

PROCLAMATION BY THE CHAIRMAN OF
THE COCHISE COUNTY BOARD OF SUPERVISORS
REQUIRING FACE COVERINGS FOR THE PURPOSE OF
MITIGATING THE SPREAD OF COVID-19

WHEREAS, on March 11, 2020, the Governor of Arizona, issued a declaration of Public Health Emergency due to the necessity to prepare for, respond to, and mitigate the spread of COVID-19; and

WHEREAS, multiple cases of COVID-19 have been identified within Cochise County and the situation is rapidly evolving with person-to-person transmission and continued community transmission; and

WHEREAS, the Centers for Disease Control, Arizona Department of Health Services (ADHS) and Cochise County's Health and Social Services Director have advised individuals to wear cloth face coverings when they are out in public and may be in close proximity to others in order to prevent transmission of this highly contagious virus; and

WHEREAS, on June 17, 2020, the Governor of Arizona issued Executive Order 2020-40 that allows a county, city or town, based on conditions in its jurisdiction, to adopt policies regarding the wearing of face coverings in public for the purpose of mitigating the spread of COVID-19; and

WHEREAS, Cochise County continues to experience a significant increase in positive cases of COVID-19 and deaths related thereto; and

WHEREAS, the spread of COVID-19 can lead to severe respiratory illness, disease complications, and death for Cochise County residents, particularly people of any age who have underlying medical conditions and people who are 65 or older; and

WHEREAS, COVID-19 is mitigated by the use of face coverings.

NOW, THEREFORE, IT IS ORDERED THAT:

Effective ___ day of _____, 2020 at ___ p.m., any person over the age of five (5) who is in a place open to the public, whether indoor or outdoor, and who is unable to or does not maintain a distance of approximately six (6) feet from every other person, shall cover his or her mouth and nose with a face covering, except where a person is unable to wear a face covering due to a medical condition or a person is otherwise exempted by the Arizona Department of Health Services from doing so. A person who declines to wear a face covering because of a medical condition shall not be required to produce documentation verifying the condition. This requirement applies to all workers and customers of businesses and other organizations open to the public that are permitted to operate.

"Face covering" as used in this Order means:

1. A face mask fabricated to cover the nose and mouth, or
2. A cloth face covering which covers the nose and mouth and which is large enough to be secured under the chin and kept on the face hands-free with either loops or rubber bands over the ears or can be tied or looped to the back of the head. Cloth face coverings should be made of a tight-weave fabric and that are folded or sewn to have more than one layer. Face coverings include, but are not limited to, bandanas, medical masks, cloth masks, and gaiters.

All persons are required to wear face coverings at all times when inside grocery stores, pharmacies, and other retail stores. All persons are also required to wear face coverings when providing or using the services of any taxi, car, livery, ride-sharing, or similar service or any means of public transportation, or while within an enclosed or semi- enclosed transit stop or waiting area.

Cochise County hereby determines that the health and safety of Cochise County residents require that all businesses, offices, shops, and manufacturing and similar facilities shall post conspicuous signs at all entrances to their establishment that employee, customers and visitors to their establishment must wear face coverings pursuant to this Order to be admitted into their premises. If a customer refuses to wear a mask or cloth face covering for nonmedical reasons, a business may decline entry to the individual.

Face coverings are not required:

1. When at home;
2. When alone in a vehicle or in the vehicle only with people you live with;
3. When eating;
4. When swimming; and
5. When exercising outdoors alone or only with people you live with

Regulatory agencies shall focus first on educating and working to promote best practices to accomplish the goals of this Proclamation. Upon initial violations, notice of the provisions of this Proclamation and associated guidance from ADHS shall be provided and an opportunity to comply shall be offered.

Appropriate regulatory agencies will work closely with other County Offices and Departments to focus on educating the public and promoting best practices to accomplish the goals of the Proclamation. Should violations of this Proclamation be identified, guidance shall be provided and an opportunity to comply shall be offered. In cases of immediate threats to public safety, or significant and willful violations, the regulatory agency may call Law Enforcement to assist the regulatory agency in obtaining compliance.

Any person who violates the terms of this Proclamation after being asked to comply may be found guilty of a class 1 misdemeanor pursuant to Arizona Revised Statutes § 26-317.

This Proclamation is effective ____ day of _____, 2020 at ____ p.m., and shall remain in effect until rescinded or until the emergency is terminated, whichever occurs first.

Proclaimed this ____ day of _____, 2020

Thomas E. Borer, Chairman
Cochise County Board of Supervisors

Filed with the Clerk of the Cochise County Board of Supervisors at _____
this ____ day of _____, 2020, by _____.