

DIVISION 2. - CIVIL EMERGENCIES

Sec. 39-84. - Definitions.

For the purposes of this division, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Civil emergency shall mean:

- (1) A riot or unlawful assembly characterized by the use of actual force or violence or any threat to use force if accompanied by immediate power to execute by three (3) or more persons acting together without authority by law.
- (2) Any natural disaster or manmade calamity including flood, conflagration, cyclone, tornado, earthquake or explosion within the city resulting in the death or injury of person or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare.

Curfew shall mean a prohibition against any one or more persons walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the city, except persons officially designated to duty with reference to such civil emergency.

(Code 1965, § 41-2.1; Ord. No. 14-032, 1968, § 1)

Sec. 39-85. - Proclamation of mayor.

When in the judgment of the mayor a civil emergency as defined in section 39-84 is deemed to exist he shall forthwith proclaim in writing the existence of the same.

(Code 1965, § 41-2.2; Ord. No. 14-032, 1968, § 2)

Sec. 39-86. - General curfew.

After proclamation of a civil emergency by the mayor, he may order a general curfew applicable to such geographical areas of the city, or to the city as a whole, as he deems advisable, and applicable during such hours of the day or night as he deems necessary in the interest of the public safety and welfare.

(Code 1965, § 41-2.3; Ord. No. 14-032, 1968, § 3)

Sec. 39-87. - Curfew applicable to minors under seventeen.

- (a) After proclamation of a civil emergency by the mayor, he may order a curfew applicable only to minors under the age of seventeen (17) years; and such curfew may be declared applicable

to such geographical areas of the city, or to the city as a whole, as he deems advisable, and subject to such further conditions, limitations and exemptions as he deems necessary in the interest of public safety and welfare.

- (b) It shall be unlawful for the parent, guardian or other adult person having the care and custody of a minor under the age of seventeen (17) years to knowingly permit such minor to violate the curfew ordered by the mayor under this section.

(Code 1965, § 41-2.4; Ord. No. 14-110, 1968)

Sec. 39-88. - Orders which may be issued by mayor.

After proclamation of a civil emergency, the mayor of the city may also in the interest of public safety and welfare make any or all of the following orders:

- (1) Order the closing of all retail liquor stores;
- (2) Order the closing of all beer taverns;
- (3) Order the closing of all private clubs or portions thereof wherein the consumption of intoxicating liquor or beer is permitted;
- (4) Order the discontinuance of the sale of beer;
- (5) Order the discontinuance of selling, distributing or giving away of gasoline or other flammable liquid or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle;
- (6) Order the closing of gasoline stations and other establishments, the chief activity of which is the sale, distribution or dispensing of flammable liquid or combustible products;
- (7) Order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever;
- (8) Order the closing of any or all establishments or portions thereof, the chief activity of which is the sale, distribution, dispensing or giving away of firearms or ammunition;
- (9) Issue such other orders as are imminently necessary for the protection of life and property.

(Code 1965, § 41-2.5; Ord. No. 14-032, 1968, § 4)

Sec. 39-89. - Violations and penalties.

Any person found guilty of violating any provision of this division, or any executive order issue by the mayor pursuant to the authority therein contained, shall be guilty of an offense against the city and shall be punished by a fine not exceeding two hundred dollars (\$200.00), or may be imprisoned in the city jail or

sentenced to hard labor for the city for a period not exceeding six (6) months, or by both such fine and imprisonment or sentenced to hard labor, at the discretion of the judge trying the case.

(Code 1965, § 41-2.6; Ord. No. 14-006, 1972, § 5)