

EXECUTIVE ORDER NUMBER 2020-94  
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)<sup>1</sup>; and

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

**WHEREAS**, on May 30, 2020 Governor Kemp issued Executive Order 05.30.20.01 increasing the number of National Guard troops to be used in response to the Governor's State of Emergency to 1500; and

**WHEREAS**, on May 30, 2020 Governor Kemp issued Executive Order 05.30.20.02 expanding the Governor's State of Emergency to include all counties in the State of Georgia, and extended the Governor's State of Emergency such that it shall remain in place through Monday, June 8, 2020; and

**WHEREAS**, pursuant to 05.30.20.02 the Georgia Department of Defense was directed to provide an additional 1500 Georgia National Guard troops as needed in response to the Governor's 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**, 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, on May 30, I determined there exists an extreme likelihood of destruction of life or property within the entire territorial jurisdiction of the City of Atlanta, due to this unusual condition; and

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<sup>1</sup> Governor's Executive Order 05.29.20.01

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

**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 had the authority to establish a curfew in the entire territorial jurisdiction of the City of Atlanta; and

**WHEREAS**, in accordance therewith, I instituted curfews which began at 9:00pm on May 30, and on May 31 and ended at sunrise on May 31 and June 1; and

**WHEREAS**, the emergency actions to be taken as a result of this declared emergency also included, but were not 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; and

**WHEREAS**, due to the continued threat of violent civil unrest in the City of Atlanta I have determined there to be a need to extend my emergency declaration within the territorial jurisdictional limits of the City of Atlanta; and

**WHEREAS**, this emergency declaration shall remain in effect for 72 hours after the date of execution or through the time of the next regular or special meeting of the Atlanta City Council.

**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 occurring 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

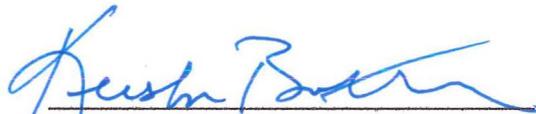
**SECTION 4.** As a result of the emergency declared herein, and each day during the duration thereof, I shall have the authority to declare and establish of a curfew in the entire territorial jurisdiction of the City of Atlanta which shall begin at 9:00pm and shall end at sunrise.

**SECTION 5.** During the time any curfew declared in accordance herewith, persons shall refrain from remaining on the streets and sidewalks within the territorial jurisdiction of the City of Atlanta. This shall not prohibit persons from traveling through the City of Atlanta via motor vehicle.

**SECTION 6.** 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 1 day of June, 2020.

  
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Keisha Lance Bottoms, Mayor

ATTESTED:

  
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Municipal Clerk

**Foris Webb, III**  
Municipal Clerk