



## CITY OF WEST PALM BEACH

# Amended Declaration of State of Local Emergency (Civil Unrest)

**Whereas**, there has been an act of violence or a flagrant and substantial defiance of, or resistance to, a lawful exercise of public authority; and

**Whereas**, there is reason to believe that there exists a clear and present danger of a riot or other general public disorder, widespread disobedience of the law, and substantial injury to persons or to property; all of which constitutes an imminent threat to public peace or order and to the general welfare of the City of West Palm Beach, or parts thereof; and

**Whereas**, on May 31, 2020, I executed a Declaration of State of Local Emergency prohibiting the distribution of alcoholic beverages and closing all places of public assembly for the duration of the Declaration of State of Local Emergency; and

**Whereas**, the sale of alcoholic beverages and use of places of public assembly need only be limited during the hours of the general curfew from 9:00 p.m. to 6:00 a.m.

**Now, Therefore**, I, Keith A. James, Mayor of the City of West Palm Beach, Florida, do hereby declare a State of Local Emergency, effective immediately, for the City of West Palm Beach, Florida, pursuant to Section 870.042 and 870.043, Florida Statutes, and Section 2-2 of the Code of Ordinance of the City of West Palm Beach.

**Furthermore**, pursuant to Section 870.044, Florida Statutes, the following acts shall be prohibited throughout the City during the State of Local Emergency:

1. The sale of, or offer to sell, with or without consideration, any ammunition or gun or other firearm of any size or description;
2. The intentional display by or in any store or shop of any ammunition or gun or other firearm of any size or description;
3. The intentional possession in a public place of a firearm by any person, except a duly

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authorized law enforcement official or person in military service acting in the official performance of her or his duty.

**Moreover**, I hereby exercise my authority pursuant to Section 870.045, Florida Statutes, and order the following additional emergency measures:

4. During this State of Local Emergency, there shall be a general curfew throughout the City of West Palm Beach between the hours of 9:00 p.m. and 6:00 a.m.; effective for seventy-two (72) hours commencing May 31, 2020 at 9:00 p.m.; provided however, this shall not apply to regular members of law enforcement. Emergency management activities, including fire, police, emergency medical services and hospital services, transportation of patients, emergency calls by physicians and emergency utility repairs are also exempt. All pedestrian and vehicular movement is prohibited during curfew hours. Regular employees of local businesses, while traveling to and from their jobs, are exempt, provided they have identification if stopped by any law enforcement personnel. Local businesses are requested to do everything possible to provide identification to such of their employees required to travel within the City during curfew hours.

5. The sale or distribution of any alcoholic beverage, with or without payment or consideration, is prohibited between the hours of 9:00 p.m. and 6:00 a.m. The possession on any person in a public place of any container containing any alcoholic beverage is prohibited.

6. The sale, transfer or possession, with or without consideration, of gasoline or any other flammable or combustible liquid, except by delivery into a tank properly affixed to an operable motor-driven vehicle, bike, scooter, boat or airplane and necessary for the propulsion thereof is prohibited. The possession in a public place of any portable container containing gasoline or any other flammable or combustible liquid is prohibited.

7. All places of public assembly shall be closed between the hours of 9:00 p.m. and 6:00 a.m., except those places specifically exempted for law enforcement purposes.

This Declaration shall, as promptly as practical, be filed in the Office of the City Clerk and transmitted to the Secretary of State and Palm Beach County and distributed to the local media for publication.

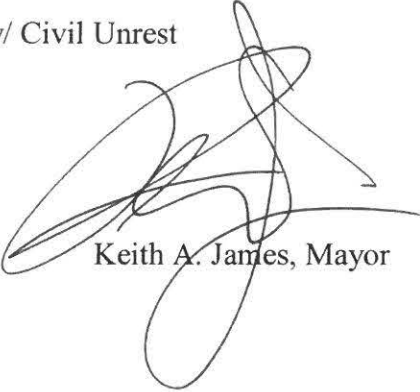
This local emergency may be extended for additional period of 72 hours by resolution of the City Commission.

**In Witness Whereof**, I hereunto set my hand and cause the official seal of the City of West Palm Beach, Florida, to be affixed this 1st day of June, 2020.

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A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Keith A. James, Mayor