



**AMENDMENT NO. 5 TO PROCLAMATION OF
THE MAYOR OF THE TOWN OF MARANA
DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

WHEREAS on March 17, 2020, Mayor Ed Honea issued a Proclamation of Local Emergency in response to the actions taken by federal, state, and local jurisdictions in addressing conditions related to the COVID-19 pandemic outbreak; and

WHEREAS on March 19, 2020, Mayor Ed Honea issued Amendment No. 1 to the Proclamation of Local Emergency to order all restaurants, bars, gyms, and other places of public gathering to close until midnight on March 31, 2020; and

WHEREAS on March 19, 2020, Arizona Governor Douglas A. Ducey issued Executive Order 2020-09, limiting the operations of certain businesses until further notice to slow the spread of COVID-19; and

WHEREAS on March 21, 2020, Mayor Ed Honea issued Amendment No. 2 to the Proclamation of Local Emergency to order all Town of Marana buildings, service counters, and lobbies closed to use and occupancy by members of the public until midnight on April 10, 2020, with limited exceptions; and

WHEREAS on March 23, 2020, Arizona Governor Douglas A. Ducey issued Executive Order 2020-12, prohibiting counties, cities, or towns from making or issuing any order, rule, or regulation that restricts or prohibits any person from performing any function designated as essential by the Governor, the Director of the Arizona Department of Health Services, or the Division of Emergency Management during the COVID-19 public health emergency; and

WHEREAS on March 25, 2020, Mayor Ed Honea issued Amendment No. 3 to the Proclamation of Local Emergency to clarify his previous Proclamation and Amendments in relation to Governor Ducey's Executive Order 2020-12; and

WHEREAS on March 30, 2020, Arizona Governor Douglas A. Ducey announced that Arizona schools would remain closed for the rest of the school year; and

WHEREAS on March 30, 2020, Arizona Governor Douglas A. Ducey issued Executive Order 2020-18 "Stay Home, Stay Healthy, Stay Connected" ordering that until April 30, 2020, all citizens may leave their place of residence only for Essential Activities, to participate in or receive Essential Governmental Functions, or to participate in or fulfill Essential Functions, all as defined by Executive Orders 2020-18 and 2020-12; and

WHEREAS on March 31, 2020, the President of the United States of America, Donald J. Trump, issued updated "Coronavirus Guidelines for America: 30 Days to Slow the Spread"; and

WHEREAS on March 31, 2020, Mayor Ed Honea issued Amendment No. 4 to the Proclamation of Local Emergency to conform to Governor Ducey's Executive Order 2020-18, to extend Mayor Honea's previous orders related to the closure of Town buildings, service counters, and lobbies, and to temporarily waive the assessment of certain fees included in the Town of Marana comprehensive fee schedule in light of the continuing emergency and its economic ramifications; and

WHEREAS Mayor Ed Honea now finds it necessary to issue Amendment No. 5 to the Proclamation of Local Emergency to authorize the Town Manager to close areas and amenities of Town parks, preserves, and trails if determined to be necessary to slow the spread of COVID-19; and

WHEREAS all other provisions of the Proclamation of Local Emergency, as previously amended, not in conflict with this Amendment No. 5 will remain in force until the emergency declared herein abates and is withdrawn; and

NOW, THEREFORE, pursuant to A.R.S. § 26-307, A.R.S. § 26-311, and Town Code section 2-3-4 (E), the elements of which are met under the circumstances described in the March 17, 2020 Proclamation of Local Emergency, the Mayor of the Town of Marana, Ed Honea:

IT IS PROCLAIMED AND ORDERED AS FOLLOWS:

1. The Town Manager is hereby authorized and directed to close to public use and occupancy areas and amenities of Town of Marana parks, preserves, trails, and other outdoor recreation areas if determined to be necessary to slow the spread of COVID-19.
 - a. The areas and amenities that may be closed pursuant to this Amendment No. 5 shall be broadly construed and include, but are not limited to, ramadas, playgrounds, ball courts and fields, restrooms, and other facilities.
 - b. If the Town Manager closes any areas or amenities pursuant to this Amendment No. 5, the Town Manager is hereby directed to post appropriate signage, caution tape, or other appropriate notice alerting the public to the closure of the areas and amenities.
 - c. If the Town Manager closes any areas or amenities pursuant to this Amendment No. 5, the closure shall continue until midnight on April 30, 2020, except that if Governor Ducey extends Executive Order 2020-18 "Stay Home, Stay Healthy, Stay Connected" beyond April 30, 2020, the closure of any areas or amenities will automatically be extended, without further amendment, to correspond to the end date of Governor Ducey's Executive Order 2020-18.

2. The provisions of this Amendment No. 5 are not intended to conflict with or supersede Governor Ducey's Executive Orders 2020-12 or 2020-18. All Town of Marana parks, preserves, trails, and other outdoor recreation areas shall remain open to the public for outdoor exercise activities such as walking, hiking, running, or biking. Residents are encouraged to continue to use these areas, but must practice appropriate physical distancing by remaining at least six feet away from any other person not a member of their household.
3. These emergency regulations shall remain in full force and effect until such time as the emergency declared herein abates and is withdrawn, or a subsequent proclamation is issued with amendments.
4. In accordance with A.R.S. § 26-307(B), this proclamation shall be effective when a copy is filed in the office of the Town Clerk. All existing laws and rules in conflict of the same are hereby suspended during the time and to the extent that they conflict.

PROCLAIMED this 2nd day of April, 2020 at the Town of Marana, Arizona.

TOWN OF MARANA



Mayor Ed Honea

ATTEST:



Cherry L. Lawson, Town Clerk

APPROVED AS TO FORM:



Frank Cassidy, Town Attorney