

CITY OF FARIBAULT

**PROCLAMATION DECLARING A LOCAL EMERGENCY AND IMPOSING A CURFEW FOR THE
SAFETY AND PROTECTION OF LIFE AND PROPERTY IN THE CITY OF FARIBAULT,
MINNESOTA**

PROCLAMATION NO. E2020-2

WHEREAS, Kevin F. Voracek, Mayor of the City of Faribault, Minnesota, (the "City") finds that the following situation exists:

On May 25, 2020 George Perry Floyd died while in the custody of the Minneapolis Police Department which has led to wide-spread protests, acts of civil disobedience, vandalism, looting and rioting; and

The Faribault City Council recognizes and supports the right to peaceful protests as protected by the Constitutions of the United States and the State of Minnesota; and

The greater Twin Cities area has experienced continuous nights of civil disobedience, vandalism, looting, and rioting resulting in damage to public and private property and threats to the health and safety of citizens; and

Much of the destruction and violence has taken place under the cover of darkness; and

The Governor of the State of Minnesota has issued an Executive Order 20-64 declaring a Peacetime Emergency Order to Provide Safety and Protection to the People of Minneapolis, St. Paul and Surrounding Communities; and

The Governor of the State of Minnesota has issued a second Executive Order, 20-65, providing for nighttime curfews in cities of St. Paul and Minneapolis and those cities have likewise issued curfews; and

WHEREAS, given the proximity it is necessary, proper and prudent for the City of Faribault to implement proactive measures to reduce the possibility of civil disobedience, vandalism, looting, civil unrest and rioting resulting in property damage and threats to the health and safety of the citizens of the city of Faribault; and

WHEREAS, Minnesota Statutes Section 12.29 gives authority to the Mayor to declare a local emergency in the City of Faribault for a period of three (3) days, after which a meeting of the City Council will be needed to resolve to continue the local emergency; and

WHEREAS, the City Administrator and Police Chief recommend the Mayor declare that a local emergency exists in the City of Faribault to protect the health, welfare, and safety of its citizens and the protection of public and private property and to impose a curfew thereunder.

NOW, THEREFORE, BE IT RESOLVED, I Kevin F. Voracek, as Mayor of the City of Faribault hereby declare a local emergency in the city of Faribault, Minnesota, as of May 31, 2020, due to ongoing and expected civil disobedience, vandalism, looting and rioting and direct the City Administrator and Police Chief to coordinate such actions and activities as necessary and request such local, state and/or federal assistance as needed to protect lives and public and private property in the city of Faribault to the extent practicable and allowed by law, ordinance and resolution.

BE IT FURTHER RESOLVED, that I direct a nighttime curfew for all public places within the city of Faribault, including streets, during the following times:

- a) From 8:00 pm on Sunday, May 31, 2020 until 6:00 am on Monday, June 1, 2020; and
- b) The City Administrator in consultation with the Police Chief may extend the curfew for the hours stated above for the evening of Monday, June 1, 2020 to Tuesday, June 2, if necessary; and
- c) Additionally, the City Administrator in consultation with the Police Chief may extend the curfew for the hours stated above for the evening of Tuesday, June 2, 2020 to Wednesday, June 3, 2020, if necessary.

During the hours of the curfew, all persons must not travel on any public street or in any public place. All law enforcement, fire, medical personnel and members of the news media, as well as other personnel authorized by City, County, State, or Federal jurisdictions are exempt from the curfew. Individuals seeking emergency care, fleeing dangerous circumstances, experiencing homelessness, and travelling directly to and from employment or a religious service are also exempt.

For purposes of this emergency declaration, "travel" includes, without limitation, travel on foot, bicycle, skateboard, scooter,

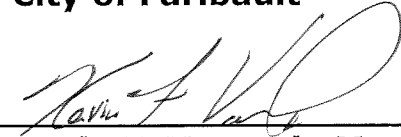
motorcycle, automobile, or public transit, or any other mode of transporting a person from one location to another. "Public Place" means any place, whether on privately or publicly owned property, accessible to the general public, including but not limited to public streets, roads, alleys, highways, sidewalks, parks, vacant lots and unsupervised property.

BE IT FURTHER RESOLVED, a violation of this emergency declaration is a misdemeanor offense and is punishable by a fine not exceed \$1,000 or imprisonment for not more than 90 days, pursuant to Minn. Stat. Sec. 12.45.

BE IT FURTHER RESOLVED, the Mayor declares this situation in the City to be a local emergency effective at 2:00pm, May 31, 2020. This declaration of a local emergency will invoke the City's disaster plan and all powers granted to the Mayor and City in accordance with state law, the City Charter and City Code. The portions that are necessary for response to and recovery from the emergency must be used.

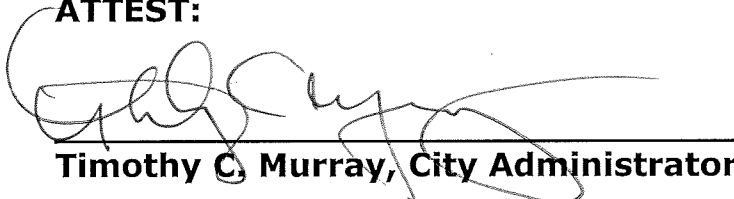
Date Adopted: May 31, 2020

City of Faribault



Kevin F. Voracek, Mayor

ATTEST:



Timothy C. Murray, City Administrator