STATE OF ARIZONA
COUNTY OF MARICOPA

REGULATIONS FOR LARGE SPECIAL EVENT PERMITTING IN
UNINCORPORATED MARICOPA COUNTY

WHEREAS, on March 11, 2020, the Governor of the State of Arizona issued a Declaration of
Public Health Emergency due to the necessity to prepare for, prevent, respond to, and mitigate the
spread of COVID-19; and

WHEREAS, COVID-19, a respiratory disease that can result in serious illness or death, is caused
by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously
identified in humans and can spread from person to person; and

WHEREAS, the current scientific understanding of this virus from the U.S. Centers for Disease
Control and Prevention indicates that it spreads mainly from person to person, mainly through
respiratory droplets produced when an infected person talks, coughs, or sneezes; and

WHEREAS, these respiratory droplets can land in the mouths or noses of nearby people or can
possibly be inhaled into the lungs; and

WHEREAS, spread is more likely when people are in close contact with one another (within 6
feet); and

WHEREAS, currently there is no vaccine, treatment, or cure for COVID-19; and

WHEREAS, pursuant to Executive Order No. 2020-43, § 1, the Governor of the State of Arizona
has prohibited “organized public events of more than 50 people” unless a city, town or county in
unincorporated areas has approved the event where there are adequate safety precautions,
including physical distancing measures; and

WHEREAS, Maricopa County has authority to promulgate regulations to mitigate the spread of
infectious disease for the protection and preservation of public health pursuant to A.R.S. § 26-307;

NOW, THEREFORE, IT IS HEREBY ORDERED that, as a result of the aforementioned
conditions, it is the policy of Maricopa County that all organized public events of more than 50
persons that require a permit from a Maricopa County department shall be subject to the following
regulations:
I. Definitions

A. “Special event” means an organized public event in unincorporated Maricopa County that requires a permit that is special or temporary in nature from a Maricopa County department.

B. “Large special event” means an organized public event of more than 50 persons at one time in unincorporated Maricopa County that requires a permit that is special or temporary in nature from a Maricopa County department, as established in the Governor of Arizona’s Executive Order 2020-43, § 1 (Jun. 29, 2020).

i. “Large special event” does not mean an event for which there will be more than 50 persons over the course of the entire event, but their attendance will be staggered, ticketed, limited, or otherwise spread out over the duration of the event so that no more than 50 people will be on the property at any given time.

C. “Large special event COVID-19 mitigation plan” means an operational plan drafted by the special event permit applicant who is proposing a large special event. The purpose of the large special event COVID-19 mitigation plan is to ensure the adoption of adequate safety precautions for COVID-19 mitigation tailored to the proposed large special event.

D. “Large special event permit” means a permit issued by the Maricopa County Planning and Development Department, in consultation with the Maricopa County Department of Public Health, after consideration of the special event permit applicant’s large special event COVID-19 mitigation plan and public health concerns related to COVID-19.

E. “Special event permit applicant” means an event organizer, host, owner, manager, or other person, whether corporeal or corporate, with responsibility for obtaining a permit that is special or temporary in nature from a Maricopa County department for the proposed special event.

F. “Permitted large special event” means a large special event approved by Maricopa County consistent with Executive Order 2020-43, § 1 (Jun. 29, 2020) and these regulations.

II. Requirements for a large special event

A. A large special event without the special event permit established by these regulations is prohibited.

B. A permitted large special event shall abide by its approved large special event COVID-19 mitigation plan.

C. Consistent with Executive Order No. 2020-43, § 1, nothing in these regulations “shall inhibit a person from engaging in constitutionally protected activities such
as speech and religion, and any legal or court processes provided that such is conducted in a manner that provides appropriate physical distancing to the extent feasible.”

III. Procedures for Maricopa County departments

A. All Maricopa County departments shall incorporate the following process for a permit that is special or temporary in nature:

i. Include the following question on all permitting request forms for events in unincorporated Maricopa County (regardless of department):

Do you reasonably anticipate that your event will host more than 50 persons at one time present at the event?

ii. Refer special event permit applicants that answer “yes” to this question to the Maricopa County Planning and Development Department to apply for a large special event permit consistent with these regulations.

B. Maricopa County Planning and Development Department will adopt a large special event permit process and issue special event permits consistent with these regulations.

i. The large special event permit process shall require a special event permit applicant to submit a large special event COVID-19 mitigation plan.

ii. Maricopa County Planning and Development Department shall issue a large special event permit only if, after consultation with the Maricopa County Department of Public Health, the special event permit applicant’s large special event COVID-19 mitigation plan and public health concerns related to COVID-19 justify issuance of the permit.

iii. Maricopa County Planning and Development Department shall develop an accelerated appeal process with a hearing officer for a large special event permit applicant who disagrees with the denial or revocation of a large special event permit.

IV. Procedures for a special event permit applicant

A. A special event permit applicant must truthfully answer “no” or “yes” to the following question on all applicable permitting request forms:

Do you reasonably anticipate that your event will host more than 50 persons at one time present at the event?

B. If the special event permit applicant answers “no,” then no further action regarding adequate safety precautions for COVID-19 mitigation is required. All special event
permit applicants are encouraged to follow recommended guidance from public health authorities when hosting special events.

C. If the special event permit applicant answers “yes,” then the special event permit applicant must prepare and submit a large special event COVID-19 mitigation plan to the Maricopa County Planning and Development Department.

D. That plan must address, at a minimum, how the following COVID-19 mitigation strategies will be tailored to the proposed large special event:

i. Physical distancing measures and face coverings where physical distancing is impractical;

ii. Sufficient hygiene stations for hand washing;

iii. Appropriate signage and messages regarding best practices for COVID-19 mitigation; and

iv. Adequate staff and/or volunteer training to enforce these mitigation strategies.

E. Special event permit applicants preparing a large special event COVID-19 mitigation plan are advised to contact the Maricopa County Planning and Development Department for further guidance.

F. Special event permit applicants are also encouraged to review relevant CDC guidance at https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/considerations-for-events-gatherings.html.

G. The Maricopa County Planning and Development Department, in consultation with the Maricopa County Department of Public Health, will only issue the special event permit if the large special event COVID-19 mitigation plan contains adequate safety precautions for COVID-19 mitigation.

H. A special event permit applicant may appeal the determination of the Maricopa County Planning and Development Department with respect to the denial of a request for a large special event permit.

i. The special event permit applicant must file the appeal with the Maricopa County Planning and Development Department within 10 days of the determination.

ii. A large special event permit appeal form will be available from the Maricopa County Planning and Development Department.

iii. The special event permit applicant must attach to a completed appeal form the permit application, the large special event COVID-19 mitigation plan,
and the determination of the Maricopa County Planning and Development Department.

iv. The Maricopa County Planning and Development Department shall not consider an appeal that does not follow these procedures.

v. The Maricopa County Planning and Development Department shall refer the matter to a hearing officer within 5 business days of receiving the required appeal form and accompanying documentation. The hearing officer shall hold a hearing within 10 business days of receiving the transmitted materials. The hearing officer shall issue a decision within 10 business days of holding the hearing. The hearing officer’s decision is final. Judicial review of the final decision by the hearing officer shall be pursuant to title 12, chapter 7, article 6.

V. Territorial Applicability

A. These regulations apply only to large special events in unincorporated Maricopa County and large special events that take place on Maricopa County property, including land managed by the Maricopa County Parks and Recreation Department.

VI. Enforcement

A. Any complaints received concerning large special events or suspected large special events will be investigated by the Maricopa County Planning and Development Department.

B. If a complaint is substantiated, it will be referred to law enforcement and may result, at a minimum, in a determination by the Maricopa County Planning and Development Department that summarily revokes the large special event permit.

i. A special event permit applicant may appeal the Maricopa County Planning and Development Department’s revocation determination through the process described in Section IV.H. of these regulations within 10 days of the determination.

C. A large special event held without the special event permit established by these regulations is a violation of Executive Order No. 2020-43, § 1. Under A.R.S. § 26-317, any person who knowingly fails or refuses to obey any lawful order issued by the Governor as provided in A.R.S. § 26-303 “shall be guilty of a class 1 misdemeanor.”

D. A permitted large special event that does not abide by its approved large special event COVID-19 mitigation plan may subject the special event permit applicant and/or special event organizer(s), manager(s), and/or owner(s) to a civil penalty of not more than $2,500 per date of offense.
VII. Severability

It is the intent of Maricopa County that if a provision of these regulations or their application to any person or circumstance is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or applications of the regulations that can be given effect without the invalid provision or application, and to this end the provisions of this regulation are severable.

IT IS FURTHER PROCLAIMED AND ORDERED that these regulations shall remain in place until further notice of repeal or revision by the Maricopa County Board of Supervisors.

ADOPTED by the Maricopa County Board of Supervisors, Maricopa County, Arizona, this 29th day of September 2020.

\[Signature\]
Clint Hickman, Chairman
Maricopa County Board of Supervisors

ATTEST: \[Signature\]
Fran McCarroll, Clerk of the Board

Approved as to form:

\[Signature\]
Emily Craiger
Deputy County Attorney