

When recorded return to:
Clerk of the Board
Pinal County Board of Supervisors
P.O. Box 827
Florence, AZ 85132

RESOLUTION NO.

~~061920 LSE 03~~

062420 LSE 02

RESOLUTION OF THE PINAL COUNTY BOARD OF SUPERVISORS
~~MANDATING ENCOURAGING~~ MITIGATION EFFORTS IN THE FORM OF FACE
COVERINGS

WHEREAS, due to existing cases of COVID-19 within the State of Arizona and community spread of the illness within the State, on March 11, 2020, Governor Douglas A. Ducey declared a state of emergency for Arizona for COVID-19; and,

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

WHEREAS, the conditions and risk of increased exposures to residents of Pinal County have caused the Pinal County Board of Supervisors to declare a public health emergency; and issue a Declaration of Local ~~Health~~ State of Emergency on March 20, 2020; and

WHEREAS, A.R.S. § 26-311 authorizes the Chairman of the County Board of Supervisors, during such emergency, to govern by proclamation and have the authority to impose all necessary regulations to preserve the peace and order of the county; and

WHEREAS, ON June 17, 2020, Arizona Governor Douglas A. Ducey issued Executive Order 2020-40, Containing the Spread of COVID-19 Continuing Arizona Mitigation Efforts, that allows a county, 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 that any enforcement of such policy shall focus first on educating and working to promote best practices to accomplish the goal of mitigation and that individuals be given an opportunity to comply prior to any enforcement action being taken; and

WHEREAS, the CDC and the ADHS continue to update their guidance for prevention and mitigation of COVID-19 with additional information to help individuals make better decisions about going out while preventing and mitigating the spread of the virus; and

WHEREAS, published June 11, 2020, the Proceedings of National Academy of Sciences of the United States of America concluded "wearing of face masks in public corresponds to the most effective means to prevent interhuman transmission, and this inexpensive practice, in conjunction with simultaneous social distancing, quarantine, and contact tracing, represents the most likely fighting opportunity to stop the COVID-19 pandemic,"; and

WHEREAS, the Pinal County Board of Supervisors recognize that it is critical to also maintain six-foot physical distancing to slow the spread of COVID-19, ~~but~~(Miller) the use of Face Coverings, as recommended by the CDC and the ADHS, can further aid in slowing the spread of the virus permitting offices, businesses, venues and activities in Pinal County to remain open; and

WHEREAS, the Pinal County Board of Supervisors adopts the Requirements for Businesses issued in conjunction with Executive Order 2020-40, issued June 17, 2020 (attached hereto as Exhibit A).

THEREFORE, BE IT RESOLVED, that a public health emergency continues to exist necessitating the Pinal County Board of Supervisors to adopt the following policy and order applicable in unincorporated Pinal County, encouraging Face Coverings to be worn if six-feet of physical distance can not be maintained (Miller) in public effective June 25, 2020 except where specifically mandated Face Covering be worn as stated herein (Kent).

BE IT FURTHER RESOLVED:

1. "Face Covering" means a covering made of cloth, fabric or other soft or permeable material, without holes, that covers the nose and mouth and surrounding areas of the lower face, or a full plastic face shield. A covering that hides or obscures the wearer's eyes or forehead is not a Face Covering.
2. All members of the public are highly encouraged to, wear a Face Covering in the following situations:
 - ~~a. When they are inside or outside any location or facility seeking or receiving Pinal County Government Services;~~
 - b. When they are boarding or riding on public transportation or paratransit or are in a taxi, private car service, or ride-sharing vehicle. (This Resolution does not require any person to wear a Face Covering while driving alone, or exclusively with other members of the same family or household, in a motor vehicle).
3. All Pinal County Departments and Elected Officials, contractors and volunteers are encouraged to:
 - a. Require their employees, contractors, owners, and volunteers to wear a Face Covering at the workplace or when performing work off-site any time the employee, contractor, owner or volunteer is:
 - i. interacting in person with any member of the public;
 - ii. working in any space visited by members of the public,
 - iii. working in any space where food is prepared or packaged for sale or distribution to others;
 - b. Take reasonable measures, such as posting signs, to remind their customers and the public that they wear a Face Covering while inside of or waiting in line to enter the facility, or location.
 - c. Public Safety Employees and Detention Officers are not required to wear a Face Covering while on duty, unless required by the Sheriff.
4. It is recommended that children under two years or younger not wear a Face Covering.
5. Persons who are engaged in outdoor work or recreation such as swimming, walking, hiking, bicycling, or running, are encouraged to wear a face covering when they are unable to maintain six-feet distance from others. (This Resolution does not recommend any person to wear a Face Covering while swimming).
6. Persons working alone in separate office spaces or in non-public workplaces where there is not more than adequate physical distancing area, based on the size and number of people in the space (indoors and out of doors) are encouraged to wear a Face Covering.

7. When wearing a Face Covering or mask poses a greater mental or physical health, safety, or security risk, such as anyone who has trouble breathing, or is unconscious, incapacitated, or otherwise unable to remove the cover without assistance, the wearing of Face Covering will not be required. A person who declines to wear a Face Covering because of a medical condition or whose religious beliefs prevent the wearing of a Face Covering shall not be required to produce documentation verifying the condition, or belief. Persons who are hearing impaired or communicating with a person who is hearing impaired, when the ability to see the mouth is essential for communication shall not be required to wear a Face Covering.
8. When eating or drinking in public at a restaurant, bar, or other food or beverage establishment a Face Covering is encouraged where individuals are unable to maintain a distance of six-feet away from persons who are not members of the same household or residence. A mask or Face Covering is encouraged to be worn when entering or exiting any such establishment.
9. Face Coverings shall be mandated in the following circumstances:
 - a. When an individual has tested positive for COVID-19 or has been informed by Pinal County Public Health that they have been in close contact with someone who as tested positive they are required to wear a Face Covering in public until they no longer test positive or 14 days has lapsed, which ever shall be applicable;
 - b. Whenever the public are inside or outside engaging or seeking Pinal County services unless it poses a greater physical or mental health risk or one's disability or religious beliefs prevent wearing a Face Covering. (Kent)
10. Any enforcement of this Resolution shall focus first on educating and working to promote best practices to accomplish the goal of mitigation. Before any enforcement action is taken, a person shall be notified and given an opportunity to comply.
11. This Resolution shall remain in effect for the duration of the COVID-19 Pinal County Local State of ~~Public Health~~ Emergency or until lawfully amended or terminated.

PASSED AND ADOPTED this 24th day of June 2020, by the PINAL COUNTY BOARD OF SUPERVISORS.

Anthony Smith, Chairman of the Board

ATTEST:

Natasha Kennedy, Clerk of the Board