

RESOLUTION NO. 48-20

THIS RESOLUTION WAS RESCINDED BY THE CITY COUNCIL AT ITS JUNE 2, 2020, MEETING

**ORDER ONE OF THE DIRECTOR OF EMERGENCY SERVICES
OF THE CITY OF RICHMOND IMPOSING A CURFEW**

WHEREAS, following the Declarations of a State and National Emergency, on March 10, 2020, the Director of Emergency Services proclaimed a state of local emergency due to the Novel Coronavirus pandemic (Resolution 18-20) and the Richmond City Council ratified the proclamation on March 17, 2020 (Resolution 19-20); and

WHEREAS, there have been protests throughout the country in response to George Floyd's death while detained by a Minneapolis police officer on May 25, 2020; and although many of those protests have been peaceful, some have resulted in civil unrest, looting, rioting, fires and significant property damage, including in other Bay Area communities of San Francisco, Oakland, Vallejo, Emeryville, Walnut Creek and Pleasant Hill, as well as the death of a Federal Protective Services officer in Oakland; and

WHEREAS, Richmond police officers have already responded to property damage in Richmond including burglaries and damage at Hilltop Mall; and

WHEREAS, in addition to such potential injury and damage that is likely to expand, such civil unrest also increases the potential for more transmissions of COVID-19 and violations of shelter-in-place orders, including the increased possibility of transmissions affecting public safety officers;

WHEREAS, on June 2, 2020, the City Manager, pursuant to Government Code Section 8634 and City of Richmond Municipal Code Chapter 2.20, proclaimed the existence of a Civil Unrest Local Emergency for the reasons set forth above ("Civil Unrest Local Emergency"); and

WHEREAS, Government Code Section 8634 and Municipal Code Chapter 2.20 empowers the Director of Emergency Services to promulgate orders and regulations necessary to provide for the protection of life and property; and

WHEREAS, under conditions of the local emergency, it is deemed necessary in the interest of public safety to restrict the use of certain public areas in the City of Richmond to protect the public health, safety and welfare when life and property is deemed to be in peril and speed is of the essence;

NOW THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED by the Director of Emergency Services of the City of Richmond that during the existence of this Civil Unrest Local Emergency affecting the City of Richmond:

1. Curfew. A Citywide curfew is imposed in the City of Richmond effective at 6 p.m. on June 2, 2020 through to 5 a.m. on June 3, 2020.
 - a. No person shall be upon any public street, avenue, alley, park, or other

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public place or unimproved public property in the City of Richmond from the hours of 6:00 p.m. to 5:00 a.m.

- b. This curfew shall not apply to police officers, peace officers, firefighters, emergency health care providers, or other emergency personnel or civilians engaged in police or emergency work, nor shall it apply to authorized representatives of any news service, newspaper, or radio or television station or network.
 - c. This curfew shall not apply to individuals traveling directly to and from work, individuals traveling for the purpose of seeking urgent or emergency medical care, commercial delivery services, utility services, and persons impacted by homelessness.
2. The Chief of Police may extend or modify the curfew date and hours if necessary to protect public safety and the welfare of life and property.
 3. A violation of this curfew may be punishable as a misdemeanor pursuant to California Government Code section 36900 and Richmond Municipal Code section 2.20.200. The law enforcement personnel of the City of Richmond, along with law enforcement authorities cooperating with the City of Richmond, are authorized to enforce this curfew and to arrest or issue citations to any person violating the curfew after due notice, oral or written, has been given that person.

Dated: 6/2/2020 By: [Signature]
Director of Emergency Services
City of Richmond

Approved as to Form
Dated: 6/2/20 By: [Signature]
City Attorney