

**CITY OF SAN LEANDRO
ORDER NO. 20-03**

**AN ORDER OF THE CITY MANAGER ACTING AS THE DIRECTOR OF
EMERGENCY SERVICES FOR THE CITY OF SAN LEANDRO IMPOSING A
CITYWIDE CURFEW**

WHEREAS, protesters have gathered throughout the country in response to George Floyd's death while being detained by a Minneapolis police officer on May 25, 2020;

WHEREAS, although the majority of protesters have acted peacefully and lawfully, some protests throughout the country, California and in surrounding cities such as San Francisco, Oakland, Vallejo and Emeryville have increasingly resulted in injuries to persons and destruction of property;

WHEREAS, on May 31, 2020 as Director of Emergency Services for the City of San Leandro, I proclaimed the existence of a local emergency pursuant to San Leandro Municipal Code Section 3-4-124 to ensure the availability of mutual aid and an effective response to potential injuries or property damage resulting from civil unrest arising in relation to protests concerning the unfortunate death in Minnesota of George Floyd, as demonstrated by the civil unrest that has occurred in connection with protests in the cities of San Francisco, Oakland, Vallejo and Emeryville;

WHEREAS, I have determined that due to the threat of and actual civil unrest surrounding the protests, the need to protect the safety of the public, and public and private property, within the City of San Leandro, there exists the need to impose a citywide curfew within the City of San Leandro; and

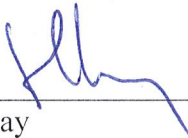
WHEREAS, California Government Code section 8634 empowers the City Manager, acting in the capacity of the City's Director of Emergency Services, and San Leandro Municipal Code Section 3-4-130(a) to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency including rules or regulations imposing a curfew when necessary to preserve order and safety; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council. Such rules and regulations must be in writing and shall be given widespread publicity and notice.

NOW, THEREFORE, I hereby declare the following Order necessary for the protection of life and property within the City of San Leandro:

1. The above recitals are true and correct and incorporated herein by this reference.
2. A citywide curfew is hereby imposed in the City of San Leandro.
3. Pursuant to this curfew, no persons shall be upon any public street, avenue, alley, park, way, or any other public place or upon unimproved private real property in the City of San Leandro between the hours of 11:00 p.m. and 5:00 a.m. on May 31, 2020 and June 1, 2020 and thereafter from 6:00 p.m. and 5:00 a.m. from June 1, 2020 through June 8, 2020.

4. The law enforcement personnel of this City along with other law enforcement authorities cooperating with the City are hereby authorized and charged to the extent provided by law with the responsibility of enforcing this curfew, and are further authorized to arrest or issue a citation to any person who does not obey this curfew after due notice, oral or written, has been given to that person.
5. A violation of the curfew may be punishable as a misdemeanor pursuant to San Leandro Municipal Code section 1-12-200.
6. The curfew also may be enforced through the issuance of administrative citations in accordance with San Leandro Municipal Code section 1-12-400.
7. Law enforcement personnel, firefighting personnel, emergency health care providers, civilians engaged in police or emergency work, individuals traveling to and from work, individuals traveling for the purpose of seeking urgent or emergency medical care, persons impacted by homelessness, and representatives of the media are exempt from this Order.

BE IT FURTHER RESOLVED that this order shall take effect at 11:00 p.m. on May 31, 2020 and shall remain in effect until the earlier of the termination of this order by further order of the Director of Emergency Services or the City Council or 5:00 a.m. on June 8, 2020.



Jeff Kay
City Manager and Director of Emergency Services