EMERGENCY ORDER

(Effective May 31, 2020 at 8:00 p.m.)

I, Jean Stothert, Mayor the City of Omaha, pursuant to the authority of Omaha Home Rule Charter §8.02 and Omaha Municipal Code §8-82, have declared a State of Emergency by Proclamation dated May 31, 2020. Pursuant to the authority of Omaha Municipal Code §8-85 to promulgate, issue, and enforce various rules, regulations, directives and order restricting activities, I hereby declare the following Order necessary for the protection of the public health, safety, property and welfare of the citizens of the City of Omaha:

WHEREAS, on May 25, 2020, George Floyd died while in the custody of the Minneapolis Police Department; and

WHEREAS, in the aftermath of the killing of Mr. Floyd, numerous protests have been held in Omaha and while a majority of protestors have acted lawfully, there have been a number of protestors who have elevated the events beyond peaceful non-violent protest, and

WHEREAS, as a result of the civil disturbances that have occurred in the City of Omaha on May 29, 2020 and May 30, 2020, a significant amount of criminal behavior has occurred including shootings, violence against first responders and peaceful protestors, vandalism of public and private property, looting of businesses and the failure to follow the lawful dispersal orders of the Omaha Police Department; and,

WHEREAS, much of the civil unrest, violence, destruction of property, and criminal behavior has taken place under the cover of darkness; and,

WHEREAS, a State of Emergency was declared by proclamation dated May 31, 2020 pursuant to the authority of Omaha Municipal Code §8-82; and,

WHEREAS, pursuant to Omaha Municipal Code §8-85, once a State of Emergency has been declared, the Mayor is authorized to issue orders, including the ability to impose curfews limiting the hours on public streets and also to prohibit or limit the number of people who may gather; and,
NOW THEREFORE, I, Jean Stothert, Mayor of the City of Omaha, do hereby order and declare pursuant to the authority in Omaha Municipal Code §8-85 and to protect the public health, safety, property, and welfare of the citizens of the City of Omaha that:

1. A curfew is imposed from 8:00 p.m. until 6:00 a.m. within the City limits of the City of Omaha. During the hours of the curfew, no person shall be upon any public street, avenue, boulevard, sidewalk, alley, park or other public place.

2. No gatherings in excess of twenty-five(25) persons may occur on any public street, avenue, boulevard, sidewalk, alley, park or outdoor place, except person who are awaiting transportation, engaging in recreational activities at a usual and customary place, or peaceably entering or leaving buildings.

3. This Order shall not apply to law enforcement personnel, fire and medical personnel, members of the media, individuals travelling to or from work, individuals providing emergency medical care, persons experiencing homelessness, or other personnel authorized by the City of Omaha, the Nebraska State Patrol, or Nebraska National Guard.

4. For purposes of this Order, “public place” means any outdoor place or area, whether on privately or publicly owned property, accessible to the general public.

5. Violation of this Emergency Order is a misdemeanor offense and punishable by a fine not to exceed $500.00 or by imprisonment not to exceed six months, or both such fine and imprisonment, pursuant to Omaha Municipal Code §1-10.

In Witness Whereof, I have set my hand and caused the official seal of the City of Omaha to be affixed this 31st Day of May, Two Thousand and Twenty.

Jean Stothert, Mayor of Omaha