

EXECUTIVE ORDER NUMBER 2020-92
BY THE MAYOR

DECLARING, IN ACCORDANCE WITH SECTION 2-181(A) OF THE CITY OF ATLANTA CODE OF ORDINANCES, THAT THERE IS AN EMERGENCY IN EXISTENCE WITHIN THE TERRITORIAL JURISDICTIONAL LIMITS OF THE CITY OF ATLANTA DUE TO THE EXTREME LIKELIHOOD OF DESTRUCTION OF LIFE OR PROPERTY AS A RESULT OF VIOLENT CIVIL UNREST; EXERCISING MY EMERGENCY POWER TO ESTABLISH A CURFEW WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF ATLANTA; AND FURTHER EXERCISING MY EMERGENCY POWERS IN ACCORDANCE WITH SECTION 2-181(B) OF THE CITY OF ATLANTA CODE OF ORDINANCES AS SHALL BE NECESSARY TO MITIGATE THE THREAT OF CONTINUED VIOLENT CIVIL UNREST.

WHEREAS, pursuant to Section 2-181(a) of the Code of the City of Atlanta (“City”), the Mayor, as chief executive of the City, shall have the emergency power to declare an emergency to exist when, in the mayor’s opinion, there is an extreme likelihood of destruction of life or property due to an unusual condition; and

WHEREAS, pursuant to Section 2-181(b) of the Code of the City of Atlanta, the Mayor, as chief executive of the City, shall have the right to exercise any or all of the following emergency powers after such declaration of emergency:

- (1) To use employees of the city other than employees of the department of police to assist in the safety and preservation of life, limb and property of the citizenry of the city;
- (2) To close streets and sidewalks and to delineate areas within the city wherein an emergency exists;
- (3) To impose emergency curfew regulations;
- (4) To close business establishments within the affected area;
- (5) To close any and all city-owned buildings and other facilities to the use of the general public;
- (6) To do any and all acts necessary and incidental to the preservation of life, limb and property of the citizenry of the city; and

WHEREAS, no emergency power as set forth in this section may be effective for more than seventy-two (72) hours after the declaration of an emergency; and

WHEREAS, on the afternoon of Friday, May 29, 2020, thousands of persons gathered in the City of Atlanta to honor the life of George Floyd, a black American man killed by a law enforcement officer in the City of Minneapolis, Minnesota, to demand justice for his killing, and to march in solidarity; and

WHEREAS, myself and other government and community leaders across the nation have urged peaceful assemblies to ensure the lawful exercise of citizens' constitutional rights; and

WHEREAS, despite initial peaceful assembly of persons within the territorial jurisdiction of the City of Atlanta, circumstances became dangerous; and

WHEREAS, after the conclusion of the organized, peaceful assembly, other persons began inciting violence and lawlessness among those still lingering in the area of the peaceful assembly; and

WHEREAS, these additional persons threatened public safety and private property by throwing rocks, breaking windows, and destroying government property; and

WHEREAS, some persons trespassed and ransacked the CNN Center, the College Football Hall of Fame, and other properties in downtown Atlanta and in Buckhead; and

WHEREAS, as a result of the acts of violence and disruption of the peace and tranquility demonstrated during the evening and night of May 29, 2020, and in consultation with the City of Atlanta, public safety officials, civil rights leaders, and emergency preparedness officials, on May 29, 2020, Governor Brian Kemp declared a State of Emergency in Fulton County, Georgia, (Governor's State of Emergency)¹; and

WHEREAS, the Governor's State of Emergency shall expire seventy-two (72) hours after its issuance unless renewed by the Governor; and

WHEREAS, as a result of the Governor's State of Emergency the Georgia Department of Defense was ordered to provide up to five hundred (500) Georgia National Guard troops to be used in response to this State of Emergency; and

WHEREAS, the Georgia National Guard troops were given the state powers of arrest and apprehension as law enforcement officers; and

WHEREAS, the territorial jurisdiction of the City of Atlanta exists in both Fulton and DeKalb counties; and

WHEREAS, the area of the City of Atlanta located within DeKalb County is not included in the Governor's State of Emergency and is not covered thereby; and

WHEREAS, as a result of the violence, overt threats of violence, disruption of the peace and tranquility during the civil unrest occurring during the night on May 29, 2020 and the early morning hours of May 30, 2020, within the City of Atlanta, and the threat that such danger shall continue, I have determined there exists an extreme likelihood of destruction of life or property within the entire territorial jurisdiction of the City of Atlanta, including that portion within DeKalb County, due to this unusual condition; and

WHEREAS, in accordance with this determination, and in accordance with Section 2-181(a) of the City of Atlanta Code of Ordinance I have determined there to be an emergency in existence within the territorial jurisdictional limits of the City of Atlanta; and

¹ Governor's Executive Order 05.29.20.01

WHEREAS, pursuant to Section 2-181(b) of the City of Atlanta Code of Ordinance, during the duration of this emergency, I shall have the ability to exercise any of the following emergency powers:

- (1) To use employees of the city other than employees of the department of police to assist in the safety and preservation of life, limb and property of the citizenry of the city;
- (2) To close streets and sidewalks and to delineate areas within the city wherein an emergency exists;
- (3) To impose emergency curfew regulations;
- (4) To close business establishments within the affected area;
- (5) To close any and all city-owned buildings and other facilities to the use of the general public;
- (6) To do any and all acts necessary and incidental to the preservation of life, limb and property of the citizenry of the city; and

WHEREAS, as a result of this declared emergency and each day during the duration thereof, I shall have the authority to establish a curfew in the entire territorial jurisdiction of the City of Atlanta which shall begin at 9:00pm and shall end at sunrise; and

WHEREAS, the emergency actions to be taken as a result of this declared emergency may also include, but shall not be limited to, the use of City employees to assist in cleanup, repair, and protection of private and governmental property affected by the violent actions resulting from the civil unrest occurring within the City of Atlanta as circumstances demand.

NOW THEREFORE, I, KEISHA LANCE BOTTOMS, AS MAYOR OF THE CITY OF ATLANTA, NOW HEREBY AUTHORIZE, ORDER AND DIRECT AS FOLLOWS:

SECTION 1. I have determined that there exists an extreme likelihood of destruction of life or property within the territorial jurisdictional limits of the City of Atlanta due to the unusual condition of the violence, overt threats of violence, disruption of the peace and tranquility during the civil unrest occurring during the night on May 29, 2020 and the early morning hours of May 30, 2020, within the City of Atlanta, and due to the threat that such danger shall continue.

SECTION 2. In accordance with this determination, and in accordance with Section 2-181(a) of the City of Atlanta Code of Ordinances, I hereby declare there to be an emergency in existence within the territorial jurisdictional limits of the City of Atlanta.

SECTION 3. In accordance with this emergency declaration, I am exercising my emergency powers in accordance with Section 2-181(b) of the City of Atlanta Code of Ordinances to exercise any or all of the following emergency powers within the territorial jurisdictional limits of the City of Atlanta as shall be necessary to mitigate the threat that the danger of violent civil unrest shall continue:

- (1) To use employees of the city other than employees of the department of police to assist in the safety and preservation of life, limb and property of the citizenry of the city;
- (2) To close streets and sidewalks and to delineate areas within the city wherein an emergency exists;
- (3) To impose emergency curfew regulations;
- (4) To close business establishments within the affected area;


- (5) To close any and all city-owned buildings and other facilities to the use of the general public;
- (6) To do any and all acts necessary and incidental to the preservation of life, limb and property of the citizenry of the city; and

SECTION 4. As a result of the emergency declared herein, and each day during the duration thereof, I shall have the authority to establish of a curfew in the entire territorial jurisdiction of the City of Atlanta which shall begin at 9:00pm and shall end at sunrise.


SECTION 5. The emergency actions to be taken as a result of this declared emergency may also include, but shall not be limited to, the use of City employees to assist in cleanup, repair, and protection of private and governmental property affected by the violent actions resulting from the civil unrest occurring within the City of Atlanta as circumstances demand.

SECTION 6. If one or more of the provisions contained in the Order shall be held to be invalid, in violation of the Constitution of the United States, the Georgia Constitution, in violation of Georgia law, or unenforceable in any respect, such invalidity, violation, or unenforceability shall not affect any other provisions herein, but in such case, this Order shall be construed as if such invalid, illegal, or unenforceable provision had never been contained with this Order.

This 30th day of May, 2020.



Keisha Lance Bottoms, Mayor

ATTESTED: 

Municipal Clerk

