# MEMORANDUM

Date: March 20, 2020

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

Re: **State of Arizona Governor's Executive Order Limiting the Operations of Certain Businesses**

To slow the spread of COVID-19 (Coronavirus), please see the attached Executive Order issued by the Governor on March 19, 2020. Please note the language in Paragraph 7,

> "this order shall remain in place until further notice, and shall be reconsidered for repeal or revision every two weeks following issuance."

CHH/anc

Attachment

c: Jan Lesher, Chief Deputy County Administrator
Carmine DeBonis, Jr., Deputy County Administrator for Public Works
Francisco García, MD, MPH, Deputy County Administrator & Chief Medical Officer, Health and Community Services
Wendy Petersen, Assistant County Administrator for Justice and Law Enforcement

GOVERNOR DOUGLAS A. DUCEY

# STATE OF ARIZONA

# EXECUTIVE ORDER

**Executive Order 2020-09**

**LIMITING THE OPERATIONS OF CERTAIN BUSINESSES TO SLOW THE SPREAD OF COVID-19**

**WHEREAS,** both the state of Arizona and the federal government have declared a public health emergency to address the 2019 novel Coronavirus (COVID-19); AND

**WHEREAS,** the President of the United States has declared a national emergency due to both the health and economic implications of the COVID-19 virus; AND

**WHEREAS,** the disease caused by COVID-19 is contagious and can be fatal, resulting in the World Health Organization declaring it a global pandemic; AND

**WHEREAS,** the State of Arizona has experienced community spread of COVID-19 in multiple counties as it continues to spread across the country and the state, posing an increasing threat to public health and having a devastating impact on the economy; AND

**WHEREAS,** on March 16, 2020, the United States Centers for Disease Control and Prevention issued updated guidance recommending that individuals avoid social gatherings of more than 10 people and use drive-thru, pickup, or delivery options at restaurants and bars to slow the spread of the disease; AND

**WHEREAS,** the time has come for further measures to protect public health and safety, protect our most vulnerable citizens, and mitigate the strain on our health care providers by slowing the spread of COVID-19; AND

**WHEREAS,** in taking such critical measures to protect public health there will be direct economic consequences for businesses across the state of Arizona that provide employment for many Arizonans, including bars and restaurants; AND

**WHEREAS,** Arizona is committed to both mitigating the economic harm of COVID-19 and ensuring the safety of those in our state.

**NOW, THEREFORE**, I, Douglas A. Ducey, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this state, hereby order as follows:

1. Beginning at close of business on Friday, March 20, 2020, all of the following establishments located in counties of the State with confirmed cases of COVID-19 shall close access to the public until further notice:

    a. Bars

    b. Movie theaters

    c. Indoor gyms and fitness clubs

2. Beginning at close of on Friday, March 20, 2020, all restaurants in counties of the State with confirmed cases of COVID-19 shall close access to on-site dining until further notice. Restaurants may continue serving the public through pick up, delivery, and drive-thru operations.

3. Beginning at 5:00 p.m. on Friday, March 20, 2020, in counties of the State with confirmed cases of COVID-19, the Arizona Department of Liquor Licenses and Control and any Arizona Peace Officer Standards and Training Board certified law enforcement officer shall not enforce provisions of the series 12 liquor license that prohibit the sale by restaurants of beer, wine and spirituous liquor off-premises subject to the following provisions:

    a. Any sale of beer, wine and spirituous liquor shall be in sealed containers.

    b. Title 4 licensees shall ensure that sales of beer, wine and spirituous liquor for consumption off premises is only for consumption for individuals over the age of 21 as for other sale of alcoholic beverages both on and off-premises and that all other title 4 laws are followed.

    c. In the event that the Arizona Department of Liquor Licenses and Control determines that a title 4 licensee has otherwise violated title 4 by selling to a minor or not providing alcohol in a sealed container, the Department may take enforcement action against the title 4 licensee.

4. The Arizona Department of Liquor Licenses and Control shall post guidance to title 4 licensees on its website to assist in compliance with this order.

5. The Department of Liquor Licenses and Control shall not enforce any restriction on manufacturers, wholesalers or retailers to buy back unopened products from restaurants, bars and clubs.

6. Cafeterias at nursing homes, hospitals, and similar facilities as well as soup kitchens that provide meals to the needy are not subject to these restrictions and may continue normal operations while taking precautions to ensure social distancing and appropriate hygiene according to Centers for Disease Control and Prevention standards.

7. This order shall remain in place until further notice, and shall be reconsidered for repeal or revision every two weeks following issuance.

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

**GOVERNOR**

**DONE** at the Capitol in Phoenix on this nineteenth day of March in the Year Two Thousand and Twenty and of the Independence of the United States of America the Two Hundred and Forty-Fourth.

**ATTEST:**

**Secretary of State**