

'Stay at home' advisory: Tucson mayor orders 'non-essential' biz to close due to CV-19

Romero orders many retail, service businesses to shut down during coronavirus outbreak

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Businesses that are not on the state list of 'essential services' must close in Tucson due to the continuing spread of coronavirus, Mayor Regina Romero ordered, further advising residents to remain at home and that nail salons and barber shops should shut down.

The closure order affects businesses as varied as general retail shops, many service businesses and various call centers. Take-out and delivery service from restaurants will still be allowed.

The order takes effect at 8 a.m. Saturday and will last through at least April 17.

"We have to go through this to save lives," Romero told a group of reporters during a phone interview Friday evening. "Tucsonans have been very responsive and responsible."

From Romero's proclamation, signed Friday at 5:45 p.m. (http://www.tucson sentinel.com/documents/doc/032720_tucson_coronavirus_doc/)

Strongly advises all persons in Tucson to STAY AT HOME except as may be needed to address essential needs (like getting food and prescriptions, traveling to work if employed in an Essential Function, and getting some exercise and fresh air);

Orders all businesses and establishments that are not Essential Functions (as defined by the Governor's Executive order issued Monday) to close to the public, effective 8 am Saturday, March 28th and through Friday, April 17th;

Strongly advises that certain businesses and establishments that the Governor's Executive Order 2020-12 defines as "essential functions" also close to the public, because those businesses and functions are not in fact critical or essential during this pandemic emergency and involve human interactions that conflict with Social Distancing Requirements and CDC guidance on social distancing. Specifically, the following businesses are advised to close to the public: hair and nail salons, spas, barber shops, and other "personal hygiene services."

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Strongly advises that all persons, at all times, practice and adhere to Social Distancing Requirements, even when engaged in Essential Functions; and encourages all businesses, including those providing Essential Functions, to allow their employees to work from home through telecommuting or other means to the greatest extent possible in order to limit the gathering of employees at the work site.

Romero's order comes as 4 Pima County residents have have died from COVID-19 and more than 100 have been reported as confirmed diagnosed cases of the virus.

The call to order businesses to close and urge Tucson residents to stay at home was made because of the increasing numbers of reported cases, Romero said.

Read the complete order: Proclamation: Romero orders non-essential Tucson businesses to close (http://www.tucson sentinel.com/documents/doc/032720_tucson_coronavirus_doc/)

What's closed & not closed in Tucson

Monday, Gov. Doug Ducey listed dozens of business types (http://www.tucsonsentinel.com/local/report/032320_essential_services_cv/ducey-order-lists-essential-services-during-cv-19-pandemic/) that are deemed "essential" during any government-ordered closures, either by the state or local jurisdictions.

Healthcare, pharmacies, utilities and Internet services, grocery stores and gas stations, the press, banks and hardware stores and more are listed as "essential services" during the coronavirus outbreak.

Under Ducey's order, counties and municipalities cannot restrict services announced as essential more than state authorities determine.

Also included on Ducey's list are restaurants doing take-out/delivery business, meaning counties and cities are unable to reach an independent decision to end retail sales of prepared food.

Other businesses included as "essential" under Ducey's order are: liquor stores, gun stores, taxis and Uber/Lyft drivers, day care for employees of essential service businesses, building trades and maintenance workers, golf courses and outdoor recreation such as parks, and funeral-related businesses.

See the sidebar for more businesses that are not ordered to close in Tucson.

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Romero and City Attorney Mike Rankin said that the city's power to close certain businesses was limited by Ducey's executive order laying out "essential services" earlier in the week, and that businesses that are unsure if they are affected should contact the governor's office for clarification.

The order strongly advises that hair and nail **salons, spas, barber shops** and other "personal hygiene services," as defined by Ducey's executive order, also be closed during the period of her proclamation. Although Ducey defined these businesses as "essential," Romero recommended that they close because they involve human interactions that conflict with CDC guidance on social distancing.

Closed under the order are **general retail stores** that don't sell items on the list of "essentials" put out by Ducey earlier in the week, along with many service industries.

Call centers are ordered closed, unless they offer support to businesses on the "essential" list, Rankin said.

Under [state law](#), mayors have the power to declare states of emergency and close certain businesses, impose curfews, and declare areas off-limits. Under Tucson's City Charter, the mayor may rule by decree in times of "great danger."

Business owners and managers who violate the proclamation can be cited for a class 1 misdemeanor.

"Hopefully we don't have to issue citations," Rankin said Friday evening. "We're going to educate and notice before we do citations."

"The right thing to do here is to try to stop the spread of this virus," he said, telling reporters that the city is counting on businesses to do the right thing.

The city order covers "every business or establishment that is not defined as an essential function under the governor's order," Rankin said, stating that "it's the responsibility of folks who operate establishments" to know if they're covered by the statewide order.

"Our approach will be, if there's a gray area, we'll talk to the operator about what they do" at the business location, to determine if that function has been deemed "essential."

Local leaders urge governor on 'stay at home' order, biz closure

Romero and the rest of the Tucson City Council earlier in the week urged Ducey to issue a "shelter in place" order for the state, to stem the growth of the disease. The Pima County Board of Supervisors on Thursday also voted 4-1 to gently urge Ducey to announce a "stay at home" order.

Ducey has repeatedly downplayed the need for such an order, saying "Arizona's not there yet."

"I think we are shut down," the Republican governor said during a KTAR radio interview Friday afternoon. "I think people are indoors... there's very little traffic on the I-10," he said, describing the view out his office window from atop the Arizona Capitol complex.

"In the absence of clear statewide direction, we are taking swift action at the local level to protect the health and well-being of Tucsonans," Romero said. "We cannot afford to wait any longer; COVID-19 is not waiting and neither can we. If Gov. Ducey is unwilling to take decisive action at the state level, then he needs to untie the hands of local jurisdictions and allow us to make decisions that are best for our individual communities. This is particularly critical with respect to the operations of 'personal hygiene' and other services that conflict with CDC social distancing guidelines and could jeopardize public health."

Romero said that she contacted Ducey's office prior to issuing the proclamation, to inform them of the action she intended to take.

The mayor did not speak to the governor, and didn't elaborate on any response she got from the state.

Romero said that city officials have been in close contact with state authorities throughout the coronavirus outbreak.

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Businesses closed until after Easter

Romero said she ordered that the proclamation be in effect until April 17 to put the end date after Easter.

People are "hearing Trump encouraging people to get out and do Easter activities, saying 'everything's OK by Easter,'" she said.

Romero said she made the call to order businesses to close because of the "number of COVID-19 cases in Pima County and throughout the state."

"I'm concerned about overwhelming our hospitals; we take that very seriously," she said.

Romero, who began her first term as mayor just months before the outbreak after serving on the City Council, said that she and city officials will continue to review the situation, and potentially issue a stronger "stay and home"/"shelter in place" order to restrict movement if conditions worsen and Ducey does not take further action.

"The mayor's interpretation and recommendation is the best course of action for the city," said Councilman Paul Cunningham on Friday evening as Romero announced the closure.

"It isn't her fault the governor has refused to take decisive action," said the East Side Democrat.

Ducey "mentions the CDC and health care professionals," said Councilman Steve Kozachik. "The reality is that he's ignoring the advice of every health care professional in the country, including his own. They all say that without comprehensive and quick action, this thing is going to spread and will overwhelm our health care system. We're already seeing it."

"This is for real," he told TucsonSentinel.com. "I wish we could've done more."

"Ducey's absurd list of 'essentials' — paint shops, barber shops, rental cars, liquor stores — makes local actions less effective than they should be," said the Midtown Democratic councilman. "How many deaths, including patients, health care workers and first responders will it take for him to understand that there's no guess work left in this?"

Ducey needs to "take some hand sanitizer to that list of essentials and clean it up a bit," Kozachik said.

"It's the right thing to do," said Richard Elías, chairman of the Pima County Board of Supervisors. "Regina's doing the right thing — she's got a Charter and a different set of powers" at the city than county leaders do.

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"We're a ward of the state," he said, noting that if he could, he would likely issue a similar order.

"Hopefully Ducey does so this weekend," Elías said.

4 deaths in Pima County

Two more Pima County residents have died of COVID-19: a man and a woman, both in their 80s. Each had "medical conditions that may have put them at higher risk for severe illness," officials said Friday.

The first case of a CV-19 patient under age 18 was also reported here, with the number of confirmed cases in the county topping 100.

102 Pima County residents have been diagnosed with coronavirus, with 4 deaths here.

"People who are older and those with other medical conditions should take extra precautions to protect themselves," officials said.

Another 157 cases were added to the total count of reported diagnosed patients with CV-19 in the state, officials said Friday morning

Thursday, just more than 500 Arizona cases had been reported, with 75 in Pima County. There are now 665 total reported cases in the state, although testing is still very limited and officials warn there are many more undiagnosed cases.

13 people have died in the state from COVID-19, including 4 in Pima County — the latest of those deaths was revealed Friday morning. 5 people have died in Maricopa County. Officials are now saying the virus has reached "widespread transmission" across the state.

"We need to act like every contact we have is a source of infection," county Chief Medical Officer Dr. Francisco Garcia told the Pima County Board of Supervisors on Thursday, telling everyone to reduce their interactions outside their homes as much as possible.

Limited data on limited tests

Health officials have repeatedly said that the number of reported cases is just a fraction of the number of Arizonans who are carrying COVID-19. With limited testing capacity still, only the sickest people with known possible coronavirus contacts have been being tested.

Many people carry the virus without developing symptoms for days, but still spread it to others they come in contact with — which is why doctors and public health experts repeatedly emphasize that people should remain at home as much as possible to help contain the outbreak.

Mayors 'flabbergasted'

At a special meeting of the Tucson City Council on Tuesday, Mayor Regina Romero and the six councilmembers tried to sort through Ducey's directives, questioning City Manager Mike Ortega and City Attorney Mike Rankin about the ongoing response here and the city's options under the various executive orders.

Romero rhetorically questioned some of the determinations by the governor, such as declaring golf courses and nail salons as "essential."

Arizona mayors Tuesday questioned Gov. Doug Ducey's inclusion of golf courses, pawnshops, laundries and other businesses in the definition of "essential services" that local governments would be barred from closing in response to the coronavirus.

Flagstaff Mayor Coral Evans, who [wrote to Ducey](#) along with Tucson Mayor Regina Romero and mayors from Somerton, Tolleson and Winslow, said she understood why hospitals, groceries and gas stations were on the list, but that she and others were "flabbergasted" by some of the other choices.

[Ducey ordered](#) the closure last Friday of bars, dine-in restaurants, theaters and gyms in counties with [confirmed cases](#) of the coronavirus. The virus has now spread to 13 of Arizona's 15 counties.

While states like Missouri and Iowa have fewer confirmed coronavirus cases than Arizona, they have stricter restrictions, prohibiting gatherings of 10 or more people, for example, Arizona only has recommended that people limit gatherings to 10 or fewer people. Ducey said Arizona officials will "continue to escalate as necessary" depending on levels of spread and risk.

Phoenix Mayor Kate Gallego did not sign on to the letter with the other mayors, but said Tuesday that mayors need to be allowed to make decisions in the best interests of their residents. She said she did "not think this executive order is sustainable."

"We want to work with you, but we need the ability to implement common sense precautions to help support our residents," she said she would tell Ducey. "I believe we ought to be able to put in common sense safety precautions at the city level or to make different decisions about how we allocate resources."

Correction: An earlier version of this story incorrectly reported the vote tally of the supervisor's decision to urge Ducey to issue a "stay at home" order.