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City of Phoenix

AMENDED DECLARATION OF PHOENIX CITY COUNCIL REGARDING FACE COVERINGS

WHEREAS, on the March 20th, 2020, after due consideration and deliberation, the City Council determined to declare a local emergency under the authority of Phoenix City Code, section 11-3; and

WHEREAS, Phoenix City Code, section 11-3 provides that the City Council has the power to declare a local emergency and make, amend, and rescind regulations necessary for emergency management; and

WHEREAS, on March 11, 2020, the Governor of the State of Arizona, Douglas A. Ducey, determined that the COVID-19 outbreak presents conditions in Arizona that justified his declaration of a State of Emergency; and

WHEREAS, the City has continued to seek health guidance which best serve the residents of the City of Phoenix in responding to the evolving pandemic situation; and

WHEREAS, the Center of Disease Control (CDC) issued updated guidance on May 13, 2021 and on May 16, 2021, that fully vaccinated people do not need to wear a mask or physically distance in many settings, except on public transportation, and for detention facilities and homeless shelters; and

WHEREAS, health officials recommend a majority of the public be vaccinated to help control the spread of the virus; and

NOW, THEREFORE, BE IT DECLARED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. The City will follow CDC guidance, and therefore amends the Declaration of the Phoenix City Council Regarding Face Coverings, effective on June 19, 2020, to comply with the May 16, 2021 CDC guidance for people who are fully vaccinated. The City's Declaration regarding the wearing of face coverings shall hereafter automatically be adjusted in accordance with current CDC guidance, as it is issued, regarding the wearing of face coverings.

SECTION 2. The City will continue to follow federal guidance for transportation, from the Federal Aviation Administration and U.S. Department of Transportation regulations on public transportation, by policies and guidelines that the City Manager may issue for the airport, buses, and other public transportation.

SECTION 3. Exceptions for face coverings will continue to be made under the following circumstances:

- for those who fall into the Centers for Disease Control and Prevention's guidance for those who should not wear face coverings due to a medical condition, mental health condition, developmental disability, or are otherwise covered under the Americans with Disabilities Act; or
- for children under 6 years old; or
- for people whose religious beliefs prevent them from wearing a face covering; or
- for restaurant patrons while they are dining; or
- for individuals exercising outdoors or while walking or exercising with other people from the same household, if social distancing from others who are not your family or household members can be maintained; or
- for engaging in organized group or team sports, exercise, or other physical activities where it is not practicable or feasible to wear a mask or socially distance; or
- in settings where it is not practical or feasible to wear a face covering, including when obtaining or rendering goods or services, such as the receipt of dental services or medical treatments.

SECTION 4. The Phoenix City Council has determined that the orders and advisories included in this Declaration are necessary to preserve

the peace and order of the City of Phoenix, and to protect life and property and to promote and preserve public safety and welfare.

SECTION 5. Businesses may continue to set policies regarding face coverings applicable to their own employees or customers.

SECTION 6. The Phoenix City Council orders that enforcement of this Declaration shall continue to be administered by education and an opportunity for compliance, followed by a warning, and a civil citation, only if necessary.

SECTION 7. The City Manager shall provide all necessary assistance in executing City Council's Declaration, and amend policies or procedures as needed and to the extent required, within the City Manager's discretion for public buildings, or public City facilities, and City employees.

PASSED by the City Council of the City of Phoenix this **19th** day of **May 2021**, and effective immediately.

Kate Gallego
Mayor of the City of Phoenix

ATTEST:
Denise Archibald
City Clerk

APPROVED AS TO FORM:
Cris Meyer
City Attorney

REVIEWED BY:
Ed Zuercher
City Manager

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CITY CLERK DEPT