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 A.R.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, Governor Ducey authorized certain retailers and restaurants to resume operations in a limited capacity, subject to Centers for Disease Control and Arizona Department of Health Services guidelines.

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:

Effective until August 24, 2020, businesses may take advantage of an “expansion of premises permit” which will allow for the expansion of retail sales and restaurant and bar seating for dining into a designated outdoor area that may include public rights-of-way and private property in certain instances upon application, expedited review and approval of the Special Events Taskforce. Additional review and approval shall be required by the Arizona Department of Liquor Licenses and Control. The Special Events Taskforce will ensure compliance with the Americans with Disabilities Act, appropriate emergency vehicle access and that the expansion avoids public safety hazards and visual obstructions. Enforcement measures may be taken if a business expands its premises without City authorization. The City of Tempe will continue to allow businesses to use of onsite banner and window signage without requiring a sign permit. One hour of free on-street metered parking will also be provided within the Downtown Tempe Authority to encourage residents to visit retail and restaurants in downtown Tempe. This Proclamation does not affect, alter or suspend the special events permit requirements detailed in Tempe City Code Section 5-2.

PROCLAIMED at 3:20 p.m. this 26 day of May 2020.

Mark W. Mitchell, Mayor

ATTEST:
Carla R. Reece, City Clerk

APPROVED AS TO FORM:
Judith R. Baumann, City Attorney