020-36, "Stay Healthy, Return Smarter, Return Stronger," a county, city or town to, based on conditions in its jurisdiction, adopt policies regarding the wearing of face coverings in public for the purpose of mitigating the spread of COVID-19; and

WHEREAS, The CDC and the Honorable Douglas A. Ducey have recommended that members of the public, wear face coverings when in public settings where other social distancing measures are difficult to maintain; and

WHEREAS, the Mayor of the City of Peoria is authorized pursuant to Arizona Revised Statute (A.R.S.) §§ 26-301—317, Article II, Section 7 of the Peoria City Charter, Chapter 10 of the Peoria City Code and the Council approved 2015 City of Peoria Emergency Operations Plan, to govern by proclamation and impose all necessary regulations to preserve the public peace, health, or safety of the City and its residents; and

WHEREAS, the City intends to take further actions to protect the public health and safety during this local, state, and national public health emergency and implement additional measures to continue mitigating the spread of COVID-19 and protecting the health and safety of City employees and City residents.

NOW, THEREFORE, I, Cathy Carlat, as Mayor of the City of Peoria, County of Maricopa, State of Arizona, acting under the power vested in me pursuant to A.R.S. §§ 26-301—317, the Peoria City Charter, Article II, Section 7, Chapter 10 of the Peoria City Code and the Council approved 2015 City of Peoria Emergency Operations Plan, the Declaration of Emergency and the above Recitals, I do hereby proclaim and order that:

#### **I. Face Covering Order**

- A. Except as specifically exempted below, all persons are required to wear a Face Covering over their nose and mouth while outside of the person's residence or personal vehicle in public settings within the boundaries of the City of Peoria when other social distancing measures of six feet of physical separation are difficult to maintain from all other persons who are not members of the same household or residence. Businesses that interact with the public must require employees to wear Face Coverings as required by Executive Order 2020-40.



B. Face Coverings are not required, and should not be worn by, individuals who are:

1. Six years of age or younger;
2. Medically unable to tolerate a Face Covering;
3. For people whose religious beliefs prevent them from wearing a Face Covering; or
4. Unable to remove a Face Covering without assistance.

C. Further, Face Coverings are not required when individuals are:

1. Engaged in outdoor recreation while maintaining a six-foot distance from individuals who are not members of the same household or residence;
2. In the process of consuming food or drink at a restaurant;
3. In settings where a person is in the receipt of dental services, medical treatments, while swimming, playing organized group or team sports, exercising or where otherwise not feasible;
4. Public safety employees and/or emergency responders and/or field employees engaged in essential functions, when wearing the Face Covering would interfere with or limit their ability to carry out their duties or functions; or
5. Exempt under the CDC's guidance for those who should not wear a Face Covering.

D. **"Face Covering"** as used in this Proclamation means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers the nose and mouth and surrounding areas of the lower face; however, a Face Covering pursuant to this Proclamation shall not cover the whole face. A Face Covering may be factory-made, or may be handmade and improvised from ordinary household materials. The Face Covering should fit snugly but comfortably against the side of the face, allow for breathing without restriction, and be disposable or able to be laundered. Face Coverings need to cover the nose and mouth at all times and should remain in place until taken off safely. A Face Covering should be replaced when it becomes dirty, wet, and/or difficult to breathe through.

Any mask that incorporates a one-way valve (typically a raised plastic cylinder about the size of a quarter on the front or side of the mask) that is designed to facilitate easy exhaling is not a Face Covering under this Proclamation and is not to be used to comply with this

Proclamation's requirements. Valves of that type can permit droplet release from the mask, and potentially put others nearby at risk.



Additional information about Face Coverings, including a video showing how to make a Face Covering and additional information about how to wear and clean Face Coverings may be found at the CDC website.

- E. The City of Peoria will make Face Coverings available to Peoria residents on a first come, first served basis. More information can be found at: (<https://www.peoriaaz.gov/residents/covid-19-information>) and the public COVID-19 hotline (City of Peoria Help Hotline - 623-773-7770) for further details.
- F. Face Coverings shall be required to be worn by all visitors to all City Buildings and Facilities unless one of the exceptions in Section I(B) applies.

## II. Additional Mitigation Measures

In addition to the requirement that all persons shall wear a Face Covering as set forth in Section I above, I strongly encourage:

- A. All persons to maintain a six-foot distance from individuals who are not members of the same household or residence when outside, or in public, or when engaging in outdoor activities or recreation;
- B. Persons not to congregate in groups of 10 or more or as recommended by the CDC;
- C. Persons should wash their hands;
- D. Persons should stay home if they are sick; and
- E. Residents, business owners, and leaders of places of worship and social organizations to adhere to the Governor's Executive Order 2020-40 as it pertains to their business operations and compliance with measures to slow the spread of COVID-19.

## III. Compliance

- A. In order to promote best practices and accomplish the goal of mitigation and voluntary compliance, a person who violates **Section I, Face Covering Order**, shall first be notified of the provisions of the Order and the policies contained herein and given an opportunity to comply prior to any enforcement action being taken. Any person who knowingly and willfully fails to comply is in violation of the **Face Covering Order** and is subject to the penalties set forth in A.R.S § 26-317 and Section 10-5 of the Peoria City Code.



- B. Businesses, restaurants, and bars shall enforce Executive Order 2020-40, "Containing the Spread of COVID-19; Continuing Arizona Mitigation Efforts" and pursuant to that Executive Order, the Requirements for Businesses and the Requirements for Restaurants and Bars (collectively the "Requirements") and this Proclamation by asking any person failing to comply to leave their premises. The City shall also have any recourse against businesses, restaurants, and bars for failure to enforce Executive Order 2020-40 and this Proclamation as authorized by law.
- C. Any business as defined in Executive Order 2020-40, restaurant or bar shall post the Requirements prominently in their business, restaurant or bar and distribute a copy of Executive 2020-40 and the Requirements to their employees immediately.

**IV. General Measures**

- A. The City manager, or his designees, shall have the authority to carry out the orders and provisions set forth in this Proclamation.
- B. As the public health crisis related to COVID-19 continues to develop, additional signed proclamations, orders, rules and regulations as are necessary and consistent with law may be issued.
- C. This Fourth Proclamation shall be effective June 22, 2020 at 6:00 A.M. (MST) and shall continue until a termination of this Fourth Proclamation is filed with the City Clerk.

Date: June 19, 2020

Cathy Carlat  
Mayor Cathy Carlat

ATTEST:

Rhonda Geriminsky  
Rhonda Geriminsky  
City Clerk

