

# Office of the Mayor

KENNETH D. MIYAGISHIMA  
MAYOR

CITY OF LAS CRUCES

CITY OF LAS CRUCES

## PROCLAMATION OF EMERGENCY 2020-03

**WHEREAS**, pursuant to LCMC Art. III, Sec. 9-35, Emergency Declaration Ordinance, the Mayor has the authority to proclaim that a state of emergency exists in the municipality, after consultation with the emergency manager, chief of police, or fire chief; and

**WHEREAS**, such proclamation allows the Mayor to prohibit and/or require certain actions to maintain the public peace, health, welfare, or safety, and if desired, to request that the Governor of New Mexico proclaim a state of emergency pursuant to the Riot Control Act; and

**WHEREAS**, on April 7, 2020, an Emergency Proclamation was issued by Mayor Kenneth Miyagishima, and was extended and approved by the City Council on April 10, 2020 and again on April 24, 2020; and

**WHEREAS**, the Emergency Proclamations support and reiterate Governor Michelle Lujan Grisham's Executive Orders tied to the public health emergency created by the novel coronavirus disease which has been referred to as "COVID-19"; and

**WHEREAS**, the Governor's Executive Orders and the City of Las Cruces Emergency Proclamations have been implemented as emergency measures intended to slow the spread of COVID-19 and to reduce the potentially devastating effects of the disease; and

**WHEREAS**, the City of Las Cruces continues to be supportive and cooperative with the Governor's Executive Orders and on May 28, 2020, the Governor issued guidelines for limited reopening for dine-in restaurants, indoor malls, gyms, salons and more; and

**WHEREAS**, in addition to the Governor's recently issued guidelines, the City issues the following requirements for the applicable businesses.

**NOW THEREFORE**, I, Kenneth Miyagishima, Mayor of the City of Las Cruces, New Mexico, hereby invoke LCMC Sections 9-35 through 9-41, to preserve the peace, health, welfare, and safety in the City of Las Cruces, consistent with the above guidance and information. In particular, I am invoking the following actions:

- I. I order the following:
  - a. Requirements for restaurants:
    1. Must utilize disposable menus;
    2. No self-serve stations, i.e. Ketchup, Mustard etc.;
    3. Tables to be sanitized after each party leaves;
    4. Tables must be 8 feet apart on all sides;
    5. Employees/Staff must wear face coverings;

6. Maximum occupancy 25% inside and 50% first 30 days, then 50%/75% respectively;
  7. Must place hand sanitizer stands at all entrances.
- b. Requirements for theaters:
1. Must disinfect entire auditorium after each showing, [Foggers are recommended];
  2. Must skip every other row;
  3. Patrons must maintain 8 feet distance, immediate family members may sit together (Max 6 people);
  4. Must purchase tickets online only for the first 30 Days;
  5. Employees/Staff must wear face coverings;
  6. Maximum occupancy 25%;
  7. Must place hand sanitizer stands at all entrances;
  8. No self-serve stations, i.e. Ketchup, Mustard, Butter etc.
- c. Requirements for gyms
1. Exercise machines only, no free weights;
  2. Occupancy limited to number of stationary machines; for Example, 5 Treadmills, 5 exercise bikes, 5 stair masters, 5 elliptical machines (20 machines) will equal 20 person maximum;
  3. Must place hand sanitizer stands at all entrances;
  4. Employees/Staff must wear face coverings;
  5. Machines must be wiped down or sanitized after every use.
- d. Requirements for hair/ nail salons:
1. Must install plexiglass barriers around each workstation or provide 6 feet spacing between booths;
  2. Must provide contactless payment and receipts;
  3. Require clients to wear face coverings during service;
  4. Recommended the use of face shields, in addition to appropriate face coverings by those employees providing shampoo services and other services requiring face-to-face interaction;
  5. Recommended screening of employees and customers with a no-contact thermometer; individuals with a temperature reading above 100.4°F should be denied entry;
  6. Recommended staggered work schedules to lower workplace density;
  7. Sanitize exposed touchpoints after every individual appointment;
  8. Recommended at least 15 minutes between the conclusion of an appointment and the beginning of the next appointment for proper disinfecting practices.
  9. No group appointments permitted.

10. Require clients to wash their hands or use hand sanitizer before providing nail service;

II. Effective Date

I hereby declare that this Proclamation will become effective upon my signature and direct the City Manager to disseminate the contents hereof to the public by appropriate news media, government media and website, and other means available.

III. Term.

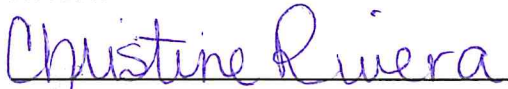
This Proclamation of Emergency may be extended for such additional periods of time as determined necessary by Resolution of the Governing Body of the City of Las Cruces, New Mexico.

DONE at Las Cruces, New Mexico this 29 day of MAY, 2020, at the hour of 3:30 PM (MST).



KENNETH MIYAGISHIMA, MAYOR  
City of Las Cruces, New Mexico

ATTEST:



CHRISTINE RIVERA, CITY CLERK

