

**AN RESOLUTION AUTHORIZING THE IMPOSITION OF A CURFEW
DURING THE STATE OF EMERGENCY**

WHEREAS, the health, safety and welfare of the citizens and property of the City of Newnan may be jeopardized during an emergency, disaster or imminent threat thereof, by the presence of looters, vandals, thieves and others who would take advantage of the confusion and devastation that accompanies such an event; and,

WHEREAS, the local governing authority of the City of Newnan is authorized pursuant to O.C.G.A. §§ 38-3-27(b)(2) and 38-3-28 to take actions necessary to provide for the health and safety of persons and property during periods of emergency or disaster, provided that such actions are not inconsistent with any orders, rules, or regulations promulgated by the Governor or his delegate; and,

WHEREAS, upon the declaration of a State of Emergency by the Governor and in accordance with Chapter 9 – Emergency Services of the City of Newnan Code of Ordinances, Sec. 9-2 authorizes the Mayor to impose a curfew during periods of emergency or disaster ; and,

WHEREAS, the Mayor, upon advice by Public Safety and Public Works Officials, believes that it is in the best interests of the health and welfare of the citizens and the general public to enact a curfew to maintain order and to protect either the citizens and their property during an emergency.

NOW, THEREFORE, BE IT RESOLVED that the Mayor hereby enacts the imposition of a curfew as defined herein:

Institution of Curfew.

Beginning at 5pm EST on Wednesday, January 17, 2018 and ending at 10am EST on Thursday, January 18, 2018, all of the territory of the incorporated city limits shall be subject to the terms of this curfew, unless otherwise specified herein.

Definitions.

(1) Curfew. A 'curfew' is a regulation requiring the withdrawal from any person not otherwise exempt from this ordinance from appearing in certain public areas during specified hours.

(2) Exempt individuals. Exempt individuals include those individuals engaged in the provision of designated, essential services, such as fire, law enforcement, emergency medical services and hospital services, military services, utility emergency repairs. For the purposes of this curfew, example individuals also includes regular employees of local industries traveling to and from their jobs with appropriate identification, news media employees, building and repair contractors, properly registered, performing activities related to construction, repair, renovation or improvement of buildings and other structures damaged during the disaster or emergency.

(3) State of Emergency. As defined by O.C.G.A. § 38-3-3(5), a condition declared by the Governor when, in his judgment, the threat or actual occurrence of a disaster, emergency, or energy emergency is of sufficient severity and magnitude as to warrant extraordinary efforts in preventing or alleviating the damage, loss, hardship, or suffering threatened or caused thereby.

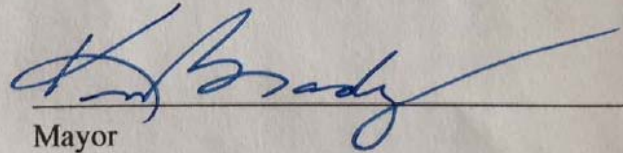
Prohibition.

It shall be prohibited for any person, other than exempt individuals, to appear in public in the territory subject to the curfew, including but not limited to, streets, highways, alleys, sidewalks, vacant lots, parks, public buildings or any other public places in all or a delineated part of incorporated Newnan during the stated hours of the curfew.

Penalties.

Any individual violating this ordinance, upon conviction, shall be punishable by a fine not to exceed \$1000 per violation or imprisonment not to exceed sixty (60) days, or both.

APPROVED by the Mayor of the City of Newnan this 17th day of January 2018.



Mayor