

CHAPTER 38

TEMPORARY CIVIL DISORDER RESTRICTIONS

38.01 Declaration of Civil Disorder

38.02 Promulgation of Temporary Restrictions

38.03 Temporary Restrictions

38.04 Termination of Temporary Restrictions

38.01 DECLARATION OF CIVIL DISORDER. Whenever the Mayor determines that there has been either an act of violence or resistance to a lawful exercise of public authority, and that as a result thereof, there is reason to believe that there exists a clear and present danger of a riot or other general public disorder involving widespread disobedience of the law and substantial injury to persons or property, which riot or other general public disorder constitutes an immediate threat to the public peace and to the general welfare of the City, or any area of it, the Mayor may declare a state of civil disorder within the City or any of its areas.

38.02 PROMULGATION OF TEMPORARY RESTRICTIONS. Whenever the Mayor declares that a state of civil disorder exists, the Mayor may promulgate any, all or part of the temporary restrictions provided for in Section 38.03 of this chapter, with such limitations and conditions as the Mayor may deem appropriate under the circumstances. In so doing, the Mayor shall specify the area of the City affected by each restriction. Any measure promulgated will take effect only after reasonable notice of its contents has been given.

38.03 TEMPORARY RESTRICTIONS. The Mayor is authorized to promulgate any, all or part of the following restrictions:

1. Alcohol. Order the immediate closing of all taverns and order the cessation of the sale or any other distribution of intoxicating liquor and beer;
2. Weapons. Order the cessation of public display, possession, sale or any other distribution of firearms and ammunition;
3. Explosives and Flammables. Order the cessation of the sale or any other distribution of explosives and flammables;
4. Curfew. Order the closing of all or some public parks, public streets or other public places during specified hours;
5. Assembly. Order the cessation of gatherings by three (3) or more persons in public buildings, streets, parks and other open areas either public or private;
6. Other. Order the cessation of any other activities reasonably believed hazardous to the maintenance of public safety.

38.04 TERMINATION OF TEMPORARY RESTRICTIONS. Any restriction promulgated in accordance with the provisions of this chapter will terminate

automatically forty-eight (48) hours after the Mayor's declaration of civil disorder was issued or upon issuance by the Mayor of a declaration that a state of civil disorder no longer exists, whichever occurs first; provided, however, any or all of the restrictions promulgated by the Mayor may be extended by successive resolutions of the Council for additional periods of time. The period of any one extension shall not exceed five (5) days.

[The next page is 255]