



**CITY OF MESA, ARIZONA
SECOND PROCLAMATION OF THE MAYOR
UNDER THE DECLARATION OF EMERGENCY**

WHEREAS, the City of Mesa (“City”) is further responding to the spread of the coronavirus disease 2019 (“COVID-19”) in order to preserve the public peace, health, and safety of the City and its residents, and this Second Proclamation (“Second Proclamation”) is intended to provide additional assistance in these efforts.

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 the 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.

WHEREAS, on March 13, 2020, the President of the United States of America, Donald J. Trump, declared a National Emergency concerning the COVID-19 outbreak.

WHEREAS, on March 15, 2020, the Governor of the State of Arizona, Douglas A. Ducey, announced the statewide closure of Arizona schools due to COVID-19.

WHEREAS, on March 17, 2020, the Mayor of the City of Mesa, John C. Giles, by proclamation declared a State of Emergency (the “Declaration of Emergency”) to protect the health, safety, and welfare of the City and its residents; the Declaration of Emergency is incorporated herein.

WHEREAS, the Centers for Disease Control and Prevention recommends implementing social distancing measures and the cancellation of certain gatherings.

WHEREAS, the President of the United States of America, Donald J. Trump, issued “The President’s Coronavirus Guidelines for America: 15 Days to Slow the Spread,” which recommends that people “avoid social gatherings in groups of more than 10 people, avoid eating or drinking at bars, restaurants, and food courts, and to use drive-thru, pickup, or delivery options.”

WHEREAS, the Mayor of the City of Mesa is authorized pursuant to Arizona Revised Statute (A.R.S.) §§ 26-301–317 and the Mesa City Code 1-14-1, following the Declaration of Emergency, to govern by proclamation and impose all necessary regulations to preserve the public peace, health or safety of the City and its residents.

WHEREAS, the COVID-19 outbreak constitutes an immediate threat to life, public health, safety, welfare and economic viability, the City has taken measures, including the issuance of the Declaration of Emergency, to protect the health and safety of the City’s residents, community and employees, from the rapidly evolving threat to public peace, health, safety and welfare.



NOW, THEREFORE, as Mayor of the City of Mesa, County of Maricopa, State of Arizona, pursuant to A.R.S. §§ 26-301–317, Mesa City Code 1-14-1, the Declaration of Emergency, and the above Recitals, I do hereby proclaim and order that:

1. Effective March 20, 2020 at 8:00 P.M. (MST) and continuing until a termination of this Second Proclamation is filed with the City Clerk:
 - A. All restaurants, nightclubs, bars and other similar businesses that serve food or alcoholic beverages to the public for on-site consumption shall be closed to the public except for sales for pick-up or delivery for off-site consumption.
 - B. Recreational and entertainment venues, such as comedy clubs, movie theaters, arcades, bowling alleys, skating rinks, and other similar businesses where people congregate for recreation or entertainment purposes shall be closed to the public.
 - C. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, yoga studios, barre studios, and other similar businesses shall be closed to the public.
2. The restrictions in Section 1 of this Second Proclamation do not prohibit a proprietor, employee, contractor, vendor or supplier of a business from entering, exiting, using or occupying that place of business in their professional capacity.
3. The restrictions in Section 1 of this Second Proclamation do not apply to the following:
 - A. Grocery stores, markets, convenience stores, and other similar businesses and establishments that offer food and beverage for off-site consumption; provided that if seating for on-site public consumption exists, it is closed to the public for such use.
 - B. Pharmacies and drug stores.
 - C. Food banks and food pantries.
 - D. Cafeterias, commissaries, and restaurants located within health care facilities, nursing homes, shelters, group homes, places of worship, or similar facilities.
 - E. Cafeterias, commissaries, and restaurants located within or on the premises of educational institutions.
 - F. Other businesses and establishments not included in Section 1 of this Second Proclamation.



4. Pursuant to A.R.S. § 26-317, any person who violates Section 1 of this Second Proclamation or who knowingly fails or refuses to obey any lawful order or regulation issued pursuant to this Second Proclamation shall be guilty of a class 1 misdemeanor. Any violation which is continuing in nature shall constitute a separate offense on each date the violation continues, unless otherwise provided herein.
5. I urge all business owners and all leaders of churches, places of worship, faith based groups, and social organizations to establish social distancing practices; I encourage citizens to avoid social gatherings of more than ten (10) people; and, finally, I urge all our residents to practice social distancing in their daily lives.
6. As the public health crisis related to COVID-19 continues to develop, additional proclamations may be issued.
7. This Second Proclamation shall be effective immediately and shall remain in effect until a termination of the Second Proclamation is filed with the City Clerk.

IN WITNESS THEREOF, I have hereunto set my hand and caused the seal of the City of Mesa, Arizona to be affixed this 19th day of March 2020.

A handwritten signature in cursive script, appearing to read "John C. Giles", written over a horizontal line.

John C. Giles, Mayor

Attest:

A handwritten signature in cursive script, appearing to read "Dee Ann Mickelsen", written over a horizontal line.

Dee Ann Mickelsen, City Clerk

