



FIRST AMENDED DECLARATION OF LOCAL DISASTER AND EMERGENCY ORDER
BY
PROCLAMATION OF THE MAYOR OF THE CITY OF IRVING

WHEREAS, on May 25, 2020, George Floyd died while in custody of the Minneapolis Police Department; and

WHEREAS, in the aftermath of Mr. Floyd's killing, many people around the country have engaged in peaceful protests and demonstrations; and

WHEREAS, in recent days some of the protests and demonstrations have escalated into civil disturbances and riots in multiple U.S. cities resulting in looting and property damage; and

WHEREAS, the rioting, looting, vandalism and criminal activity has occurred under the cover of darkness; and

WHEREAS, several incidents of vandalism, looting and violence have occurred after dark in the neighboring City of Dallas on May 29 and May 30, 2020, requiring the aid and assistance of City of Irving police officers to help restore and establish order; and

WHEREAS, due to the ongoing COVID-19 pandemic, City of Irving public safety resources are limited and would be strained if continued civil disorder and rioting occurred; and

WHEREAS, on May 31, 2020, Texas Governor Greg Abbott declared a state of disaster for all counties in Texas pursuant to Chapter 418 of the Texas Government Code due to the threats and incidents of violence in several Texas cities that have endangered public safety; and

WHEREAS, Governor Abbott has activated the Texas National Guard and deployed Texas Department of Public Safety peace officers to aid in law enforcement throughout the State of Texas in response to the ongoing threats of violence and looting; and

WHEREAS, due to ongoing threats of violence caused by looting, vandalism and rioting there exists an imminent threat of widespread or severe damage, injury, or loss of life and property resulting from said civil disturbances, which requires emergency action to prevent riots, civil disorder, property damage and injury to persons; and

WHEREAS, Section 418.108 of the Texas Government Code authorizes the Mayor to declare a local state of disaster and to control the movement of persons during a declared disaster; and

WHEREAS, Section 10-4 of the Code of Civil and Criminal Ordinances of the City of Irving authorizes the Mayor, after declaring a local state of disaster, to issue an order to control the movement of persons and establish curfews in the interest of public safety and welfare; and

WHEREAS, on May 31, 2020, several surrounding cities instituted a curfew in order to prevent riots, civil disorder, and violence in their jurisdictions; and

WHEREAS, on May 31, 2020, the Mayor declared a local state of disaster and instituted a curfew in order to prevent riots, civil disorder, violence, and threats to the public safety and welfare in the community and to ensure the maintenance of peace and order in the City of Irving; and

WHEREAS, the Mayor has determined that keeping a curfew in place continues to be necessary to prevent riots, civil disorder, violence, and threats in the community and to ensure the maintenance of peace and order based on additional law enforcement intelligence and increasing threats in the City of Irving;

NOW THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF IRVING, TEXAS:

SECTION 1. That a local state of disaster remains declared for the City of Irving, Texas pursuant to Section 418.108(a) of the Texas Government Code.

SECTION 2. That, pursuant to Section 418.108(b) of the Texas Government Code, this declaration of a local state of disaster shall continue in effect until June 7, 2020, unless continued or renewed by the City Council of the City of Irving, Texas or unless earlier terminated by the Mayor of Irving.

SECTION 3. A nighttime curfew is hereby established for the areas depicted in Exhibit A, which is attached to and made a part of this order, daily between the hours of 9:00 p.m. and 5:00 a.m. beginning June 1, 2020 and expiring at 5:00 a.m. on June 5, 2020. During the hours of the curfew, all persons must not travel on any public street or be in any public space within the areas depicted in Exhibit A. All law enforcement, fire, EMS personnel, and credentialed members of the news media, as well as other designated persons authorized by the City of Irving, Dallas County or the State of Texas are exempt from curfew ("exempt activities"). Individuals traveling to and from work, seeking medical attention or engaging in exempt activities, fleeing dangerous situations, or experiencing homelessness are also exempt. For purposes of these emergency regulations, "travel" includes without limitation, travel on foot, bicycle, skateboard, scooter, motorcycle, automobile, or any other mode of transporting a person from one location to another. For purposes of these emergency regulations, "public place" means any place, whether on privately or publicly owned property, accessible to the general public, including but not limited to, streets, highways, alleys, sidewalks, vacant lots, parks, public buildings, parking lots, and unsupervised property.

SECTION 4. That this declaration activates the recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing

of all aid and assistance as deemed necessary or desirable by those administering such plans, and activates the preparedness and response aspects of such plans as provided therein.

SECTION 5. That, pursuant to Section 418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

SECTION 6. A person who knowingly violates a provision of this ordinance commits an offense. An offense under this ordinance is punishable by a fine of not more than \$1000. The penalties provided herein are in addition to any other remedies that the city may have under city ordinances and state law.

SECTION 7. To the extent that any ordinances or regulations of the City of Irving are in conflict with this order, this order shall control.

SECTION 8. That this proclamation shall take effect immediately from and after its issuance.

SO DECLARED AND ORDERED this the 1st day of June 2020.

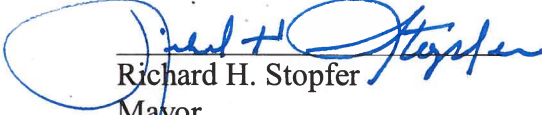

Richard H. Stopfer
Mayor

Exhibit A