



**AMENDED PROCLAMATION
BY THE MAYOR OF THE CITY OF BIRMINGHAM, ALABAMA
STATE OF EMERGENCY DUE TO CIVIL UNREST
JUNE 2, 2020**

WHEREAS, on May 25, 2020, the tragic death of George Floyd in Minneapolis, MN, caused by a heinous act of a Minneapolis police officer, shocked the nation; and,

WHEREAS, the senseless death of yet another African American in the course of an encounter with the police has enraged thousands and resulted in violence and destruction in many cities across the country; and,

WHEREAS, I, Mayor Randall L. Woodfin, the Council of the City of Birmingham, the Birmingham Police Department, and the City share in the grief and outrage at the death of Mr. Floyd and call for the investigation and prosecution of those responsible; and,

WHEREAS, we also call for our nation to come together to bring peace and safety to all citizens, regardless of race, creed, national origin and all factors of our diverse citizenry; and,

WHEREAS, Birmingham, the birthplace of Civil Rights, has a history of non-violent protest, following the leadership of Dr. Martin Luther King, Jr.; and,

WHEREAS, on May 31, 2020, following peaceful events in downtown Birmingham, protesting the murder of Mr. Floyd, a gathering in Linn Park turned into an attack on the City's business district, resulting in damage to and destruction of businesses, large and small; and,

WHEREAS, as a result of activity occurring on the night of May 31st, the Birmingham Police Department has responded to reports of burglaries and arson, including more than 13 businesses reporting damage and 14 businesses burglaries; the Birmingham Fire and Rescue Service responded to 22 fires, including 5 commercial businesses, residences, dumpsters, and vehicles; 24 people have been arrested; and,

WHEREAS, there is continuing uncertainty about the length of time in which this civil unrest will continue, based on public displays of disorder that are ongoing around the nation; and,

WHEREAS, the COVID-19 pandemic remains a threat in the City; and,

WHEREAS, the City has a substantial governmental interest in protecting public safety; and

WHEREAS, I, Mayor Randall L. Woodfin issued a proclamation of a state of emergency and ordered restrictions to more effectively protect the lives and property of people within the City on June 1, 2020 but find that ongoing circumstances require that I amend that order; and,

WHEREAS, on June 1, 2020, additional arrests were made by the Birmingham Police Department in connection these activities; and

WHEREAS, the City stands in full support of citizens who exercise their First Amendment rights to peaceful demonstrations and protests but must protect its citizens, both individuals and businesses, from senseless destruction by criminal mob actions; and,

WHEREAS, authority is granted under Section 12-5-31 of the General Code of the City of Birmingham to the Mayor to proclaim the existence of a state of emergency during any time of great public crisis caused by disaster, rioting, civil disorder, catastrophe or similar public emergency and to order restrictions to more effectively protect the lives and property of people within the City.

NOW, THEREFORE, I, RANDALL L. WOODFIN, AS MAYOR OF THE CITY OF BIRMINGHAM, HEREBY PROCLAIM AND ORDER AS FOLLOWS:


A state of emergency exists in the City of Birmingham due to the civil unrest and destruction occurring on the night of May 31, 2020 and the continuing threat of further rioting that has taken

over peaceful protests of the death of George Floyd in many other major cities across the United States over the past week. Such civil unrest threatens the lives, safety, health and welfare and the property of the people of the City.

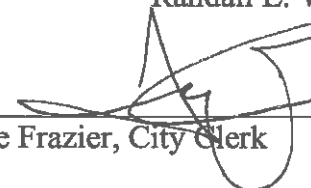
1. Pursuant to the authority granted to the Mayor of the City of Birmingham by Sec. 12-5-31 (c) and (d) of the General Code of the City of Birmingham:
 - a. Beginning at 7:00 p.m. on June 1, 2020, no person shall between the hours of 7:00 p.m. and 6:00 a.m. each day while this order is in effect travel upon any public street, alley, or roadway or upon any other public property, except those traveling directly to or from places providing medical assistance, food, or other commodity or service necessary to sustain the well-being of themselves or their families, some member thereof, or pets; those traveling through the City from one location outside of the City to another location outside the City; those traveling directly to or from one's place of residence or place of employment; or as necessary to comply with legally mandated government purposes, an order of law enforcement or court.
 - b. Beginning at 11:00 a.m. on June 2, 2020, no person shall, while this order is in effect, hold or participate in any demonstration, parade, march, or vigil on any of the public ways or upon any public property, including the public parks of the city, unless pursuant to a permit issued under Title 12, Section 5 of the General Code of the City of Birmingham.
 - c. This order shall not apply to persons experiencing homelessness who remain on the public ways or public parks but are not participants in any demonstration, parade, march, or vigil.
2. These restrictions shall apply within the corporate limits of the City of Birmingham.
3. For the purposes of this proclamation, "travel" includes, without limitation, travel on foot, bicycle, skateboard, scooter, motorcycle, automobile, public transit, or any other mode of transporting a person from one location to another.
4. These restrictions shall not apply to such other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health, and welfare needs of the citizens, including City law enforcement officers, firefighters and other public employees; doctors, nurses, employees of hospitals and other medical facilities; on-duty military personnel whether state or federal; on-duty employees of public utilities, public transportation companies, and credentialed employees of any newspaper, magazine, radio broadcasting, and television broadcasting corporations.
5. Pursuant to Sec. 12-5-31(e) and (f) of the General Code of the City of Birmingham, this proclamation may be extended, altered, or repealed in any particular provision during the continued or threatened existence of a state of emergency by the issuance of a subsequent proclamation, and the Mayor shall proclaim the end of such state of emergency or all or any part of the restrictions imposed as soon as circumstances warrant or when directed to do so by the Council of the City of Birmingham.
6. It shall be unlawful for any person to violate any provisions of any restriction imposed by this proclamation.

6/2/2020
Date

ATTEST:



Randall L. Woodfin, Mayor



Lee Frazier, City Clerk