



CITY OF ATLANTIC CITY OFFICE OF EMERGENCY MANAGEMENT

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PROCLAMATION OF LOCAL DISASTER EMERGENCY

TO ALL RESIDENTS AND PERSONS WITHIN THE CITY OF ATLANTIC CITY, NEW JERSEY AND TO ALL DEPARTMENTS OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ATLANTIC CITY, NEW JERSEY;

WHEREAS, pursuant to the powers invested in me under N.J.S.A.40-69A-1, et seq., the Optional Municipal Charter Law and the executive power of the municipality, Mayor Marty Small. Sr. and Chief Scott K Evans, Emergency Management Coordinator and by Chapter 251 of the laws of 1942, as amended and supplemented, N.J.S.A. App. A:9-30, et seq.; N.J.S.A. 40:48-1 (6) and City Ordinance No. 61 of 1985; N.J.S.A. 2C:33-1 et seq.; whichever law or laws apply, and by ordinances adopted by the City of Atlantic City, there may be declared that a local disaster/emergency exists with the City of Atlantic City and

WHEREAS, the aforesaid laws authorize the promulgation of such orders, rules, and regulations as are necessary to meet the various disaster related issues which have or may be presented by such disaster/emergency, and

WHEREAS, lawful assemblies are the lifeblood of our democracy based in the constitutional rights that we all hold so dear and in the past week, individuals have engaged in legal and peaceful protests throughout the nation and world; and

WHEREAS, in this municipality certain persons have engaged in riots resulting in assaults, vandalism, violence and criminal damage; and

WHEREAS, the violent civil disturbances and riots have continued and grown nationally and in Atlantic City, endangering additional lives and property; and

WHEREAS, on May 31, 2020, a protest was held in Atlantic City, however, after ending, a great number of those attending did not disburse and began to cause a civil disturbance and riot causing vandalizing of government buildings and throwing rocks and other items at police; and

WHEREAS, on May 31, 2020, protests continued, including in the downtown area and resulted in additional damage to property, and looting occurred in Tanger Outlets at the Walk; and

WHEREAS, the level of disturbances and danger to persons and property has continued to increase with information suggesting that civil disturbances will expand to other areas of the City and State; and

WHEREAS, to date, as this violence spreads, it was necessary to have a state-aided response to maximize the resources of law enforcement and other government support services to ensure the safety of persons and property; and

WHEREAS, the City of Atlantic City understands its obligations to permit expressive activity subject to reasonable time, place and manner restrictions necessitated by the existing public safety concerns for citizens, public safety employees and protestors, however, one of the primary purposes of government is to protect its citizens, maintain order and balance the rights of all individuals; and

WHEREAS, due to the concerns for public safety, the City of Atlantic City will temporarily prohibit assemblages of protests in Atlantic City without the express approval of the City; and

WHEREAS, due to these conditions, and pursuant to the powers invested in me "N.J.S.A.40-69A-1, et seq., the Optional Municipal Charter Law and the executive power of the municipality and N.J.S.A. App. A: 9-30, et seq.; N.J.S.A. 40:48-1 (6) and Ordinance No. 61 of 1985; N.J.S.A. 2C:33-1 et seq. conditions of extreme peril to the safety of persons or property within the state caused by rioting and other civil unrest, which are or are likely to be beyond the control of the services, personnel, equipment and facilities of any single county, city or town, and which require the combined efforts of the state and the political subdivision" exist to support a declaration of emergency; and


WHEREAS, pursuant to Chapter 251 of the laws of 1942, as amended and supplemented, N.J.S.A. App. A:9-30, et seq.; N.J.S.A. 40:48-1 (6) and Ordinance 61 of 1985; N.J.S.A. 2C:33-1 et seq.; whichever law or laws apply, and by ordinances adopted by the City of Atlantic City, there may be declared that a local disaster/emergency exists with the City of Atlantic City; and

NOW, THEREFORE, WE, Mayor Marty Small, Sr. and Chief Scott K. Evan, Coordinator of the Office of Emergency Management, in the City of Atlantic City, State of New Jersey, by virtue of the authority vested in us by the Constitution and laws of this State, including but not limited to, N.J.S.A. App. A:9-30, et seq.; N.J.S.A. 40:48-1 (6) and powers invested in me N.J.S.A.40-69A-1, et seq., the Optional Municipal Charter Law and the executive power of the municipality declare as follows:

1. Declare that a State of Emergency exists in the City of Atlantic City due to the necessity to quell riots, effective Sunday, May 31, 2020, starting at 8:00 p.m. and continuing.
2. As part of the State of Emergency, a limited curfew is imposed for the entire City beginning at 7:00 p.m. on Sunday, May 31, 2020.
3. The curfew will be in place from 7:00 p.m. until 6:00 a.m. and shall expire on Monday, June 8, 2020 at 6:00 a.m. unless further extended.
4. During the hours of curfew, all persons are prohibited from using, standing, sitting, traveling or being present on any public street, sidewalk or in any public right-of-way or place, including for the purpose of travel, with the following exemptions:
 - A. All law enforcement, firefighters, paramedics or other medical personnel, as well as any other emergency response personnel authorized by the City of Atlantic City, and credentialed members of the media.
 - B. Individuals traveling directly to and from work; attending religious services; commercial trucking and delivery services; obtaining food; caring for a family member, friend, or animal; patronizing or operating private businesses; seeking medical care or fleeing dangerous circumstances; and travel for any of the above services.

5. For purposes of this order, "travel" includes, without limitation, travel on foot, bicycle, skateboard, scooter, motorcycle, automobile, or public transit, or any other mode of transporting a person from one location to another.
6. For purposes of this order, "public place" means any place, whether on privately or publicly owned property, accessible to the general public, including but not limited to public streets and roads, alleys, highways, driveways, sidewalks, parks, vacant lots, and unsupervised property. For purposes of this order, "exempt care" means necessary medical services for an individual's self or family member.
7. Direct that the City of Atlantic City Emergency Operations Plan be used, and the Office of Emergency Management is to be engaged, as necessary or requested, to assist in managing the emergency.

NOW THEREFORE, in accordance with the aforesaid laws, the Mayor and the Emergency Management Coordinator do hereby declare the City of Atlantic City is in a state of EMERGENCY and the existence of a local disaster and do hereby authorize the enactment of such emergency measures as are deemed necessary and appropriate by the City of Atlantic City and its officials to meet said emergency and disaster, including but not limited to transportation of those in need of medical care and assistance, the clearing of the streets and byways, the removal of stranded vehicles which hamper free and necessary flow of traffic in and about the City and the utilization of all property, public and private, necessary to alleviate the present conditions.


Marty Small, Mayor


Scott Evans, OEM Coordinator

5-31-20
Date

21:53
Time