



RESOLUTION 20-27

AMENDMENT TO RESOLUTION 20-10 DECLARATION OF HEALTH EMERGENCY FOR THE TOWN OF TAOS

WHEREAS, the CDC and NM Health Department have determined and directed that the most effective public health prevention and mitigation mechanisms available for reducing the spread and impact of the COVID-19 pandemic are the implementation of and public compliance with the mandatory wearing of face coverings and the maintaining of social distancing; and

WHEREAS, cases of the virus, hospitalizations, and deaths in the United States, New Mexico and Taos continue to increase; and

WHEREAS, states surrounding New Mexico, including Arizona, Texas, and Utah, that have relaxed or failed to enforce face covering and social distancing guidelines, as well as stay at home rules, are now once again reaching record levels and epidemic proportions of new cases and hospitalizations, and;

WHEREAS, as confirmed by the New Mexico Governor, Epidemiologist and Health Department, the increasing levels of infection and lack of public health constraints in adjacent states are impacting rates in New Mexico due to New Mexico residents visiting those states and increased rates of tourism to New Mexico by residents of those states, and;

WHEREAS, Taos historically is a primary destination for tens of thousands of visitors from Texas, Arizona, Florida, Georgia, Utah, California and other highly infected states and so far, appears to be being visited by increasing numbers of persons of states with high infection rates who either don't have in their home states or are refusing to comply with such essential public health protections as the wearing of face coverings and the maintaining of social distancing, and;

WHEREAS, it is the primary constitutional responsibility and authority of elected officials and municipalities in the State of New Mexico to protect the health, safety and welfare of its residents,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TAOS, BY THIS RESOLUTION THAT WE THE ELECTED OFFICIALS DO HEREBY DECLARE, AS FOLLOWS:

1. That, Town of Taos RESOLUTION 20-10 DECLARATION OF HEALTH EMERGENCY FOR THE TOWN OF TAOS is hereby amended as follows:
 - A. That the Town of Taos does hereby require that all person's age 4 and older shall be required to wear face coverings when in a public place, including stores, restaurants, offices, all for-profit and non-profit organizations, churches, medical facilities, streets, parks, schools, public and private gatherings, with the exceptions while drinking, eating and exercising. This order shall apply to all businesses and their employees, all customers, tourists, and any person outside of their own home, dwelling or residential unit, regardless of whether they are full-time, part-time, out-of-state or out-of-town residents.
 - B. That all employers and all owners of any facility open to the public, including all stores, restaurants, offices, for-profit and non-profit organizations, churches, galleries, museums, medical facilities, public facilities, parks, and schools, shall provide such physical, informational and supervisory measures as required in order to assure social distancing (a minimum of a 6 ft. radius between all persons) is maintained between all persons at all times. Additionally, any visitor, customer, client, patron, employee, attendee and any person in a public setting, place or gathering shall be required to maintain social distancing between themselves and every other person they encounter.
 - C. That (a.) violation of this public order shall be reportable to the Town of Taos Code Enforcement Office, (b.) violators may be issued a verbal or written warning by any duly designated law enforcement or code officer of the Town, (b.) violators may be issued a municipal citation and be required to appear in municipal court, and (c.) violations may be punishable as a misdemeanor with a fine of up to \$500 and any applicable court costs and up to 90 days in jail.
 - D. That the Mayor and Council do hereby direct staff to develop and offer to all businesses and to post in conspicuous public places, including hotels, government buildings, parks, Taos Plaza, and on Town local and tourism websites, a poster bearing the Town seal that outlines the public health directives of this and other applicable Town emergency resolutions currently in force, including mandatory face covering and social distancing requirements.
 - E. That the Mayor and Council direct that all relevant public health and safety restrictions in place be posted and noticed to the public at the primary entrances of the Town so that those from out of Town are made aware of them before entering the Town.

2. That, the Council reaffirms the PROCLAMATION OF CIVIL EMERGENCY declared by the Mayor of the Town of Taos on April 2, 2020 and as amended on June 30, 2020 and reaffirms and reauthorizes all those powers, actions and authorities granted by the Council in RESOLUTION 20-10 DECLARATION OF HEALTH EMERGENCY FOR THE TOWN OF TAOS, with the exception of the following:
 - A. Trainings, meetings and public hearings required for staff, the completion of Town plans and in order to meet state and statutory requirements or deadlines may be conducted electronically as necessary in compliance and conformance with the guidelines of the New Mexico Attorney General and all other applicable public health and safety orders and guidelines.
 - B. Facilities, programs and activities previously closed by order of the Council for public health and safety or resulting budgetary reasons related to the virus may be reopened at such time and conditions as required to so safely and within existing budget constraints upon submission of an approved reopening plan to the Town Manager, Town Finance Director, the Taos Emergency Management Committee and the Mayor, and with the advice and consent of Council. Such reopening guidelines shall meet the most recent CDC, NM Health Department, NM Environment Dept. and all other applicable orders, regulations, guidelines and best practices.

PASSED, APPROVED and ADOPTED, this 30th day of June, 2020, at a Special Meeting of the Town Council by the following vote:

Mayor Pro Tem Nathaniel Evans	<u>yes</u>
Councilmember Darien Fernandez	<u>yes</u>
Councilmember George “Fritz” Hahn	<u>yes</u>
Councilmember Pascualito Maestas	<u>yes</u>

TOWN OF TAOS

Daniel R. Barrone, Mayor

ATTEST:

APPROVED AS TO FORM

Francella Garcia, Town Clerk

Stephen C. Ross, Town Attorney