

FIRST AMENDED ORDER SETTING CURFEW

BY

THE MAYOR OF THE CITY OF HOUSTON

WHEREAS, on August 24, 2017 the Mayor of the City of Houston, pursuant to Government Code Chapter 418 (the Texas Disaster Act of 1975), declared an enhanced state of disaster and emergency existed in the City of Houston because of the impact of the disaster associated with Hurricane Harvey ("Disaster") as made the subject of the Proclamation Declaring a Local State of Disaster dated August 24, 2017 that was extended by Ordinance of the City Council of the City of Houston on August 30, 2017; and,

WHEREAS, the City of Houston suffered severe damage because of the Disaster and its remnants, continued flooding and other weather resulting from the Disaster have caused widespread and severe damage, injury, and loss of property and life, and potentially exposed many businesses and residences to looting, vandalism and the natural elements, thus necessitating immediate protection against further loss; and,

WHEREAS, on August 30, 2017, the Mayor of the City of Houston ordered a curfew between the hours of 12:00 A.M. and 5:00 A.M. beginning August 30, 2017 until further ordered; and,

WHEREAS, a curfew between the hours of 12:00 A.M. and 5:00 A.M. preventing persons without proper authority from being upon the public streets or rights-of-way located within the City of Houston within certain areas will continue to greatly assist law enforcement in protection against further loss; and protection of the health, safety and welfare of the City of Houston; and,

WHEREAS, the causes for the implementation of the curfew in other areas are no longer a concern and the Mayor of the City of Houston has determined that the curfew in those areas is no longer necessary.

NOW THEREFORE, I, MAYOR OF THE CITY OF HOUSTON, HEREBY FIND AND ORDER AS FOLLOWS:

SECTION 1: The findings and recitations set out in the preamble to this ORDER are found to be true and correct and they are hereby adopted and made a part hereof for all purposes.

SECTION 2: It shall be unlawful for any person, without proper authority, to be upon, remain, or travel on the public streets or rights-of-way located within the City of Houston in between the hours of 12:00 A.M. and 5:00 A.M. from August 30, 2017, until further Order, in the area (west of Gessner, east of Highway 6, south of IH 10/Katy Freeway, and north of Briar Forest, excluding any part of Bunker Hill Village, (the "Curfew Area"). The curfew in areas of the City of Houston not located in the Curfew Area is terminated.

SECTION 3: The curfew stated in Section 2 for the Curfew Area shall not apply to a person (a) authorized by the City of Houston Chief of Police or his designee, the Emergency Management

Coordinator of the Houston Office of Emergency Management or his designee, or the Chief of the Houston Fire Department, to assist with the health, safety, or welfare of the public; (b) who is at work, (c) reporting to or returning from work or official disaster relief sites, (d) traveling for the purpose of performing work or volunteer related activities, (e) seeking medical attention or shelter, (f) travelling though the City of Houston to a destination outside the city limits, or (g) who remains or travels upon private property which is owned by him or her or upon which the person has been invited.

SECTION 4. The Director of the Houston Office of Emergency Management or his designee is hereby authorized to provide, or cause to be provided, all arrangements, provisions and means he deems necessary and proper to effect coordination of relief and aid programs, and property restoration and rehabilitation programs, for the protection, preservation, and improvement of life and property within the City during the state of local disaster. The Chief of Police of the Houston Police Department is hereby authorized to designate areas as restricted access and to restrict access, ingress and egress to those areas, as warranted by circumstances.

SECTION 5. It shall be unlawful for any person, without proper authority, to be in an affected area that has been designated with limited or denied access, ingress, or egress.


Section 6: Violation of any provision of this ORDER is an offense punishable under Sections 13-6, 13-7, and 1-6 of the Houston Code of Ordinances which provide for a fine for each separate offense.

SECTION 7. This ORDER shall expire upon the order of the Mayor.

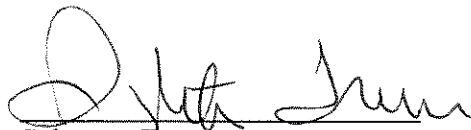
SECTION 8. In accordance with the Texas Disaster Act, this amended declaration shall take effect immediately.

SO DECLARED AND ORDERED this the 5th day of September, 2017.

Approved as to Form



Ronald C. Lewis
City Attorney



Sylvester Turner
Mayor, City of Houston