

State of Alabama)

City of Creola)

PROCLAMATION OF THE MAYOR

To: All Departments, Public Safety Director

Number: 2020-02

Date: April 9, 2020

Regarding: Public Safety Curfew

Authority:

By the authority vested in me by the applicable provisions of the laws of the State of Alabama, including but not limited to Ala. Code §11-43-81(1975), pursuant to which the Mayor of the City as the Chief Executive Officer has the general supervision and control of all other officers and the affairs of the City, and pursuant to the emergency powers vested in me as Mayor by Alabama State Law, Order of the Governor, Order of the Alabama State Health Officer and the ordinances and resolutions of the City of Creola, and including without limitation Ala. Code §11-47-1, Ala. Code §31-9-10, and §8-16 through 19 of the Code of Creola and the Temporary Ordinances of the Creola City Council adopted on April 3, 2020, and as otherwise provided by law, I, William R. Criswell, as Mayor do hereby order and direct as follows:

The purpose of this Proclamation is to promote the health, safety and welfare of the citizens of Creola and mitigate the spread of infectious diseases by reducing the risk of exposure during a time of outbreak.

It is hereby ordered that a Public Safety Curfew is imposed in the City of Creola for the hours between 10:00 PM and 5:00 AM 7 days a week.

This curfew is effective as of 10:00 p.m. April 9, 2020 and shall continue in effect until 12:00 AM (midnight) April 30, 2020 unless, prior to that date, it is determined that the emergency conditions no longer exist. The end date may be extended if the duration of the emergency conditions continues beyond that date.

(a) This curfew shall apply to all persons within the City of Creola. During such curfew, all persons shall not be or remain in public places and, residents of the City of Creola, shall remain in their places of residence, except and to the extent individuals and classes of individuals are specifically exempted from the application of this Proclamation below.

This curfew shall not apply to:

1. Public safety or emergency service activities, including but not limited to law enforcement, fire and rescue services, and emergency management agencies.
2. First responders, crisis intervention workers, health care workers, emergency management personnel, emergency dispatchers, law enforcement personnel, and related contractors. This provision includes travel to and from the work location by the individual.
3. Persons employed by or contracted to utilities, cable, and telecommunications companies and engaged in activities necessary to maintain or restore utility, cable, and telecommunication services.
4. Persons providing fire, police, sanitation, security, emergency and hospital services, food delivery services and other deliveries of merchandise or mail.
5. Persons seeking medical treatment or those individuals providing transport of people seeking medical treatment. If the individual seeking treatment is a minor, this curfew will not apply to their parent or guardian who is assisting them in obtaining treatment.
6. Persons supplying or restocking businesses in order to provide essential services or products, i.e. home improvement, groceries, fuel delivery locations, pharmacies or other retailers offering emergency supplies, transportation of fuels, movement of equipment and personnel for the provision of humanitarian support, and movement of equipment necessary for the protection of critical infrastructure or public safety.
7. Owners or principals of businesses who are going to or from their business, or otherwise are at their place of business. In order to prove applicability of this provision, the owner or principal must have a copy of their current Creola business license on their person.
8. Persons employed by the federal, state, county or city government or their agencies working within the course and scope of their public service employment. Such employees shall follow any current or future directives regarding performance of their duties, including working from home, issued by their respective employers.
9. Persons experiencing homelessness within the City.
10. Persons providing financial services, accounting or legal services.

11. Employees of supermarkets, food and beverage stores, convenience stores, pharmacies and gas stations. This provision includes travel to and from such locations by the employees. In order to prove applicability of this provision, the employee must have a letter from their employer confirming their status as an employee of the business on their person.

12. Individuals who are seeking emergency food or medical supplies.

13. Employees who are traveling to or from a work location outside the City which is legally allowed to operate under the relevant state or political subdivision orders, rules or regulations then in place.

Any person who this curfew does not apply shall maintain reasonable social distancing practices. This includes maintaining a distance of at least six-feet away from others, frequently washing hands with soap and water for at least twenty seconds or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch services, and not shaking hands.

(b) All public and private gatherings of 10 or more persons or of any size where a consistent distance of at least 6 feet cannot be maintained are prohibited, except as to those exempted activities provided in this Proclamation.

(c) Subject to the exceptions provided in this Order, all travel, including, without limitation, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit is prohibited. Transportation in Interstate Commerce is not governed by this Proclamation.

(d) This curfew is limited daily to the period of 10:00 p.m. to 5:00 a.m. Activity for all other hours in the day shall be governed by the Alabama State Health Officer Order issued on April 3, 2020. To the extent the order issued by the state is more restrictive than this proclamation, the order from the State Health Officer will govern. All sworn law enforcement officers of the City, State and Mobile County are authorized to enforce this executive order to the extent any act occurs within the City's jurisdiction.

Failure to comply with this proclamation is punishable by a fine of up to \$500.00 and/or up to one hundred eighty (180) days in the municipal jail.

Implementation:

All Departments of the City and their respective employees to whom this Proclamation applies shall forthwith implement the same in accordance with its terms and requirements. Nothing contained in this Proclamation shall relieve a person from any requirement to obtain a license or other authorization in compliance with applicable laws and regulations. This Proclamation is not

intended to conflict with, supersede or contradict any lawful ordinance or resolution duly enacted by the City Council. This Proclamation does not create any right, benefit, or privilege, substantial or procedural, enforceable at law or in equity by a party against the City, its departments, agencies, entities, officers, employees, or agents, or any other person.

So ordered from City Hall on this the 9th day of April, 2020.

William R. Criswell

Mayor, City of Creola