

EXECUTIVE ORDER NO. __ - 20

**DECLARATION OF EMERGENCY RELATED IMMINENT DANGER OF CIVIL
DISTURBANCE, DISORDER, OR RIOT IN PHILADELPHIA
ORDER NO. 5**

WHEREAS, protests and riots have erupted across the country in response to the recent death of George Floyd, a Black man in Minneapolis who died after one or more white police officers knelt on his neck, the latest in a long line of the deaths of Black men and women that have spurred protests across our nation; and

WHEREAS, peaceful demonstrations began in Philadelphia early in the day on May 30, 2020 but were subsequently escalated, by some persons, to include actions of vandalism, property damage, rioting, and/or looting;

WHEREAS, demonstrations in other areas of the country have escalated given the understandable racial tensions inflamed by recent events; and

WHEREAS, the City remains subject to a State and City Declaration of Emergency related to the 2019 novel coronavirus disease, COVID-19; and

WHEREAS, the City has operated under a Declaration of Emergency Related to the Known and Potential Presence of the Novel Coronavirus COVID-19 in Philadelphia since March 13, 2020 (“COVID-19 Declaration of Emergency”) and residents and businesses in the City are currently subject to various stay at home orders issued by the Mayor, the Health Commissioner, the Governor of Pennsylvania and the Pennsylvania Secretary of Health limiting the operation of businesses in the City and require individuals to stay at home with limited exceptions for essential activities (collectively “the COVID-19 Emergency Orders”); and

WHEREAS, on May 30, 2020, the Governor of Pennsylvania issued a Proclamation of Disaster Emergency related to the emergency in Philadelphia caused by the recent acts of vandalism, property damage, rioting and/or looting, as well as in certain other counties in the Commonwealth; and

WHEREAS, on May 30, 2020, the imposition of a curfew became necessary to protect the City and its residents from severe endangerment and harm to their health, safety and property and, in response, the Mayor issued a Declaration of Emergency Related to Imminent Danger of Civil Disturbance, Disorder, or Riot in Philadelphia (“May 30 Emergency Declaration”); and

WHEREAS, on May 31, 2020, June 1, 2020, and June 2, 2020, the City again experienced extreme civil disturbance, including property damage and looting, in addition to peaceful protest activity, and further Declarations of Emergency were issued on these dates (collectively with the May 30 Emergency Declaration “Prior Declarations of Emergency Imposing Curfew and Traffic Restrictions”) to again impose a curfew as well as to limit

vehicular and pedestrian traffic, and whereas the need for a curfew and limitation on traffic continues;

NOW, THEREFORE, I, James F. Kenney, by the powers vested in me as the Mayor of the City of Philadelphia and pursuant to all authority granted to me under the Philadelphia Home Rule Charter, The Philadelphia Code, and applicable State and City orders, including the powers granted under 35 Pa. C.S. § 7501 and Section 10-819 of The Philadelphia Code, do hereby declare as follows:

1. The recent civil disturbance and disorder that has erupted in Philadelphia, constitutes a local disaster emergency and state of emergency pursuant to the terms of Pennsylvania and City law.

2. I hereby authorize the Philadelphia Police Department to limit the following area, or portions thereof, to vehicular traffic as necessary: the area bounded on the North side of Vine Street on the North, on the East by the Delaware River, on the South side of South Street on the South and on the West by the Schuylkill River.

3. I further immediately authorize the Philadelphia Police Department to secure such individual blocks within the City with significant damage that are unsafe or pose a safety risk, and to close such blocks to pedestrian and vehicular traffic, other than residents of the block, owners of real property on the block, licensed medical personnel, or law enforcement authorities.

4. I further order a City-wide curfew limiting the hours when persons may go upon or travel the public streets, including all public spaces in Philadelphia such as sidewalks, public parks, and right of ways, as follows (collectively "Curfew Hours"):

a. From June 3, 2020 at 6 p.m. until June 4, 2020 at 6 a.m.

5. I further order all retail businesses of any kind including but not limited to pharmacies, grocery stores, electronics, clothing, general merchandise, restaurants, and similar establishments to close by 6 p.m. on June 3, 2020 and to remain closed until 6 a.m. on June 4, 2020 to allow compliance with this order, but strongly recommend such businesses close earlier in order to allow employees and customers to safely make their way home before implementation of the curfew at 6 p.m. this evening.

6. During these Curfew Hours individuals may only go upon or travel the public streets, including all public spaces such as parks and right of ways, of Philadelphia if necessary to do so for one or more of the following purposes:

- a. To travel to, from, or perform work at an essential or life sustaining business, as defined under the COVID-19 Emergency Orders, excluding retail businesses which have been directed to close pursuant to paragraph 5, above.
- b. To seek any form of medical attention for oneself, a family member, household member, or pets.
- c. To seek assistance from law enforcement.

d. Leaving one's home due to a reasonable fear for health or safety.

7. Members of the press performing their official duties are essential employees who have been exempt from all Prior Declarations of Emergency Imposing Curfew and Traffic Restrictions and will remain exempt from this Order.

8. This order in no way restricts licensed medical personnel traveling at any place in Philadelphia for the purposes of travel to, from, or performing medical services for work or on a volunteer basis.

9. Individuals experiencing homelessness are exempt from the curfew and are advised to seek shelter where feasible.

10. This Order is effective immediately and supersedes all Prior Declarations of Emergency Imposing Curfew and Traffic Restrictions and supplements, but does not replace, the COVID-19 Emergency Orders. The extent this order and the COVID-19 Emergency Orders conflict, this Order shall control.

11. This Order shall remain in effect through the end of the day on June 4, 2020 unless rescinded, superseded, or amended by further Order. Failure to comply with this Order shall result in orders to disperse, and the imposition of penalties, fines, or criminal charges for failure to obey orders of the police, and such other remedies as provided for by law.

Date: 6-3-20

By: James F. Kenney
James F. Kenney, Mayor
City of Philadelphia