

EMERGENCY EXECUTIVE PROCLAMATION 2020-004

May 31, 2020

TO: All Elected Officials, Department Heads, Division Chiefs, Boards and Independent Agencies – Consolidated City of Jacksonville

FROM: Lenny Curry, Mayor

SUBJECT: Proclamation and Declaration of Emergency in Accordance with Chapter 674, Part 3, *Jacksonville Ordinance Code* due to Actual and Imminent Civil Unrest

By virtue of the authority vested in me as Mayor by the Charter and as Chief Executive and Administrative Officer of the Consolidated Government, I hereby proclaim and declare a state of civil emergency exists associated with recent violent protests.

WHEREAS, on May 30, 2020, a large number of individuals gathered in Downtown Jacksonville to peacefully exercise their First Amendment rights to conduct a peaceful protest; and

WHEREAS, at the conclusion of the protest and after the majority of protesters departed, several hundred individuals began to engage police and other first responders, resulting in several police officers being attacked and one police officer getting stabbed and requiring emergency medical services; burning, destruction and defacing of public property; vandalism damage and destruction against private property and extreme endangerment of the public health, safety and welfare; and

WHEREAS, on May 31, 2020, additional protests were held in Downtown Jacksonville; and

WHEREAS, as Mayor of the City of Jacksonville, I have determined that there has been an act of violence and a flagrant and substantial defiance of and resistance to a lawful exercise of public authority and that, on account thereof, there is reason to believe that there exists a clear and present danger of a riot or other general public disorder, widespread disobedience of the law and substantial injury to persons or property; all of which constitute an imminent threat to public peace or order and to the general welfare of the City; and

WHEREAS, it is necessary to invoke the emergency powers authorized in Chapter 674, *Ordinance Code* in order to preserve the public peace and protect the public health, safety and welfare against a repeat of the civil unrest and violent actions occurring and associated with the public demonstrations and protests currently being conducted.

NOW THEREFORE, it is declared and ordered as follows, to take immediate effect:

- (1) I am responsible for meeting the dangers presented to the City, its people and property by a natural or manmade emergency. I am hereby issuing this Emergency Executive Proclamation 2020-004, and I may amend or rescind such in the fulfillment of this responsibility. Any actions taken in response to this Proclamation shall have the force and effect of law during the period for which it is effective. During the

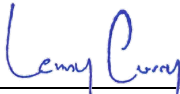
continuance of a state of civil emergency, I have the power and emergency duty to exercise the authority granted to me pursuant to Chapter 674, Part 3, *Ordinance Code*.

- (2) A civil emergency is hereby declared by proclamation of the Mayor as I find that there exists a clear and present danger of a riot or other general public disorder, widespread disobedience of the law and substantial injury to persons or property, all of which constitute an imminent threat to public peace or order and to the general welfare of the City.
- (3) I am convening the Council in a special meeting at which I am reporting to the Council all the facts and circumstances concerning the civil emergency and recommendations in connection therewith. The Council by resolution may terminate a state of disaster emergency at any time, whereupon I shall issue a proclamation ending the state of civil emergency.
- (4) I shall cause this emergency proclamation to be promptly disseminated by means calculated to bring it to the attention of the general public and, unless the circumstances prevent or impede it, shall cause it to be promptly filed with the Council Secretary.
- (5) Note that under Sec. 674.304, *Ordinance Code*, in addition to all other powers conferred upon me as Mayor by law, during a state of civil emergency I have the emergency executive power for:
 - (a) The establishment of curfews, including the prohibition of or restrictions on pedestrian and vehicular movement, standing and parking, except for the provision of essential services such as fire, police and hospital services (including the transportation of patients), utility emergency repairs and emergency calls by physicians.
 - (b) The prohibition of the sale or distribution of any alcoholic beverage, with or without the payment of a consideration therefor.
 - (c) The prohibition of the possession by any person in a public place of any portable container containing any alcoholic beverage.
 - (d) The closing of places of public assemblage with designated exceptions.
 - (e) The prohibition of the sale or other transfer of possession, with or without consideration, of gasoline or any other flammable or combustible liquid, altogether or except by delivery into a tank properly affixed to an operable motor-driven vehicle, bike, scooter, boat or airplane and necessary for its propulsion.
 - (f) The prohibition of the possession in a public place of a portable container containing gasoline or any other flammable or combustible liquid.

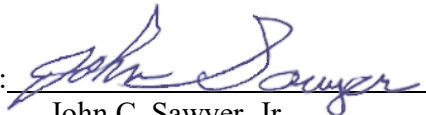
This state of civil emergency shall commence upon the effective date below and shall terminate at the end of a period 72 consecutive hours thereafter unless, prior to the end of the

period, I by proclamation or the Council by resolution shall terminate the state of civil emergency. An extension of the 72-hour time limit must be accomplished by request from me, with the concurrence of the Council by resolution adopted in a regular or special meeting.

Be it so proclaimed:



Lenny Curry, Mayor


Attested by: 

John C. Sawyer, Jr.
Corporation Secretary



Effective as of the 31st day of May, 2020 at 8:00 P.M.

Form Approved:



Jason Gabriel, General Counsel

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