



CITY OF HAYWARD
JUNE 1, 2020

AN ORDER OF THE CITY MANAGER ACTING AS THE DIRECTOR OF EMERGENCY SERVICES FOR THE CITY OF HAYWARD PROCLAIMING A LOCAL EMERGENCY AND IMPOSING A CITYWIDE CURFEW

WHEREAS, protesters have gathered throughout the country in response to George Floyd's death while being detained by a Minneapolis police officer on May 25, 2020;

WHEREAS, although the majority of protesters have acted peacefully and lawfully, some protests throughout the country, California and in surrounding cities such as San Francisco, Oakland, Vallejo, Walnut Creek, Pleasant Hill, and Emeryville have increasingly resulted in injuries to persons and destruction of property;

WHEREAS, on June 1, 2020 as Director of Emergency Services for the City of Hayward, I proclaimed the existence of a local emergency pursuant to Hayward Municipal Code Section 3-2.12 to ensure the availability of mutual aid and an effective response to potential injuries or property damage resulting from civil unrest arising in relation to protests concerning the unfortunate death in Minnesota of George Floyd, as demonstrated by the civil unrest that has occurred in connection with protests in the cities listed above;

WHEREAS, I have determined that due to the threat of and actual civil unrest surrounding the protests, the need to protect the safety of the public, and public and private property, within the City of Hayward, there exists the need to impose a citywide curfew within the City of Hayward; and

WHEREAS, California Government Code Section 8634 empowers the City Manager, acting in the capacity of the City's Director of Emergency Services, and Hayward Municipal Code Section 3-2.12 to promulgate orders and regulations necessary to provide for the protection of life and property during a local emergency, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety.

NOW, THEREFORE, I hereby declare the following order necessary for the protection of life and property within the City of Hayward:

1. The above recitals are true and correct and incorporated herein by this reference.
2. A citywide curfew is hereby imposed in the City of Hayward.

3. Pursuant to this curfew, no persons shall be upon any public street, avenue, alley, park, way, or any other public place or upon unimproved private real property in the City of Hayward between the hours of 8:00 p.m. and 5:00 a.m., on June 1, 2020, and thereafter from 8:00 p.m. and 5:00 a.m., from June 1, 2020 through June 8, 2020.

4. The law enforcement personnel of this City along with other 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 or issue a citation to any person who does not obey this curfew after due notice, oral or written, has been given to that person.

5. Any violation of this order shall be subject to criminal and civil enforcement, including but not limited to enforcement as a misdemeanor pursuant to Hayward Municipal Code section 3-2.17.

6. Law enforcement personnel, firefighting personnel, emergency health care providers, civilians engaged in police or emergency work, individuals traveling to and from work, persons impacted by homelessness, and representatives of the media are exempt from this order.

BE IT FURTHER RESOLVED that this order shall take effect at 12 noon on June 1, 2020, with said curfew beginning at 8:00 p.m. on June 1, 2020 and shall remain in effect until the earlier of the termination of this order by further order of the Director of Emergency Services or 5:00 a.m., on June 8, 2020.



Time and Date

6/1/2020 11:49 am

Kelly McAdoo, City Manager and Director of Emergency Services