

RESOLUTION NO. 2020-R-20

**DECLARATION OF EMERGENCY CONDITIONS IN THE CITY OF IRONDALE,
ALABAMA**

WHEREAS, on May 25, 2020, the heinous death of George Floyd in Minneapolis, Minnesota while in police custody was viewed by millions on social media; and,

WHEREAS, this unconscionable death has enraged millions and resulted in violence and destruction throughout the United States; and,

WHEREAS, since that time various municipalities within Jefferson County have experience civil unrest to include damage and destruction of businesses in the form of burglaries, arson, and vandalism; and,

WHEREAS, while the City of Irondale fully supports the exercise of first amendment rights of its citizens it cannot support or allow the perpetration of criminal acts against the person or property of its citizens; and,

WHEREAS, there is continued uncertainty about the length of time in which the civil unrest will continue, based on public displays of this nature throughout the nation and our county and city; and,

WHEREAS, this situation coupled with the existence of the current COVID-19 State of Emergency further creates emergency conditions in Jefferson County within the intent of the Alabama Emergency Management Act of 1955 as amended; and,

WHEREAS, authority is granted to the City by Alabama Code § 31-9-10 (1975) to proclaim the existence of a state of emergency during any time of great public crisis caused by disaster, rioting, civil unrest, catastrophe or similar public emergency and to order restrictions to more effectively protect the lives and property of people within the City.

WHEREAS, the City Council of Irondale finds that the implementation of a curfew with appropriate restrictions is necessary to protect the public peace, health, safety and to preserve the lives and property of those who live, work, and visit the City of Irondale

NOW, THEREFORE, BE IT RESOLVED as follows by the City Council of the City of Irondale:

1. That a state of emergency exists in the City of Irondale due to the civil unrest and destruction occurring on the night of May 31, 2020 in the City of Birmingham and other surrounding areas, and the continuing threat of further rioting that has taken over peaceful protests of the death of George Floyd. Such civil unrest threatens the lives, safety, health and welfare and the property of the people of the City of Irondale.

2. That pursuant to the authority granted to the City of Irondale by Alabama Code § 31-9-10 (1975), beginning at 7:00 p.m. on June 2, 2020 until 7:00 p.m. June 9, 2020, at 5:00 a.m., a public safety curfew for Irondale inhabitants shall be in effect between the hours of 7:00 p.m. and 6:00 a.m. No person shall between the hours of 7:00 p.m. and 6:00 a.m. on each day while this curfew is in effect:
 - a. Hold or participate in any demonstration, parade, march, or vigil, on any of the public ways or upon any public property; or,
 - b. Travel upon any public street, alley, or roadway or upon any other public property, except those in search of medical assistance, religious services, food, or other commodity or service necessary to sustain the well-being of themselves or their families or some member thereof; those traveling through the City of Irondale from one location outside of the City to another location outside the City; those returning to one's place of residence or place of employment in the City; or as necessary to comply with legally mandated government purposes or an order of law enforcement or a court or those attending school related events or activities;
3. That these restrictions shall apply within the corporate limits of the City of Irondale, Alabama.
4. That these restrictions shall not apply to such other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health, and welfare needs of the citizens, including official emergency management personnel engaged in emergency management activities, or any other class of persons deemed essential to the preservation of public order and immediately necessary to serve the safety, health and welfare needs of the citizens of Irondale including: City law enforcement officers, firefighters and other public employees, doctors, nurses, employees of hospitals and other medical facilities, persons providing legal services or are a part of the judicial system, on-duty military personnel whether state or federal; on-duty employees of public utilities, cable or telecommunications companies and their contractors engaged in activities necessary to maintain or restore a utility, public transportation companies, and newspaper, magazine, radio broadcasting, and television broadcasting businesses.
5. That this resolution may be extended, altered, or repealed in any particular provision during the continued or threatened existence of a state of emergency by the Mayor or Chief of Police until the issuance of a subsequent resolution.
6. That it shall be unlawful for any person to violate any provision of this resolution. Violators of this resolution shall be subject to punishment as provided by the Code of Ordinances of the City of Irondale.
7. That if any part, section or subdivision of this resolution shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this resolution, which shall continue in full force and effect notwithstanding such holding.

8. That this resolution shall become effective immediately upon its approval, adoption and publication as required by law.

ADOPTED & APPROVED: This the 2nd day of June 2020.



Charles Moore, Mayor

CERTIFICATION

I, James D. Stewart Jr., City Clerk of the City of Irondale, Alabama, hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Irondale at its regular meeting held on June 2, 2020, as same appears in the minutes of record of said meeting.

ATTESTED:

James D. Stewart Jr., City Clerk