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**CITY OF SAN LUIS
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2020-13460 MISCELLANEOUS
05/07/2020 10:20:48 AM Pages: 4 Fees: \$15.00
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CAPTION HEADING:

PROCLAMATION

Proclamation and Continued Declaration of Emergency by Mayor Gerardo Sanchez of the City of San Luis, Arizona, April 30, 2020.

RECEIVED

MAY 19 2020

**Office of the City Clerk
City of San Luis, Arizona**



Proclamation

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

**PROCLAMATION AND CONTINUED DECLARATION OF EMERGENCY
BY
MAYOR GERARDO SANCHEZ OF THE CITY OF SAN LUIS, ARIZONA
April 30, 2020**

WHEREAS, the people of San Luis are already acting responsibly during this Coronavirus Disease-2019 (also known as COVID-19) public health emergency; and

WHEREAS, the intent of this Proclamation is to:

- ensure that people maintain physical distance to the maximum extent feasible,
- while enabling essential services to continue,
- protecting people's rights and
- slowing the spread of COVID-19 to the greatest extent possible; and

WHEREAS, COVID-19 is a dangerous disease to public health because

- (1) COVID-19 spreads easily, quickly and undetected because people who have caught it are contagious but may never show symptoms, be in the early stages of the disease when they do not have symptoms, or have mild symptoms; and
- (2) COVID-19 (for a certain percentage of those infected) can lead to severe respiratory illness, disease complications, and death.

Particularly vulnerable are those with underlying medical conditions and the elderly although young and healthy people have also died or had severe illness due to complications of COVID-19; and

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

WHEREAS, the City of San Luis is within its powers to take measures to protect the health, safety and welfare of and reduce the harm to the residents and visitors within its city limits from the spread of COVID-19, specifically its police powers as a political subdivision of the State of Arizona, including A.R.S. § 9-240(B)(22) which gives the city

the power to take any action and prescribe regulations, which may be necessary or expedient for the prevention or suppression of disease; and as a power reserved to the States under the Tenth Amendment to the U.S. Constitution; and

WHEREAS, the recitations made in the Declarations of Emergency issued by the City of San Luis on March 13, 2020, and March 18, 2020, make abundantly clear that the World Health Organization and all levels of government are taking steps to mitigate the harms posed by COVID-19; and

WHEREAS, A.R.S. § 26-311; San Luis City Code § 30.004 “Powers and Duties of the Mayor,” San Luis City Code § 30.002 “Vice Mayor,” empower the Mayor of the City of San Luis, or Vice Mayor in the Mayor’s absence or disability, to declare a local emergency exists; and

WHEREAS, the City of San Luis issued various Declarations of Emergency, Orders and Proclamations in compliance with guidance as it is updated from the Centers for Disease Control and Prevention (CDC), the Arizona Department of Health Services (ADHS) and the Yuma County Public Health Service District; and

WHEREAS, the City of San Luis issued its first Declaration of Emergency and Order No. 2020-6, closing public access to Parks and Recreation and canceling city events, on March 13, 2020; and

WHEREAS, the City of San Luis issued a Continued Declaration of Emergency and Amended Order and Order 2020-7 closing public access to city buildings and minimizing employees in city buildings on March 18, 2020; and

WHEREAS, Mayor Gerardo Sanchez issued a Proclamation and Continued Declaration of Emergency on March 20, 2020, implementing the Governor’s Executive Order 2020-09 limiting the operations of Certain Businesses to Slow the Spread of COVID-19; and

WHEREAS, Mayor Gerardo Sanchez issued a Proclamation and Continued Declaration of Emergency on March 30, 2020, implementing the Governor’s Executive Order 2020-12, titled “Essential Services and Executive Order 2020-18, titled “Stay Home, Stay Healthy, Stay Connected Order;” and

WHEREAS, on April 29, 2020, Arizona Governor Doug Ducey issued Executive Order 2020-33, titled “Returning Stronger Amending the Stay Home, Stay Healthy Stay Connected Order” which extended Executive Order 2020-18, titled “Stay Home, Stay Healthy, Stay Connected Order” and adds requirements for non-essential retail businesses to operate under safety rules designed to slow the spread of COVID-19; and

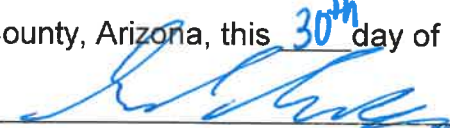
WHEREAS, A.R.S. Title 26, Chapter 2, Article 1, San Luis City Code § 30.004(A)(5) and (B) and the October 9, 2019, San Luis Emergency Operations Plan, Basic Plan II(E), Page 6, authorize the Mayor to govern by proclamation during an emergency; and

WHEREAS, On April 30, 2020, Yuma County Public Health Services District has identified 89 cases of COVID-19 in Yuma County and the Arizona Department of Health Services (ADHS) reports the status as "Widespread Transmission across Arizona."

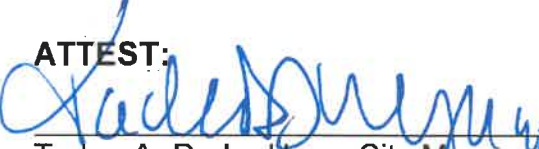
NOW, THEREFORE, I, Gerardo Sanchez, Mayor of the City of San Luis, Arizona, by the authority vested in me by the urgency of the circumstances and law recited above proclaim and order:

1. An emergency continues to exist.
2. The City of San Luis continues the stay home orders, and the city allows voluntary partial re-opening of retail businesses with the restrictions described in Paragraph 11 and 12 of the Arizona Governor's Executive Order No. 2020-33. (Executive Orders No. 2020-12 and No. 2020-33 are attached and ordered incorporated by this reference as if set forth in full here).
3. Before any enforcement action is taken to enforce this order under A.R.S. § 26-317 (a class 1 misdemeanor), a person shall be notified and given an opportunity to comply.
4. 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.
5. This Proclamation (and the Declarations of Emergency and Orders the City of San Luis issued on March 13, 2020, March 18, 2020, and the Proclamations of March 20, 2020, and March 30, 2020, to the extent they do not conflict with this April 30, 2020 Proclamation) shall remain in full force and effect for the duration of the COVID-19 Public Health Emergency or until lawfully amended or terminated.


ISSUED by the Mayor of the City of San Luis, Yuma County, Arizona, this 30th day of April 2020 at 6:18 p.m.


Gerardo Sanchez, Mayor

ATTEST:


Tadeo A. De La Hoya, City Manager
Notary Public

APPROVED AS TO FOR


Kay Marion Macui, City Attorney