

CURFEW –EMERGENCY.

1. **FINDINGS.** The Mayor finds that a public emergency has been created as a result of rioting within the City of Baltimore, creating a serious and substantial menace to the public peace, safety, health and welfare of the Citizens of Baltimore. The Mayor orders this General Curfew in accordance with Article IV of the Baltimore City Charter pursuant to the Mayor’s power and authority as conservator of the peace and the general police powers bestowed on the Mayor during times of emergencies. Beginning at 5 a.m. on April 28, 2015 the Additional Curfew for Minors found at paragraph 3(b)(iii) takes effect. Beginning at 10 p.m. on April 28, 2015, this General Curfew takes effect. These Curfews remain in effect until May 4, 2015 unless rescinded or extended by Order of the Mayor.

2. **DEFINITIONS.**

(a) **In General.** The following terms have the meanings indicated.

(b) **Establishment.** “Establishment” means: (i) any privately-owned place of business carried on for a profit; or (ii) any place of amusement or entertainment to which the public is invited.

(c) **Minor.** “Minor” means any person under the age of 17 years.

(d) **Operator.** “Operator” means any individual, firm, association, partnership or corporation operating, managing or conducting any establishment. Whenever used in any clause prescribing a penalty, the term “operator,” as applied to associations or partnerships, shall include the members or partners thereof; and as applied to corporations, shall include the officers thereof.

(e) **Parent.** “Parent” means: (i) any natural parent of a minor; (ii) a guardian; or (iii) any person 18 years old or older who is legally responsible for the care and custody of a minor.

(f) **Public Place.** “Public place” means any public street, highway, road, alley, park, playground, public sidewalk, wharf, dock, public building or vacant lot.

(g) **Health Care Facility.** “Health Care Facility” means hospitals, nursing homes and other similar health care facilities.

(h) **Curfew Period.** “Curfew Period” shall mean from that period of time extending from 10 p.m. in the evening until 5 a.m. the next morning.

(i) **Other Hours.** “Other Hours” shall mean that period of time extending from 5:01 a.m. in the morning until 9:59 p.m.

3. PROHIBITED CONDUCT.

(a) Scope of Section. This section applies to all persons within the City of Baltimore, including those traveling through the City of Baltimore, excluding only: (i) public safety officers; (ii) persons working for the federal, state and local law enforcement; (iii) legislative offices and their aides; (iv) persons employed by a Health Care Facility who are traveling to or from the Health Care Facility; (v) persons going to and from work; (vi) persons suffering a health emergency who are traveling to a Health Care Facility; and (vii) individuals traveling through Baltimore City via Interstate 95 and who are not driving into the City.

(b) Prohibited Conduct. Except as specifically provided by subparagraphs (i) - (vii) above:

(i) no person located within the City of Baltimore may be in a public place during the Curfew Period, whether in a vehicle or on foot;

(ii) no person within the City of Baltimore may engage in a march, parade, assembly or demonstration on a public place, whether during the Curfew Period or during Other Hours unless the event has a previously issued permit;

(iii) Additional Curfew for Minors. In addition to the restrictions imposed in subsections (b)(i) and (ii), during Other Hours, minors may not be in a public place except: when accompanied by the minor's parent; when strictly necessary to travel to and from school when required to be at school; and when going to or returning from an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Baltimore, a civic organization, or another similar entity that takes responsibility for the minor.

(iv) no operator of an establishment or his agents or employees may knowingly permit any minor to remain on the premises of that establishment if that minor's presence would violate subsection (iii) above.

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4. ENFORCEMENT. Violation of the foregoing provisions constitutes a misdemeanor and violators are subject to arrest.

IN WITNESS WHEREOF I HAVE
HEREUNTO PLACED MY HAND AND
THE GREAT SEAL OF THE CITY OF
BALTIMORE

THIS 27th DAY OF APRIL 2015.

ATTEST:



STEPHANIE RAWLINGS-BLAKE,
MAYOR
CITY OF BALTIMORE

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY BY THE BALTIMORE CITY LAW DEPARTMENT



SUZANNE SANGREE
CHIEF SOLICITOR
BPD LEGAL AFFAIRS