

**DECLARATION OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY
OF IRWINDALE, CALIFORNIA: LOCAL EMERGENCY DUE TO VIOLENT
PROTESTS ORDER NO. 3 IMPOSING A CURFEW**

WHEREAS, on May 31, 2020, the Mayor, as the Director of Emergency Services, proclaimed the existence of a local emergency pursuant to that certain Declaration of the Director of Emergency Services of the City of Irwindale: Local Emergency Due to Violent Protests Order No. 1 Imposing a Curfew ("Curfew Order No. 1") and then again on June 2, 2020 by separate curfew order when the City of Irwindale was potentially subject to violent protests concerning the tragic death of George Floyd;

WHEREAS, on June 3, 2020, at 1:00 p.m., the Director of Emergency Services finds and proclaims that the conditions justifying the declaration of a local emergency in support of Curfew Order No. 1 continue to exist, and as such, hereby declares a local emergency to exist and continue to be in effect as the City of Irwindale is potentially subject to violent protests and civil unrest concerning the tragic death of George Floyd ("Civil Unrest");

WHEREAS, the proclamation of a local emergency empowers the Director of Emergency Services to make and issues rules and regulations on matters reasonably related to the protection of life and property as affected by such local emergency, under authority contained in California Government Code Section 8634, and Irwindale Municipal Code Subsection 2.44.060 empowers such Director of Emergency Services to issue an emergency proclamation if the City Council is not in session;

WHEREAS, pursuant to Irwindale Municipal Code Subsection Subsection 2.44.060, A.6.a authorizes the Director of Emergency Services to: "Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the city council;"

WHEREAS, on May 30, 2020, the Chair of the Los Angeles County Board of Supervisors proclaimed the existence of a local emergency because the County of Los Angeles ("County") is affected or likely to be affected by the same circumstances of the Civil Unrest occurring County-wide ("County Proclamation"), which County Proclamation was amended and extended, including on June 3, 2020 based on the same circumstances of Civil Unrest by Amendment No. 3 to the County Proclamation ("County Proclamation No. 3") extending the County-wide curfew to be effective immediately as of June 3, 2020, commencing at 9:00 p.m., and extending until 5:00 a.m. on June 4, 2020;

WHEREAS, under conditions of the emergency, it is deemed necessary in the interest of public safety to restrict the use of certain public areas of the City;

WHEREAS, life and property are deemed to be in peril and speed is of the essence;

WHEREAS, the Chief of Police has determined that the safety of the public, and public and private property, requires the imposition of a curfew; and

WHEREAS, it is imminently necessary to use extraordinary measures to protect public peace, safety and welfare.

NOW, THEREFORE, IT IS HEREBY ORDERED by the Director of Emergency

1. The foregoing recitals are true and correct and are incorporated herein by this reference.

2. The foregoing circumstances constitutes the existence of conditions of extreme peril to the safety of persons and property within the City of Irwindale.

3. The foregoing conditions are likely to be beyond the control of the services, personnel, equipment and facilities of the City of Irwindale and require the combined forces of other political subdivisions to combat.

4. The City Council is not currently in session.

5. The aforementioned conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency by the City's Emergency Service Director. Pursuant to the authority granted by City ordinance, I hereby proclaim that a local emergency now exists throughout the City.

6. I hereby further proclaim and order that, during the existence of said local emergency, the powers, functions and duties of the Emergency Services Director and the Irwindale Disaster Council shall be those prescribed by State Law, City ordinances, resolutions, and approved plans of the City in order to mitigate the effects of said local emergency.

7. Consistent with Government Code § 8630(b) the local emergency proclaimed herein shall not remain in effect for a period in excess of seven days unless it has been ratified by the City Council.

8. This proclamation and its contents will be published and promulgated in as widespread a manner as is reasonable feasible under the conditions prevailing during this local emergency.

9. This proclamation of a local emergency shall take effect immediately as of the date first set forth below.

IT IS FURTHER DECLARED AND ORDERED, that during the existence of the local emergency, and along with all State and County first response resources, all City first response resources, vehicles, and services shall be given first priority from shopkeepers and businesses located within the City, including, but not limited to, water, fuel and gasoline.

IT IS FURTHER DECLARED AND ORDERED, that City law enforcement officers, and City employees are hereby empowered to enforce this order, including, without limitation, by closing any enterprise covered by this order.

IT IS FURTHER DECLARED AND ORDERED, that, effective as noted below, the following order of curfew shall be in full force and effect:

Order of City-Wide Curfew

10. Pursuant to Irwindale Municipal Code § 2.44.060, it shall be unlawful for any person to travel or be upon a public street, sidewalk, or public place within the City of Irwindale during the dates and hours designated below, unless exempt for the reasons set forth below. For purposes of this order, "travel" includes, without limitation, travel on foot, bicycle, skateboard, scooter, motorcycle, automobile, or public transit. This Order shall be coextensive with County Proclamation No. 3.

Commencing on June 3, 2020, at 9:00 p.m., and extending until 5:00 a.m. on June 4, 2020 consistent with County Proclamation No. 3.

Exemptions:

This Order shall not apply to peace officers; fire fighters; National Guard or other military personnel deployed to the area; emergency medical services personnel; individuals traveling to and from work; individuals working on a public work of improvement construction project; credentialed media representatives involved in news gathering; individuals traveling to and from and participating in voting; people experiencing homelessness and without access to a viable shelter; and individuals seeking medical treatment.

VIOLATION OF THIS ORDER IS A MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED \$500, OR BY IMPRISONMENT NOT TO EXCEED SIX MONTHS, OR BOTH, PURSUANT TO IRWINDALE MUNICIPAL CODE § 2.44.100, AND CAN BE PROSECUTED BY THE IRWINDALE CITY ATTORNEY'S OFFICE.

Dated: June 3, 2020


Albert. F. Ambriz, Mayor, Director
of Emergency Services

