

## PROCLAMATION OF EMERGENCY

### Amendment No. 1 to Proclamation of Local Emergency Dated March 15, 2020

**WHEREAS**, on March 15, 2020 at 8:39 p.m., the City of Yuma, Arizona, entered into a state of local emergency by Mayor's Proclamation in response to the actions taken by federal, state, county and other local jurisdictions addressing conditions related to the COVID-19 outbreak; and,

**WHEREAS**, on March 19, 2020, the Governor's Office and State of Arizona Department of Health Services announced additional mitigation actions to combat the spread of COVID-19 in Arizona; and,

**WHEREAS**, on March 19, 2020, the Honorable Douglas A. Ducey, Governor of the State of Arizona, issued Executive Order No. 2020-09 requiring restaurants in Arizona counties with confirmed COVID-19 cases to provide dine-out options only, and that all bars, gyms, and movie theatres in those counties close; and,

**WHEREAS**, Yuma County has now confirmed a case of COVID-19 in its jurisdiction; and,

**WHEREAS**, pursuant to and consistent with the direction in Governor Ducey's Executive Order 2020-09 dated March 19, 2020, I, Douglas J. Nicholls, Mayor of the City of Yuma, Arizona, have found it necessary as a matter of public safety, health and welfare to issue this Amendment Number 1 to the Proclamation of Emergency which will order all restaurants to provide dine-out options only and order all bars, gyms and movie theatres to close; and,

**WHEREAS**, all other provisions of the Proclamation of Emergency dated March 15, 2020 not in conflict with this Amendment No. 1 will remain in force until the declared emergency abates and the Proclamation of Emergency is withdrawn.

**NOW, THEREFORE**, pursuant to A.R.S. §§ 26-307, 26-311 and the Yuma City Charter, the elements of which are met under the circumstances described in the Proclamation of Emergency dated March 15, 2020, and Executive Order No. 2020-09 issued by Governor Ducey, I, Douglas J. Nicholls, Mayor of the City of Yuma, Arizona hereby **PROCLAIM AND ORDER AS FOLLOWS**:

1. Beginning at close of business on Friday, March 20, 2020, but no later than 11:59 p.m. on Friday, March 20, 2020, all of the following establishments located in the City of Yuma, Arizona, shall close access to the public until further notice:
  - a. Bars;
  - b. Movie theaters; and,
  - c. Indoor gyms and fitness clubs.

2. Beginning at close of business on Friday, March 20, 2020, but no later than 11:59 p.m. on Friday, March 20, 2020, all restaurants in the City of Yuma, Arizona, shall close access to on-site dining until further notice. Restaurants may continue serving the public through pick-up, delivery, and drive-thru operations.

This section applies only to the public and does not prohibit a proprietor, employee, contractor, vendor, or supplier of a listed business from entering, using, or occupying that place of business in their professional capacity.

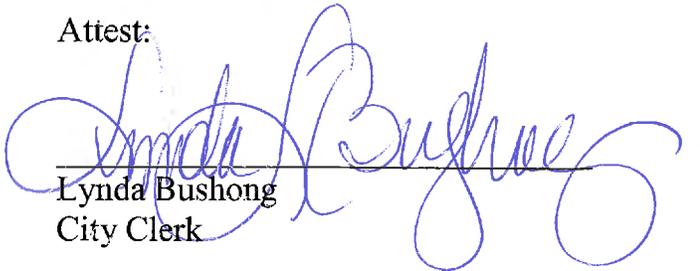
3. To mitigate the financial impact of restaurant dine-in closures, beginning at 5:00 p.m. on Friday, March 20, 2020, the Governor has authorized establishments with appropriate liquor licenses issued by the State of Arizona to sell beer, wine, and spirituous liquor subject to the limitations set forth in Executive Order 2020-09.
4. So long as the establishments take the appropriate precautions to ensure social distancing and the appropriate hygiene according to Centers for Disease Control and Prevention standards, the restrictions imposed by Sections 1, 2, and 3 of this Proclamation do not apply to any of the following:
  - a. Grocery stores, markets, convenience stores, and other similar businesses and establishments that offer food or beverage that is not for on-premises consumption.
  - b. Pharmacies and drug stores.
  - c. Food banks and food pantries.
  - d. Cafeterias, commissaries, and restaurants located within hospitals, health or child 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 institutions of higher learning or involved with a state, federal or school sponsored lunch program.
  - f. Banks and financial institutions.
  - g. Other businesses and establishments not listed in Sections 1 and 2.
5. Pursuant to A.R.S. § 26-317 and the Yuma City Charter, a person who violates any of the above prohibitions shall be guilty of a Class 1 misdemeanor. Any violation that is continuing in nature shall constitute a separate offense on each successive date the violation continues, unless otherwise provided.
6. This emergency order shall remain in full force and effect until such time as the declared emergency is withdrawn, or a subsequent Proclamation is issued with amendments.

7. In accordance with A.R.S. § 26-307(B), this proclamation shall be effective when a copy is filed in the office of the City Clerk. All existing laws and rules in conflict with this Order are hereby suspended during the time and to the extent of the conflict.

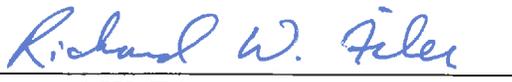
**PROCLAIMED AND ORDERED** this 20 day of March, 2020, at 6:29 o'clock, AM in the City of Yuma, Arizona.

  
\_\_\_\_\_  
Douglas J. Nicholls  
Mayor

Attest:

  
\_\_\_\_\_  
Lynda Bushong  
City Clerk

Approved as to form  
and found to be within the powers granted to the Mayor of the City of Yuma:

  
\_\_\_\_\_  
Richard W. Files  
City Attorney