



**PROCLAMATION
TOWN OF TUSAYAN
MAYOR CLARINDA VAIL**

WHEREAS, on March 11, 2020, Governor Doug Ducey declared an emergency due to the Novel Coronavirus Disease ("COVID-19") and issued Executive Order 2020-07 providing Proactive Measures to Protect Against COVID-19, and on March 13, 2020 the President of the United States, Donald Trump, declared a National Emergency concerning the COVID-19 outbreak; and

WHEREAS, on March 19, 2020, the former Mayor of Tusayan, Craig Sanderson, issued a proclamation encouraging Tusayan residents to follow the current CDC guidelines and protocols of the Arizona Department of Public Health Services, and to limit large gatherings on their premises and to mitigate the potential for transmission, including using delivery, take-out, drive-through service and use of social distancing; and

WHEREAS, on June 25, 2020, the former Mayor of Tusayan, Craig Sanderson, issued a proclamation mandating the wearing of face coverings in public for the purpose of mitigating the spread of COVID-19; and

WHEREAS, on July 22, 2020, the former Mayor of Tusayan, Craig Sanderson issued a proclamation lifting the modifying the prohibitions on outdoor seating and other uses (such as outdoor cooking and barbecues) by commercial and retail establishments to provide a temporary expansion of useable area for social distancing in the Town of Tusayan citing extreme financial hardships caused by the COVID-19 emergency; and

WHEREAS, on July 22, 2020, the former Mayor of Tusayan, Craig Sanderson issued a proclamation temporarily modifying the permitted signage allowances in the Town of Tusayan citing extreme financial hardships caused by the COVID-19 emergency; and

WHEREAS, on March 25, 2021, Governor Doug Ducey issued Executive Order 2021-06 *New Phase of COVID-19 Mitigation, Business Guidelines Transition From Requirements to Recommendations*; lifting restrictions on businesses, repealing the prohibition on public gatherings of more than 50 people unless approved by the Town, and preempting local governments from imposing mitigation strategies in conflict with Executive Order 2021-06, including face covering mandates; and

WHEREAS, the Mayor of the Town of Tusayan, Clarinda Vail, hereby finds it necessary to proclaim that the use of face coverings in public is no longer mandated.

NOW, THEREFORE I, THE MAYOR OF THE TOWN OF TUSAYAN, ARIZONA, BY THE AUTHORITY VESTED IN ME BY THE LAW RECITED ABOVE AND BY THIS PROCLAMATION DO:

Section 1. Repeal the March 19, 2020 and June 25, 2020 Proclamations, in addition to the July 22, 2020 Proclamation pertaining to permitted signage.

Section 2. Extend the July 22, 2020 Proclamation permitting businesses in the Town, with the permission of the property owner, to increase its seating capacity for restaurants by up to 50% of floor area, for all other businesses up to, but no more than 25%, into and onto the immediately adjacent sidewalk, patio, or roadway, so as not to block the reasonable movement of people, normal business access, or violate the Americans with Disability Act (ADA). On streets, a minimum of twenty feet shall be preserved for the movement of two-way traffic. In no way shall ADOT right-of-way be utilized. All seating and other use areas shall be roped off or otherwise segregated from pedestrians and vehicles, along with queuing areas. The waiver of requirements for outdoor seating and other uses may be revoked, in writing and stating the reason, if the seating or use becomes a public nuisance or eyesore, or noncompliance with applicable health, safety, and other regulations, as determined by the Town Manager or designee.

Section 3. These entities maintain the right to institute and enforce policies to mitigate COVID-19 including the use of face coverings and physical distancing and retain the right to refuse service to those who do not comply with these policies.

Section 4. Remind fully vaccinated citizens that although they personally may be protected from COVID-19; friends, neighbors, or other vulnerable members of the community may not yet be vaccinated. The CDC's Public Health Recommendations for Fully Vaccinated People suggest fully vaccinated citizens to continue social distancing, avoiding crowds and poorly ventilated areas, conducting frequent hand washing, and wearing a face covering to avoid transmitting the virus to others.

See: <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html>

Section 5. This proclamation shall remain in effect until December 31, 2021, unless earlier terminated due to public health, safety, and welfare requirements. Upon expiration of this proclamation, businesses shall have ten business days to become compliant with the existing zoning code for outdoor seating and uses allowed under this proclamation and revert to normal allowable operation under the Town zoning and other codes. Businesses operating under this proclamation shall comply with all health, safety, and other regulations applicable to business operations.

12th PROCLAIMED BY THE MAYOR OF THE TOWN OF TUSAYAN, ARIZONA, this day of May, 2021.

Clarinda Vail

Clarinda Vail, Mayor

ATTEST:

Marla Wortmann

Marla Wortmann, Town Clerk

APPROVED AS TO FORM:

/s/ Aaron D. Amson

Pierce Coleman, PLLC, Town Attorney