

PROCLAMATION OF THE DIRECTOR OF EMERGENCY SERVICES FOR NAPA COUNTY, STATE OF CALIFORNIA, PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY AND IMPOSING A CURFEW IN A DESIGNATED PART OF NAPA COUNTY

DATE OF ORDER: JUNE 2, 2020

WHEREAS, California Government Code Sections 8630 and 8634 authorize the governing body of a political subdivision, or officials designated thereby, to promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve public order and safety during a local emergency; and

WHEREAS, Napa County Code Section 2.80.060 authorizes the Napa County Director of Emergency Services to proclaim the existence of a local emergency and to issue rules and regulations on matters reasonably related to the protection of life and property as affected by any conditions proclaimed; and

WHEREAS, the Napa County Executive Officer, serving as the Napa County Director of Emergency Services, hereby finds and proclaims the existence of a local emergency based on the following:

1. Violence and civil unrest has erupted throughout the Bay Area, the State of California, and many cities in the United States, in connection with protests arising from the tragic death of George Floyd on May 25, 2020 in Minneapolis, Minnesota;
2. While the majority of protestors have acted lawfully, a significant number of people throughout neighboring Bay Area cities and counties, including Vallejo and Solano County, have engaged in criminal behavior, including violence, vandalism of public and private property, looting and failure to follow lawful dispersal orders;
3. Bay Area cities report that perpetrators of these crimes reside in other jurisdictions and thus, are believed to have travelled to those locations with the express purpose of conducting criminal activity under false pretense and under cover of lawful and peaceful protest; and
4. Other neighboring cities in the Bay Area—including the nearby cities of Emeryville, Fairfield, and Walnut Creek—have experienced criminal activities such as violence, vandalism and looting without ever first experiencing any peaceful and lawful protest.

IT IS HEREBY PROCLAIMED AND ORDERED that a curfew is imposed in Napa County within the following boundaries: **unincorporated Napa County starting from SR 29/SR 12 (Jameson Canyon Road) and all areas South (including the City of American Canyon), East, and West to the Napa County Line**, to preserve the public order and safety, as follows:

No persons, except as set forth below, shall be upon any public street, avenue, alley, park, way or other public property or area or on any unimproved private property between the hours of 8:00 p.m. and 5:00 a.m.

IT IS FURTHER PROCLAIMED that this ORDER shall not apply to:

1. Law enforcement personnel, firefighting personnel, emergency health care providers and other emergency personnel deployed in the area;
2. Credentialed and authorized media representatives engaged in news gathering;
3. Individuals who are in the course of traveling directly to and from work at a business, construction site, hospital or jail, or to obtain medical assistance;
4. Persons who are experiencing homelessness who remain sheltered in place in a single location;
5. Medical facilities, pharmacies and gas stations may remain open to the public. All other businesses must be closed to the public during the time of curfew; and
6. Agricultural workers traveling to and from work or having to work in the field during the curfew hours for crop maintenance.

The Napa County Sheriff is hereby authorized and charged to the extent provided by law with the responsibility of enforcing this curfew, and is further authorized to arrest such persons as do not obey this curfew after due notice, oral or written, has been given to said person.

A violation of the curfew shall be punishable as a misdemeanor pursuant to Napa County Code Section 2.80.100.

IT IS FURTHER PROCLAIMED AND ORDERED that this proclamation and order shall be in full force and effect on June 2, 2020 and shall expire at 5:00 a.m. on June 4, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Director of Emergency Services pursuant to Napa County Code Section 2.80.060. Additionally, this Order shall be confirmed by the Board of Supervisors at their earliest practicable time, per Napa County Code Section 2.80.060 (7)(a).

Dated: June 2, 2020

Minh C. Tran

Minh C. Tran
County Executive Officer, serving as
Director of Emergency Services