



**TOWN OF TAOS  
OFFICE OF THE MAYOR**

**PROCLAMATION OF CIVIL EMERGENCY**

I, Daniel R. Barrone, as the duly elected and sworn Mayor of the Town of Taos, hereby do invoke those powers vested in the Office of the Mayor under Chapter 2.04 CIVIL EMERGENCIES of the Town Code and upon consultation with the Town Manager, Police Chief and Fire Chief, do declare, that a civil emergency exists, as defined in Section 2.04.010 of the Town Code, and, consistent with those powers therein granted under Section 2.04.020, do declare as follows:

**1. A PUBLIC CURFEW IS HEREBY DECLARED:**

That commencing Thursday, April 2nd at 10:00 pm local time and continuing thereafter each day until an order by the Mayor or Council is issued declaring this emergency to have ceased, a curfew shall exist within the corporate limits of the Town of Taos beginning at 10:00 pm each evening and continuing to 6:00 am each day, requiring all persons to forthwith remove themselves from the public streets, alleys, parks, rights of way, grounds or other public and semi-public places, whether on foot, bicycle, in vehicles of any type or by any other means of conveyance during the period of said curfew.

The following persons, vehicles and services shall be exempt from the curfew while in the conduct of official business:

- a. Emergency vehicles and personnel of any government or quasi-government entity (police, fire, EMT, E-911, emergency management, public and quasi-public utilities, public works, animal control, law enforcement, building and fire inspections, prisoner transport, and other approved governmental employees and services).
- b. Health care workers, home medical visits or welfare checks, including law enforcement, CYFD, doctors, nurses, home health and nursing home aides, veterinarians, psychiatrists, psychologists, social workers, state case workers and family members or neighbors responding to the needs of the elderly and infirm.
- c. Emergency repairs or deliveries related to food, water, sewer, electric, propane, and medical supplies or equipment.
- d. Delivery vehicles providing supplies, services or provisions to and persons employed by and going to or returning home from work or conducting the official business of any business or entity defined as "essential" by State of New Mexico Public Health

Order 3-24-2020 by New Mexico Department of Health Secretary Kathleen M. Kunkel (attached hereto).

**2. PUBLIC NOTICE OF PROCLAMATION OF CIVIL EMERGENCY AND CURFEW:**

That, consistent with Section 2.04.020.A. of the Town Code a copy of this Proclamation shall be delivered to the Chief of Police, who shall see that copies are therefore delivered to all news media within the Town, and who shall also use public address systems to notify the public of said proclamation and curfew hours and to warn the public that said curfew constitutes a misdemeanor and violators are subject to arrest.

Further, that, as Mayor, I direct that copies of this proclamation shall be provided to the Town Manager and Emergency Management Team, and to the Town Clerk for posting at the entrance to Town Hall, on the Town website, the Town's Facebook site, distributed through the Town Council email list, and by publication in the Taos News, as the newspaper of record.

**3. DURATION:**

That the issuance of this emergency, as proclaimed by the Mayor herein, is consistent with the actions of the Taos Town Council taken on March 13, 2020 under *Resolution 20-10 Declaration of Health Emergency for the Town of Taos* declaring a state of emergency and empowering the Mayor and Town Manager to take all measures required for the health, safety and welfare of the town and its residents.

That said proclamation by the Mayor shall be in effect for 48 hours from its issuance and must, consistent with Section 2.04.040 of the Town Code, be affirmed by a majority vote of the Town Council prior to its expiration at a Special Meeting at 6pm on Friday, April 3rd, 2020 to be conducted and televised electronically, consistent with the directives of the Attorney General of the State of New Mexico to local governments for the conducting of meetings during this crises, and may be extended by the action of the Council in 48 hour increments by their granting the authority to the Mayor through Resolution 20-10 on March 13, 2020 *Declaration of Health Emergency for the Town of Taos* and Resolution 20-13 *Reaffirming and Extending a Declaration of Civil and Health Emergency for the Town of Taos* on April 3, 2020 to renew the proclamation of health emergency, declaring a health emergency and a daily curfew as long as required, or until either the Mayor or Council rescind said proclamation.

**4. EFFECTIVE DATE:**

This proclamation of civil emergency and the accompanying declared curfew shall become effective at 10pm, Thursday, April 2, 2020

Proclaimed and declared this 2nd day of April, 2020.

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**PUBLIC HEALTH ORDER  
NEW MEXICO DEPARTMENT OF HEALTH  
CABINET SECRETARY KATHYLEEN M. KUNKEL**

**MARCH 23, 2020**

**Public Health Emergency Order Closing All Businesses and Non-Profit  
Entities Except for those Deemed Essential and  
Providing Additional Restrictions on Mass Gatherings Due to COVID-19**

**WHEREAS**, on March 11, 2020, because of the spread of the novel Coronavirus Disease 2019 (“COVID-19”), Michelle Lujan Grisham, the Governor of the State of New Mexico, declared that a Public Health Emergency exists in New Mexico under the Public Health Emergency Response Act, and invoked her authority under the All Hazards Emergency Management Act;

**WHEREAS**, COVID-19 continues to spread in New Mexico and nationally. Since, Executive Order 2020-004 was issued, COVID-19 infections in the United States have increased from 1,000 confirmed cases to over 30,000 confirmed cases;

**WHEREAS**, the further spread of COVID-19 in the State of New Mexico poses a threat to the health, safety, wellbeing and property of the residents in the State due to, among other things, illness from COVID-19, illness-related absenteeism from employment (particularly among public safety and law enforcement personnel and persons engaged in activities and businesses critical to the economy and infrastructure of the State), potential displacement of persons, and closures of schools or other places of public gathering;

**WHEREAS**, social distancing is the sole way New Mexicans can minimize the spread of COVID-19 and currently constitutes the most effective means of mitigating the potentially devastating impact of this pandemic in New Mexico; and

**WHEREAS**, the New Mexico Department of Health possesses legal authority pursuant to the Public Health Act, NMSA 1978, Sections 24-1-1 to -40, the Public Health Emergency Response Act, NMSA 1978, Sections 12-10A-1 to -10, the Department of Health Act, NMSA 1978, Sections 9-7-1 to -18, and inherent constitutional police powers of the New Mexico state government, to preserve and promote public health and safety, to adopt isolation and quarantine, and to close public places and forbid gatherings of people when deemed necessary by the Department for the protection of public health.

**NOW, THEREFORE, I**, Kathyleen M. Kunkel, Cabinet Secretary of the New Mexico Department of Health, in accordance with the authority vested in me by the Constitution and the Laws of the State of New Mexico, and as directed by the Governor pursuant to the full scope of her emergency powers under the All Hazard Emergency Management Act as invoked through

**OFFICE OF THE SECRETARY**

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Executive Order 2020-004, do hereby declare the current outbreak of COVID-19 a condition of public health importance as defined in the New Mexico Public Health Act, NMSA 1978, Section 24-1-2(A) as an infection, a disease, a syndrome, a symptom, an injury or other threat that is identifiable on an individual or community level and can reasonably be expected to lead to adverse health effects in the community, and that poses an imminent threat of substantial harm to the population of New Mexico.

The following definitions are adopted for the purposes of this Order:

Definitions: As used in this Public Health Order, the following terms shall have the meaning given to them, except where the context clearly requires otherwise:

(1) “Condition of public health importance” means an infection, a disease, a syndrome, a symptom, an injury or other threat that is identifiable on an individual or community level and can reasonably be expected to lead to adverse health effects in the community.

(2) “Disease” means an illness, including those caused by infectious agents or their toxic products which may be transmitted to a susceptible host.

(3) “Essential business” means any business or non-profit entity falling within one or more of the following categories:

- a. Health care operations including hospitals, walk-in-care health facilities, emergency veterinary and livestock services, pharmacies, medical wholesale and distribution, home health care workers or aides for the elderly, emergency dental facilities, nursing homes, residential health care facilities, research facilities, congregate care facilities, intermediate care facilities for those with intellectual or developmental disabilities, supportive living homes, home health care providers, and medical supplies and equipment manufacturers and providers;
- b. Homeless shelters, food banks, and other services providing care to indigent or needy populations;
- c. Childcare facilities necessary to provide services to those workers employed by essential businesses and essential non-profit entities;
- d. Grocery stores, all food and beverage stores, supermarkets, food banks, farmers’ markets and vendors who sell food, convenience stores, and other businesses that generate the majority of their revenue from the sale of canned food, dry goods, fresh fruits and vegetables, pet food, feed, and other animal supply stores, fresh meats, fish, and poultry, and any other household consumer products;
- e. Farms, ranches, and other food cultivation, processing, or packaging operations;

- f. All facilities used by law enforcement personnel, first responders, firefighters, emergency management personnel, and dispatch operators;
- g. Infrastructure operations including, but not limited to, public works construction, commercial and residential construction and maintenance, airport operations, public transportation, airlines, taxis, private transportation providers water, gas, electrical, oil drilling, oil refining, natural resources extraction or mining operations, nuclear material research and enrichment, those attendant to the repair and construction of roads and highways, solid waste collection and removal, trash and recycling collection, processing and disposal, sewer, data and internet providers, data centers, technology support operations, and telecommunications systems;
- h. Manufacturing operations involved in food processing, manufacturing agents, chemicals, fertilizer, pharmaceuticals, sanitary products, household paper products, microelectronics/semi-conductor, primary metals manufacturers, electrical equipment, appliance, and component manufacturers, and transportation equipment manufacturers;
- i. Services necessary to maintain the safety and sanitation of residences or essential businesses including security services, custodial services, plumbers, electricians, and other skilled trades;
- j. Media services including television, radio, and newspaper operations;
- k. Gas stations, automobile repair facilities, and retailers who generate the majority of their revenue from the sale of automobile repair products;
- l. Hardware stores;
- m. Laundromats and dry cleaner services;
- n. Utilities, including their contractors, suppliers, and supportive operations, engaged in power generation, fuel supply and transmission, water and wastewater supply;
- o. Funeral homes, crematoriums and cemeteries;
- p. Banks, credit unions, insurance providers, payroll services, brokerage services, and investment management firms;
- q. Real estate services including brokers, title companies, and related services.
- r. Businesses providing mailing and shipping services, including post office boxes;

- s. Laboratories and defense and national security-related operations supporting the United States government or a contractor to the United States government;
- t. Restaurants, but only for delivery or carry out and local breweries or distillers but only for carry out;
- u. Professional services, such as legal or accounting services, but only where necessary to assist in compliance with legally mandated activities; and
- v. Logistics and businesses that store, ship or deliver groceries, food, goods or services directly to residences or retailers.

(4) "Individuals" means natural persons.

(5) "Gathering" means any grouping together of individuals in a single connected location.

(6) "Mass gathering" means any public or private gathering that brings together five (5) or more individuals in a single room or connected space, confined outdoor space or an open outdoor space where individuals are within six (6) feet of each other, but does not include the presence of five (5) or more individuals where those individuals regularly reside. "Mass gathering" does not include "individuals" congregated in a church, synagogue, mosque, or other place of worship.

**I HEREBY DIRECT AS FOLLOWS:**

- (1) All Mass Gatherings are hereby prohibited under the powers and authority set forth in the New Mexico Public Health Act, and all regulations promulgated pursuant thereto.
- (2) All businesses, except those entities identified as "essential businesses", are hereby directed to reduce the in-person workforce at each business or business location by 100%. "Essential businesses" may remain open provided they minimize their operations and staff to the greatest extent possible. Further, all essential businesses shall, to the greatest extent possible, adhere to social distancing protocol and maintain at least six-foot social distancing from other individuals, avoid person-to-person contact, and direct employees to wash their hands frequently. Further, all essential businesses shall ensure that all surfaces are cleaned routinely.
- (3) This Order only requires the closure of physical office spaces, retail spaces, or other public spaces of a business and does not otherwise restrict the conduct of business operations through telecommuting or otherwise working from home in which an employee only interacts with clients or customers remotely.
- (4) All casinos and horse racing facilities shall close during the pendency of this Order. This directive excludes those casinos operating on Tribal lands.

- (5) Hotels, motels, RV parks, and other places of lodging shall not operate at more than fifty percent of maximum occupancy. Health care workers who are engaged in the provision of care to New Mexico residents or individuals utilizing lodging facilities for extended stays or as temporary housing shall not be counted for purposes of determining maximum occupancy.
- (6) All call centers situated in New Mexico are directed to reduce their in-person workforce by 100%.
- (7) The New Mexico Department of Public Safety, the New Mexico Department of Homeland Security and Emergency Management, the Department of the Environment, and all other State departments and agencies are authorized to take all appropriate steps to ensure compliance with this Order.
- (8) All public and private employers are required to comply with this Order and any instructions provided by State departments or agencies regarding COVID-19.
- (9) In order to minimize the shortage of health care supplies and other necessary goods, grocery stores and other retailers are hereby directed to limit the sale of medications, durable medical equipment, baby formula, diapers, sanitary care products, and hygiene products to three items per individual. NMSA 1978, § 12-10A-6 (2012).

**I FURTHER DIRECT** as follows:

- (1) This Order shall be broadly disseminated in English, Spanish and other appropriate languages to the citizens of the State of New Mexico.
- (2) This Order declaring restrictions based upon the existence of a condition of public health importance shall not abrogate any disease-reporting requirements set forth in the New Mexico Public Health Act.
- (3) This Order shall remain in effect for the duration of Executive Order 2020-004. This Order may be renewed consistent with any direction from the Governor.

**I FURTHER ADVISE** the public to take the following preventive precautions:

- **New Mexico citizens should stay at home and undertake only those outings absolutely necessary for their health, safety, or welfare.**
- Retailers should take appropriate action consistent with this order to reduce hoarding and ensure that all New Mexicans can purchase necessary goods.
- Avoid crowds.
- Avoid all non-essential travel including plane trips and cruise ships.

**THIS ORDER** amends the Public Health Emergency Order to Limit Mass Gatherings Due to COVID-19 issued on March 19, 2020, supersedes any other previous orders, proclamations, or directives in conflict.

ATTEST:

*Maggie Toulouse Oliver*

MAGGIE TOULOUSE OLIVER  
SECRETARY OF STATE



DONE AT THE EXECUTIVE OFFICE  
THIS 24TH DAY OF MARCH 2020

WITNESS MY HAND AND THE GREAT  
SEAL OF THE STATE OF NEW MEXICO

*Kathleen M. Kunkel*

KATHYLEEN M. KUNKEL  
SECRETARY OF THE STATE OF NEW MEXICO  
DEPARTMENT OF HEALTH