

PROCLAMATION

WHEREAS, the Tempe City Charter authorizes the declaration of an emergency affecting the life, health, property or the public peace of the City of Tempe; and the Tempe City Council by way of Emergency Ordinance No. O2020.07, declared an emergency on March 18, 2020, authorizing the Mayor to rule by proclamation to enact measures to ensure the public peace, health, safety, or general welfare of the community; and

WHEREAS, Arizona law authorizes the Mayor of the City of Tempe, Arizona, to proclaim the existence or threatened existence of a local emergency when the City of Tempe is or may be affected by a public calamity under AR.S. § 26-311, in addition to powers granted by other provisions of law or the Charter; and

WHEREAS, on January 30, 2020, the World Health Organization declared the COVID-19 virus a public health emergency of international concern and Arizona Governor Douglas Ducey declared a state of emergency for the State of Arizona on March 11, 2020; and

WHEREAS, the COVID-19 outbreak constitutes an immediate threat to life, public health, safety, welfare and economic viability, the City of Tempe has taken measures to protect the health and safety of our residents, community and employees, from the rapidly evolving threat to public health, safety and welfare; and,

WHEREAS, pursuant to the State of Arizona's Executive Orders and at the recommendation of the state's public health officials, the City of Tempe shall continue its efforts to further limit potential exposure through a policy of physical distancing to slow the spread of the COVID-19 virus while maintaining social connections as residents return to certain activities; and,

WHEREAS, pursuant to Executive Order Nos. 2020-33 and 2020-34, Governor Ducey has authorized certain retailers and establishments to resume operations in a limited capacity while still directing people to stay home to the extent possible.

NOW THEREFORE, IT IS HEREBY PROCLAIMED THAT DUE TO THE LOCAL EMERGENCY THAT EXISTS IN THE CITY OF TEMPE, ARIZONA FROM THE COVID-19 VIRUS OUTBREAK IT IS HEREBY ORDERED WITHIN THE CITY OF TEMPE:

Governor's Executive Order 2020-34, effective Monday, May 11, 2020, allows dine-in services to resume in restaurants, provided that each restaurant establish and implement protocols and best practices to address COVID-19, which includes:

- Implementing physical distancing policies,
- Limiting the number of persons in the establishment; and
- Following protocols and guidance offered by Centers for Disease Control and Prevention, as amended from time to time; U.S. Department of Labor Division of Occupational Safety and Health; and Arizona Department of Health Services, as provided in the attached guidance issued by Governor Ducey on May 4, 2020 for Governor's Executive Order 2020-34.

To ensure compliance with Executive Order 2020-34, the City of Tempe will require those establishments with a security plan to document implementation of the Executive Order and related guidance and be able to provide a copy to law enforcement upon request. Failure to comply with such request will constitute a violation of Tempe City Code, Sec. 26-70 (j)(1). Violations of the Governor's Executive Order 2020-34 and this Proclamation constitute a class one misdemeanor under A.R.S. 26-317.

PROCLAIMED at 3 : 42 p.m. this 12 day of May 2020.

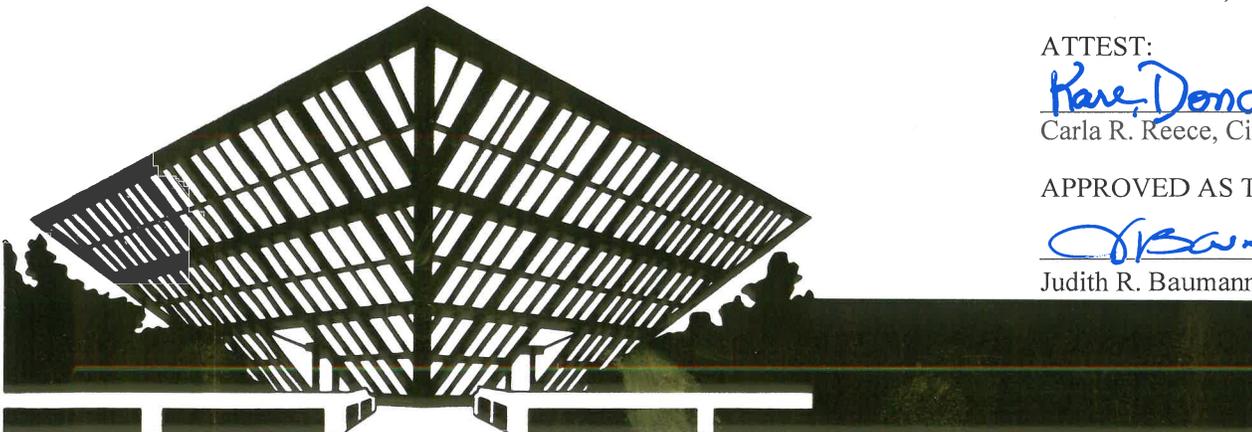

Mark W. Mitchell, Mayor

ATTEST:


Carla R. Reece, City Clerk

APPROVED AS TO FORM:


Judith R. Baumann, City Attorney





GUIDANCE FOR RESTAURANTS PROVIDING DINE-IN SERVICES

Pursuant to EO 2020-34 Building on COVID-19 Successes
Resuming additional business operations for barbers, cosmetologists and dine-in restaurants

Following the Centers for Disease Control and Prevention (CDC) guidance, under all circumstances, the following precautions should be followed by people dining in restaurants. To the extent possible, restaurant establishments should take measures to ensure that customers may follow these guidelines:

- Stay home if sick.
- Consider ordering food for delivery or curbside pickup if available.
- Protect yourself while dining at restaurants:
 - Stay at least 6 feet away from others while dining.
 - When you do dine-in, consider dining during off-peak hours (for example, early morning, mid-afternoon, or late night).
 - If you are at higher risk for severe illness, continue to use takeout and delivery and avoid dine-in services at restaurants. People at higher risk for severe illness include adults 65 or older and people of any age who have serious underlying medical conditions.
 - Do not touch your eyes, nose, or mouth.
 - If possible, use touchless payment (pay without touching money, a card, or a keypad). If you must handle money, a card, or use a keypad, use hand sanitizer immediately after.
 - Wash your hands with soap and water or use an alcohol-based hand sanitizer before you eat and again when you are finished.
 - After leaving the restaurant, use hand sanitizer. When you get home, wash your hands with soap and water for at least 20 seconds.

Following the Centers for Disease Control and Prevention (CDC) guidance, under all circumstances, the following precautions should be followed by restaurants providing dine-in:

- Consider assigning duties to vulnerable workers that minimize their contact with customers and other employees.
- Enforce hand washing, covering coughs and sneezes.
- Develop standards for the use of non-medical grade masks or cloth face coverings by employees when near other employees and customers.
- Ensure adequate supplies to support healthy hygiene practices for both employees and customers including soap, hand sanitizer with at least 60 percent alcohol (perhaps on every table, if supplies allow), and tissues.
- Consider posting signs on how to stop the spread of COVID-19, properly wash hands, promote everyday protective measures, and properly wear a face covering.
- Intensify cleaning, disinfection and ventilation practices.
- Wash, rinse, and sanitize food contact surfaces, food preparation surfaces, and beverage equipment after use.
- Avoid using or sharing items such as menus, condiments, and any other food. Instead, use disposable or digital menus, single serving condiments, and no-touch trash cans and doors.
- Wipe any pens, counters, or hard surfaces between use or customer.
- Train all employees in the above safety actions.

The Department of Health Services recommends the following additional steps be taken by restaurants:

- Maintain physical distancing, including limiting parties to no more than 10.
- Operate with reduced occupancy and capacity based on the size of the business location with special attention to limiting areas where customers and employees can congregate.
- Implement comprehensive sanitation protocols, including increased sanitation schedules for bathrooms.
- Continue to provide options for delivery or curbside service even if a location offers dine-in.
- Implement symptom screening for employees prior to the start of their shift.
- Consider offering masks to wait and host staff.
- Restaurants should sanitize customer areas after each sitting with EPA-registered disinfectant, including but not limited to:
 - Tables
 - Tablecloths
 - Chairs/booth seats
 - Table-top condiments and condiment holders
 - Any other surface or item a customer is likely to have touched
- Avoid instances where customers serve their own food.

***Note that guidance may be updated. Those complying with this guidance are encouraged to regularly visit the websites provided to ensure they are adhering to the most up-to-date guidance.*

Websites for additional public health guidance:

www.cdc.gov · www.azhealth.gov · www.dol.gov