

WEST HOLLYWOOD
DIRECTOR OF EMERGENCY SERVICES

THIRD REVISED EXECUTIVE ORDER NO. 2020-5

EMERGENCY EXECUTIVE ORDER OF THE CITY
MANAGER/DIRECTOR OF EMERGENCY SERVICES OF THE
CITY OF WEST HOLLYWOOD, CALIFORNIA, REVISING
THE CURFEW IN RESPONSE TO DECLARED LOCAL
EMERGENCY

SECTION 1. RECITALS

- A. California Government Code Section 8630 provides that a local emergency may be proclaimed by the governing body, or designee, of a city.
- B. On May 29, 2020, protests in downtown Los Angeles resulted in damage, graffiti, looting and according to news reports, hundreds of arrests.
- C. Large groups of protestors have been gathering all day on May 30th in areas adjacent to West Hollywood, at Pan Pacific Park and heading west towards Beverly Hills.
- D. There was a tense standoff with police and protesters near The Grove shopping center, with news reports of police shooting rubber bullets and striking demonstrators with batons while a police car was set on fire and other vehicles vandalized and some police officer injuries. A Metro bus was also stopped and protesters climbed on its roof.
- E. Los Angeles imposed a curfew beginning on May 30, 2020, to clean up damage and restore order after days of protests that at times escalated into looting and arson. Unlawful assemblies were declared in the Fairfax District and Downtown Los Angeles.
- F. Disturbances, and violence, including rock throwing, took place at the West Hollywood Sheriff's Station on May 30, 2020.
- G. The City joins the protestors and others in their outrage regarding the murder of George Floyd by police officers. The City seeks to be an ally in the fight against racial injustice and the dismantling of systemic racism.
- H. The City respects the rights of peaceful assembly and protest.
- I. With liberty comes responsibility; violence directed against persons and other acts that threaten public safety, including setting of fires and throwing objects, endangers innocent persons and first responders charged with keeping the peace.
- J. It has been reported that violence is being instigated by outside agitators.
- K. Looting, fires, graffiti, broken windows and other damage and disturbances have occurred, in Los Angeles, West Hollywood, Beverly Hills, Santa Monica, Long Beach and other areas throughout the County and region since May 29, 2020.
- L. Los Angeles County established a 6pm curfew countywide over the weekend and the Governor declared a state of emergency in Los Angeles County. The national guard has been deployed to help keep the peace. Other cities regionally have established earlier curfews beginning on June 1st.

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- M. The potential for violence, damage, threats to public safety and civil unrest still exist, according to reports of planned activities and social media. Law Enforcement received information that additional similar events and activities to those that took place over the weekend and resulted in looting, fires, graffiti, broken windows and other damage and disturbances were planned for June 1, 2020. An event that was scheduled for Crescent Heights and Sunset was reported to have moved to Sunset and Laurel. Other events have been and are still being planned in the city and throughout the region. In order to safeguard the rights of peaceful assembly and protest, to protect the safety of West Hollywood residents, property and businesses as well as emergency and law enforcement providers, it is necessary to establish a curfew to quell violence and destruction of property.
- N. Since the last revision to this order on June 1, the region has seen a mix of large peaceful protests and additional looting, damage and civil unrest. Accordingly and in response to information currently know by Law Enforcement, it is appropriate to move the curfew to 9 p.m., in line with other regional curfews.
- O. The City Council ratified the proclamation of local emergency and curfew on June 1, 2020. This Third revision to the prior orders acknowledges the city council ratification and revises the time of curfew to 9 p.m. and requests state and federal assistance for response and recovery efforts.
- P. It is the City's intent to impose only an evening curfew so as to leave opportunities during the daytime for the voices of the protesters to make themselves heard.
- Q. Upon proclamation of a local emergency, the Director of Emergency Services is authorized to make and issue regulations on matters reasonably related to the protection of life and property as affected by such emergency and to impose a curfew under Government code Section 8634 and WHMC Chapter 2.80.
- F. This Order is adopted pursuant to the City's police powers and powers afforded to the City in time of local emergency such powers being afforded by the State Constitution, State law, and the Chapter 2.80 of the West Hollywood Municipal Code to protect the peace, health, and safety of the public, and to protect life and property as affected by the emergency, in that this Order declares an emergency and imposes a curfew in order to restore the peace and prevent additional disturbances, looting, violence as has been seen locally in recent days.

NOW, THEREFORE, I, Paul Arevalo, the Director of Emergency Services for the City of West Hollywood, do hereby issue the following revised order to become effective immediately:

IT IS HEREBY ORDERED THAT:

SECTION 2. That conditions of extreme peril to the safety of persons and property have arisen within and around the City of West Hollywood, caused by potential civil unrest and disturbances and violence throughout the city, county, state and country.

SECTION 3. That the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency and imposition of a curfew.

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SECTION 4. As of May 30, 2020, a second local emergency exists throughout the City of West Hollywood. The proclamation of local emergency and curfew was ratified by the City Council on June 1, 2020.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the Director of Emergency Services and the emergency organization of West Hollywood shall be those prescribed by law, by ordinances, and resolutions of the City of West Hollywood, and approved by the City Council.

SECTION 5. Curfew. A curfew is in effect starting daily at 9 p.m., and ending at sunrise, and during which no person shall be upon the public street, avenue, alley, park, or other public place or unimproved public realty. This curfew shall not apply to the Los Angeles County Sheriff's department, firefighters, or other emergency personnel or civilians engaged in police or emergency work, nor shall it apply to authorized representatives of any news service, newspaper, or radio or television station or network, or persons travelling to or from work.

SECTION 6. The law enforcement forces of this City, along with the 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 such persons as do not obey this curfew after due notice, oral or written, has been given to said citizen. Any person not abiding by this declaration is guilty of a misdemeanor and subject to punishment in accordance with the West Hollywood Municipal Code Chapter 2.80

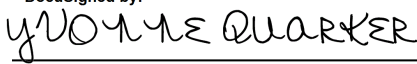
SECTION 7. This curfew shall remain in effect until such time as it is terminated by either the Director of Emergency Services or the City Council, or the termination or expiration of the local emergency. The Director of Disaster Services is directed to announce the curfew and penalties for violating the curfew on the city's website and other available messaging options.

SECTION 8. It is further proclaimed, ordered and requested that response and recovery assistance be made available under the California Disaster Assistance Act and the Stafford Act, to assist in response and recovery efforts. It is further proclaimed, ordered and requested that the State expedite access to State and Federal resources and any other appropriate Federal disaster relief programs. The City proclaims, orders and requests that this request be forwarded to the State Director of Emergency Services as well as the Federal Emergency Management Agency.

ORDERED by the City Manager/Director of Emergency Service this 3rd day of June, 2020.

DocuSigned by:

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Paul Arevalo, City Manager and Director of
Emergency Services
City of West Hollywood

DocuSigned by:

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Yvonne Quarker, City Clerk