

PROCLAMATION
City of Montgomery
Curfew

WHEREAS, the Mayor of the City of Montgomery has issued a proclamation declaring a state of emergency due to the Pandemic Emergency created by COVID-19; and

WHEREAS, Ala. Code §§ 31-9-10 grants the governing body of political subdivisions to impose a public safety curfew in the event of certain natural disasters or emergencies of unprecedented size;

WHEREAS, the City of Montgomery has determined a curfew is necessary to mitigate the spread of infectious diseases by reducing the risk of exposure during a time of outbreak;

NOW THEREFORE BE IT RESOLVED this 27 day of March, 2020, due to the Pandemic Emergency created by COVID-19 and the increased risk of infection by public gatherings, it is hereby Ordered that a Public Safety Curfew is imposed in the City of Montgomery for the hours between 10:00 pm and 5:00 am 7 days a week. This curfew is effective as of March 27, 2020 and shall continue in effect until further notice.

(a) This curfew shall apply to all persons within the City of Montgomery. During such curfew, no persons shall be or remain in public places. Residents of the City of Montgomery shall remain in their places of residence, except as further provided in subsection (e) of this Order.

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, public health workers, emergency management personnel, emergency dispatchers, law enforcement personnel, and related contractors.
3. Persons employed by or contracted to utilities, cable, and telecommunications companies and engaged in activities necessary to maintain or restore utility, cable, and telecommunications 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 essential services or commodities; persons who are vulnerable to the most serious effects of the COVID-19 disease must remain at home, unless seeking medical 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. 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.
8. Persons experiencing homelessness within the City.

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

(c) Subject to the exceptions further provided in subsection (d) of 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 Order.

(d) Exceptions. People may lawfully leave their residence while this Order is in effect only to engage in the following activities:

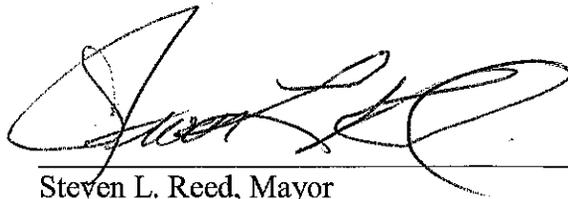
1. Essential Activities. To engage in certain essential activities, including, without limitation, visiting a health or veterinary care professional, obtaining medical supplies or medication, obtaining grocery items (including, without limitation, canned food, dry goods, fresh fruits and vegetables, pet supplies, fresh or frozen meats, fish, and poultry, any other household consumer products and products necessary to maintain the safety and sanitation of residences and other buildings) for their household or to deliver to others, or for legally mandated government purposes. Additionally, any travel related to:
 - (a) providing care for minors, the elderly, dependents, persons with disabilities, or other vulnerable persons;
 - (b) returning to one's place of residence from outside the City;
 - (c) travelling to one's place of residence located outside the City;
 - (d) travelling through the City from one location outside the City to another location outside the City;
 - (e) compliance with an order of law enforcement or court shall be exempt from this Order;
 - (f) travelling to or from a place of business which provides essential services by owners and employees of such business; or
 - (g) legally mandated government purposes. Persons engaging in these essential activities 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 surfaces, and not shaking hands. These Essential Activities are subject to change and are not limited to the activities listed in this subsection. Individuals must use reasonable judgement as it relates to the many and various circumstances during this time.

2. Work in Support of Essential Activities. To perform work providing essential products and services or to otherwise carry out activities specifically permitted in this Order.
3. To care for or support a friend, family member, or pet in another household.
4. Providing any services, goods, or work necessary to build, operate, maintain or manufacture essential infrastructure, including without limitation construction of commercial, office and institutional buildings, residential buildings and housing; airport operations, food supply, concessions, and construction; port operations and construction; water, sewer, gas, electrical, oil extraction and refining; roads and highways, public transportation and rail; solid waste collection and removal; flood control and watershed protection; internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services); and manufacturing and distribution companies deemed essential to the supply chains of the industries referenced in this Paragraph, provided that they carry out those services and that work in compliance with social distancing practices as prescribed by the Centers for Disease Control and Prevention and the State Health Officer, to the extent possible.
5. The City shall work with governmental and nongovernmental partners to provide emergency shelter, to the extent possible, to unhoused persons in the City. Providers shall make all efforts to provide protection from the spread of COVID-19.

Failure to comply with this order 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 Executive Order applies shall forthwith implement the same in accordance with its terms and requirements. Nothing contained in this Order shall relieve a person from any requirement to obtain a license or other authorization in compliance with applicable laws and regulations. This Order is not intended to conflict with, supersede or contradict any lawful ordinance or resolution duly enacted by the City Council. This Order does not create any right, benefit, or privilege, substantive 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.



Steven L. Reed, Mayor