

CITY OF ANTIOCH

PROCLAMATION OF A LOCAL EMERGENCY AND AN ORDER OF THE CITY MANAGER ACTING AS THE DIRECTOR OF EMERGENCY SERVICES FOR THE CITY OF ANTIOCH IMPOSING A CITYWIDE CURFEW

WHEREAS, Section 8630, Article 14, of the California Emergency Services Act empowers the City Council to proclaim the existence or threatened existence of a local emergency when the City of Antioch is affected or likely to be affected by a public calamity;

WHEREAS, Government Code Section 8634 authorizes a City to promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety;

WHEREAS, Antioch Municipal Code section 4-2.06(A)(1) provides that the City Manager, serving as the Director of Emergency Services, may proclaim the existence or threatened existence of a "local emergency" if the City Council is not in session. Whenever a local emergency is proclaimed by the Director, the City Council shall take action to ratify the proclamation within seven (7) days thereafter or the proclamation shall have no further force or effect;

WHEREAS, the finding of extreme peril to the safety of persons and property is supported by the following facts:

- Protesters have gathered throughout the country in response to George Floyd's death while being detained by a Minneapolis police officer on May 25, 2020;
- Although the many of the protesters have acted peacefully and lawfully, some protests throughout the country, California and in surrounding cities such as San Francisco, Oakland, Vallejo and Emeryville have increasingly resulted in injuries to persons and destruction of property;
- Posts on social media sites indicated that protests are being organized in Antioch, and that some attendees are being encouraged to act in a violent and destructive manner.
- Civil unrest conditions similar to those occurring in the above-referenced Bay Area cities occurred in Antioch on June 1, 2020, and such conditions create a continuing threat to life and property within the City and require additional services, personnel, and equipment beyond the City's current capacity.

WHEREAS, these conditions of disaster or extreme peril warrant and necessitate the proclamation of the existence of a local emergency.


NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City of Antioch commencing on the date of the signature of the Director of Emergency Services below due to the civil unrest that began occurring on June 1, 2020 and that during the existence of said local emergency, the powers, functions, and duties of the Director of Emergency Services and the City's emergency organization shall be those prescribed by state law, local ordinances and resolutions.

BE IT FURTHER PROCLAIMED that said local emergency shall be effectively immediately and shall remain in effect for a period of seven (7) days, unless ratified by the City Council of the City of Antioch, and extended, or unless sooner terminated.

BE IT FURTHER PROCLAIMED THAT, I hereby declare the following Order imposing a citywide curfew is necessary for the protection of life and property within the City of Antioch and that:

1. The above recitals are true and correct and incorporated herein by this reference.
2. A citywide curfew is hereby imposed in the City of Antioch.
3. Pursuant to this curfew, no persons shall be upon any public street, avenue, alley, park, way, or any other public place or upon unimproved private real property in the City of Antioch between the hours of 6:00 p.m. and 5:00 a.m. on June 1, 2020 and June 3, 2020.
4. The law enforcement personnel of this City along with other law enforcement authorities cooperating with the City are hereby authorized and charged to the extent provided by law with the responsibility of enforcing this curfew, and are further authorized to arrest or issue a citation to any person who does not obey this curfew after due notice, oral or written, has been given to that person.
5. A violation of the curfew may be punishable as a misdemeanor pursuant to Antioch Municipal Code sections 1-2.01(A). The curfew also may be enforced through the issuance of administrative citations in accordance with Antioch Municipal Code section 1-2.01. Law enforcement personnel, firefighting personnel, emergency health care providers, civilians engaged in police or emergency work, individuals traveling to and from work, persons impacted by homelessness, and representatives of the media are exempt from this Order.

BE IT FURTHER PROCLAIMED that this order shall take effect at 6:00 p.m. on June 1, 2020 and shall remain in effect until the earlier of the termination of this order by further order of the Director of Emergency Services or 5:00 a.m. on June 3, 2020, unless extended by the Director of Emergency Service for up to seven (7) days or the Antioch City Council.



Rowland E. Bernal, Jr.
City Manager and Director of Emergency Services