



Salt River  
**PIMA-MARICOPA INDIAN COMMUNITY**  
10005 E. OSBORN RD. / SCOTTSDALE, ARIZONA 85256-9722 / PHONE (480) 362-7400

# **LOCAL EMERGENCY DECLARATION**

**\*\*COVID-19\*\***

**Fifth Directive – October 7, 2020**

**A SAFE HALLOWEEN FOR THE COMMUNITY TO REDUCE THE SPREAD OF COVID-19**

**TO PROTECT AND DEFEND THE HEALTH AND WELFARE OF THE ONK AKIMEL O'ODHAM AND XALYCHIDOM PIIPAASH, RESIDENTS, COMMUNITY EMPLOYEES, BUSINESSES AND VISITORS OF THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY BY ISSUING DIRECTIVES FOR A SAFE HALLOWEEN TO REDUCE THE SPREAD OF COVID-19.**

**WHEREAS,** to protect the health and welfare of the Salt River Pima-Maricopa Indian Community (the "Community" or "SRPMIC") on March 18, 2020, a Local Emergency Declaration for COVID-19 was issued followed by the First Directive of April 1, 2020 *Stay Home, No Public Gatherings, Social Distancing*, the Second Directive of June 19, 2020 *Keep the Community Safe—Wear Face Coverings*, the Third Directive of July 22, 2020 *Curfew to Reduce the Spread of Covid-19*, and the Fourth Directive of July 29, 2020 *Closing of the Verde River/Salt River ("Red Mountain River Area") to Reduce the Spread Of Covid-19* (the "SRPMIC Directives") to lessen the impacts of the COVID-19 pandemic; and

**WHEREAS,** on January 30, 2020, the World Health Organization declared the COVID-19 virus a public health emergency of international concern and Arizona Governor Douglas Ducey declared a state of emergency for the State of Arizona on March 11, 2020 and has issued subsequent directives including EO 2020-43 *Pausing of Arizona's Reopening* issued on June 29, 2020 and the EO 2020-52 the *Continuation of EO 2020-43* on July 23, 2020 (the "Arizona Directives"); and

**WHEREAS,** the COVID-19 outbreak continues to be an immediate threat to the life, public health, safety, welfare and economic viability of the Community, the state and the world and the Community shall continue its efforts to further limit potential exposure to slow the spread of the COVID-19 virus; and

**WHEREAS,** as of October 7, 2020 the Arizona Department of Health Services and local public health departments have identified 221,070 cases of COVID-19 with 5,707 deaths in the state and within the Community 409 cases of COVID-19 have been identified and 19 deaths; and

**WHEREAS,** COVID-19 poses a serious public health threat within the Community for infectious disease spread to the Onk Akimel O’Odham and Xalychidom Piipaash, residents, Community employees, businesses and visitors if proper precautions recommended by public health officials are not followed; and

**WHEREAS,** the SRPMIC Health and Human Services Department (“HHS”) reports that the Community experiences spikes in COVID-19 positive cases over holiday weekends:

Positive COVID-19 Cases				
Observed Holiday	Last SRPMIC COVID-19 Report prior to Holiday	14 Days Post Holiday	New Cases	% Increase
Memorial Day	11	27	16	145%
Fourth of July	98	197	99	101%
Labor Day	352	397	45	13%

**WHEREAS,** HHS reports that two weeks post each observed holiday the increase in cases collectively accounts for 31.5% of total COVID-19 cases (160 cases/508 cases=31.5%) within the Community and a Halloween without restrictions would follow similar results; and

**WHEREAS,** the Community desires to remind everyone that the SRPMIC Directives remain in effect and to enjoy the Halloween season in a safe manner to reduce the spread of COVID-19 which is spread most often through direct person-to-person contact; and

**WHEREAS,** pursuant to the local emergency declaration process under Chapter 1, Article V, Section 1-500 of the Community’s Code of Ordinances, additional measures are required to safeguard the Onk Akimel O’Odham and Xalychidom Piipaash, residents, Community employees, businesses and visitors of the Community from the COVID-19 pandemic by putting in place reasonable measures to maintain order and protect lives; and

**WHEREAS,** the Community, working with its combined strength, unity and commitment, will work to protect the health and welfare of the Community against COVID-19.

**NOW THEREFORE,** pursuant to the SRPMIC Local Emergency Declaration for COVID-19 of March 18, 2020, I, along with the Council, hereby issue a Fifth Directive for the Community for Halloween 2020:

- **No trick-or-treating or haunted houses for Halloween 2020. No activity that brings people of different households together even if activities are held outdoors.**
- All Halloween 2020 activities are restricted to 10 people or less
- Wear a face covering

- Wash hands regularly with soap and water or clean them with alcohol based hand rub
- Maintain at least six feet distance from persons not of your household
- Avoid touching your face
- Cover your mouth and nose when coughing or sneezing
- Stay home if you feel unwell
- The purpose of these directives is to reduce the risk of exposure to COVID-19 within the Community by protecting the Onk Akimel O'Odham and Xalychidom Piipaash, residents, Community employees, businesses and visitors of this Community.

The previous four SRPMIC Directives remain in effect:

First Directive of April 1, 2020 *Stay Home, No Public Gatherings, Social Distancing:*

- All residents of the Community shall remain at their place of residence unless to seek food and supplies, medical attention, provide direct aide or service for a neighbor or relative, for employment purposes or for other reasonable and necessary needs that follow the Arizona Directives especially daily outdoor exercise for health and well-being.
- Throughout the Community there will be no public gatherings, in-person meetings of any kind, services, programs, etc. of 10 people or more, including funeral and wake services. Exceptions to this directive:
  - a. Gravesite services only may have a maximum of 20 people; or
  - b. If necessary to ensure that the functions of public health and safety continue, Community government departments are exempt from this meeting restriction; and
  - c. Each exception shall ensure physical distancing of individuals by a minimum of 6 feet.

Second Directive of June 19, 2020 *Keep the Community Safe—Wear Face Coverings:*

- All individuals who are 7 years of age or older and within the Community are required to wear face coverings if outside of their residence and are or will be in contact with other individuals who are not from their household whether in a public place, business, restaurants, churches, schools, government facilities, or any space offered to or for use by the public.
- While wearing the face covering, it is essential to still maintain physical distancing as it is the best defense against the spread of COVID-19. Physical distancing means keeping (6) feet distance between individuals who are not in the same household.

Third Directive of July 22, 2020 *Curfew to Reduce the Spread of Covid-19:*

- A curfew will be in place for the Community from 8:00 p.m. until 5:00 a.m. daily beginning on Friday, July 24, 2020 at 8:00 p.m., and during the hours of curfew, all persons should be at their place of residence, except:
  - a. All Community law enforcement, firefighters, paramedics or other medical personnel, as well as any other emergency response personnel authorized by the Community.
  - b. Individuals traveling directly to and from work; attending religious services; commercial trucking and delivery services; obtaining food; caring for a family member, friend, or animal; patronizing or operating businesses;



seeking medical care or fleeing dangerous circumstances; and travel for any of the above services.

- The Community requires residents to stop gatherings among non-household members unless to provide food and supplies, medical attention, direct aide or service for a neighbor or relative to prevent the continued spread of COVID-19 in the Community.
- HHS can issue directives for persons to isolate pending COVID-19 test results or quarantine persons that have tested positive with COVID-19. All persons are required to follow the directives of HHS for the health and safety of the individual and the Community. Failure to follow isolation or quarantine directives issued by HHS is a violation of this directive and is a violation under Section 1-503 of the SRPMIC Code of Ordinances.

*Fourth Directive of July 29, 2020 Closing of the Verde River/Salt River ("Red Mountain River Area") to Reduce the Spread of Covid-19*

- Effective Friday, August 7, 2020 at 8:00 p.m., the Red Mountain River Area is closed except for access by Community members to gather natural materials or for traditional religious purposes of the Onk Akimel O'Odham and Xalychidom Piipaash. The Community adopts this directive to prohibit Community members, guests or trespassers from entering, loitering, swimming, or meeting at the Community's Red Mountain River Area, and to help mitigate, slow and prevent the continued spread of the COVID-19 virus in the Community and to reduce the risk of fires.

Enforcement of the SRPMIC Directives within the Community shall focus first on education and providing guidance issued by the SRPMIC Health and Human Services Department, the Centers for Disease Control and Prevention, or the Arizona Department of Health Services, in order to promote the health and safety of Onk Akimel O'Odham and Xalychidom Piipaash, residents, Community employees, businesses and visitors of this Community as well as to further contain the spread of COVID-19. Individuals shall also be given an opportunity to comply with the SRPMIC Directives before any enforcement action is taken. A continued failure to comply with a SRPMIC Directive is violation under Chapter 1, Article V, Section 1-503 of the SRPMIC Code of Ordinances.

**Sec. 1-503. Violation of a Local Emergency Declaration or Major Disaster Declaration.**

- (a) Civil offense. Any person or business who knowingly or intentionally fails or refuses to obey any lawful order or regulation issued from a Local Emergency Declaration or a Major Disaster Declaration shall be held responsible for a civil offense. A first violation for a person shall result in a fine of two hundred fifty dollars (\$250.00) and a second or subsequent violations for a person shall result in a fine of five hundred dollars (\$500.00). All ordered fines shall be automatically deducted out of the individual's per capita distribution(s) if applicable. If the individual does not receive per capita, the Court shall order the individual to pay the fine by a specified due date determined at the discretion of the Court.

October 8, 2020

Date Signed

SALT RIVER PIMA-MARICOPA  
INDIAN COMMUNITY COUNCIL

  
\_\_\_\_\_  
Martin Harvier, President

Attest:

  
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Erica Harvier, Secretary

