



Office of the Mayor

KENNETH D. MIYAGISHIMA
MAYOR

CITY OF LAS CRUCES

CITY OF LAS CRUCES PROCLAMATION OF EMERGENCY 2021-01

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, Governor Michelle Lujan Grisham issued Executive Order 2021-012 Renewing the State of Public Health Emergency Initially Declared in Executive Order 2020-004, Other Powers Invoked In That Order, and All Other Orders and Directives Contained in Executive Orders Tied to the Ongoing Public Health Emergency; and

WHEREAS, on May 14, 2021, the Secretary of the State of New Mexico Department of Health, Tracie Collins M.D., issued the Public Health Emergency Order Clarifying that Current Guidance Documents, Advisories, and Emergency Public Health Orders Remain in Effect; and Amending Prior Public Health Orders to Impose County-to-County Restrictions Due to COVID-19; 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, the Emergency Public Health 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

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. The City of Las Cruces remains in a state of public health emergency and shall continue to implement and follow the guidelines issued in the Executive Order 2021-012 and Public Health Order issued on May 14, 2021.

b. That individuals entering all City of Las Cruces facilities, including Community of Hope, public transportation such as Dial a Ride and transit, and the Las Cruces International Airport, shall wear facial coverings in accordance with All Together New Mexico COVID Safe Practices.

c. Indoor Face Covering Requirements

i. The City shall continue to follow and implement the Reopening Metrics and Baseline Directives issued in the May 14, 2021, New Mexico Department of Health Public Health Order, except that face coverings will be required in all City of Las Cruces public facilities. Fully vaccinated individuals are not required to wear a face covering unless otherwise recommended by the latest official guidance from the CDC, in which case they must follow that guidance.

d. Outdoor Face Covering Requirements

i. The City shall continue to follow and implement the Reopening Metrics and Baseline Directives issued in the May 14, 2021, New Mexico Department of Health Public Health Order.

ii. The May 14, 2021 Public Health Order states in part; “Unless a healthcare provider instructs otherwise, all individuals shall wear a mask or multilayer cloth face covering in public settings except when: eating or drinking; exercising outdoors alone or with members of the same household; attending a small, outdoor gathering of fully vaccinated individuals no larger than the applicable mass gathering limit for the county or twenty (20) individuals, whichever is less. Notwithstanding the foregoing, fully vaccinated individuals are not required to wear a mask unless otherwise recommended by the latest official guidance from the Centers for Disease Control (CDC).”

iii. Based on the May 14, 2021 Public Health Order, the City of Las Cruces is currently categorized at the Turquoise Level. Mass gatherings of more than one hundred fifty (150) people are prohibited; facial coverings are not required when attending a small outdoor gathering of twenty (20) or fewer individuals who are fully vaccinated. The City will require facial coverings for outdoor City-sponsored activities in accordance with the May 14, 2021, Public Health Order.

e. The City of Las Cruces shall allocate resources that will facilitate safe compliance with the Governor’s Executive Orders, the State of New Mexico Emergency Public Health Orders, and the City of Las Cruces Emergency Proclamations. This includes the enforcement of face covering requirements at City facilities.

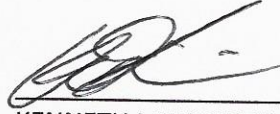
II. Effective Date.

I hereby declare that this Proclamation will become effective on May 21, 2021 at 5:00 p.m. 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 21st day of May 2021, at the hour of 3:55 p.m. (MST).



KENNETH MIYAGISHIMA, MAYOR
City of Las Cruces, New Mexico

ATTEST:



CHRISTINE RIVERA, CITY CLERK

(SEAL)

