

PROCLAMATION OF A LOCAL EMERGENCY

WHEREAS, §33-15-17 (d) of the Mississippi Code Annotated of 1972, as amended, authorizes the Mayor of a municipality to proclaim that an Emergency exists as defined in §33-15-5 of the Mississippi Code of 1972, as amended, and measures must be taken to protect the public health, safety and welfare; and

WHEREAS, §33-15-5 (h) of the Mississippi Code Annotated of 1972, as amended, defines an emergency as “any occurrence, or threat thereof, whether natural, technological, or man-made, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property;” and

WHEREAS, §33-15-5 (g) of the Mississippi Code Annotated of 1972, as amended, defines a local emergency as “the duly proclaimed existence of conditions of disaster or extreme peril to the safety of person and property within the territorial limits of a ... municipality caused by such conditions as... man-made conditions...;” and

WHEREAS, §33-15-17 (d) of the Mississippi Code of Annotated of 1972, as amended, governing bodies may promulgate orders and regulations necessary to provide for the protection of life and property including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety; and

WHEREAS, increasing violence and criminal acts in the City of Vicksburg committed by and committed against minors are causes of great concern for the immediate, safety, and general welfare of the citizens in the City of Vicksburg and the City has a vested interest in preserving and nurturing minors as valuable assets and investments in the City’s future; and

WHEREAS, minors who are present in public places during the late night and early morning hours are more likely to be victimized or participate as perpetrators of crimes and the City needs to be proactive in protecting minors from the dangers that exist in the late night and early morning hours in public places; and

WHEREAS, the City of Vicksburg recognizes the problem of crimes committed by and committed against minors during the late night and early morning hours and believes that this problem can be dealt with more effectively by regulating the hours during which minors may remain in public places and certain establishments without adult supervision; and

WHEREAS, in consideration of the health, safety, and welfare of the City’s residents, and in the public interests, extraordinary measures are needed to preserve the safety of citizens in the City and protect the general public including minors and aid in the prevention of crimes committed by and committed against minors; and

WHEREAS, §33-15-17 (d) of the Mississippi Code of Annotated of 1972, as amended, the governing body of a municipality shall review the need for continuing the local emergency at least every thirty (30) days until such local emergency is terminated and shall proclaim the termination of such local emergency at the earliest possible date that conditions warrant; and

WHEREAS, the governing body of the City of Vicksburg hereby believes that the imposition of a curfew for minors during the summer months would hereby regulate the conduct of minors in the City of Vicksburg during specified times and will aid in curtailing crimes committed by and committed against minors occurring in the City and would be in the best interests of public health, safety and welfare.

NOW, THEREFORE, I, GEORGE FLAGGS, JR., MAYOR OF THE CITY OF VICKSBURG, MISSISSIPPI, PURSUANT TO THE AUTHORITY VESTED IN ME PURSUANT TO §§33-15-15 THROUGH 33-15-17 OF THE MISSISSIPPI CODE OF 1972, AS AMENDED, HEREBY ISSUE THIS PROCLAMATION THAT A LOCAL EMERGENCY EXISTS IN THE CITY OF VICKSBURG, MISSISSIPPI DUE TO THE INCREASE IN CRIMES CAUSED BY MINORS AND IN THE INTEREST OF PUBLIC SAFETY AND WELFARE, DO HEREBY ORDER PHASE 2 MEASURES AS FOLLOWS:

1. To decrease crimes committed by and committed against minors in the City of Vicksburg, preserve the resources of the Vicksburg Police Department, and to keep good order, **any minor under the age of eighteen (18) years of age**, who is unmarried and not emancipated, **shall not be upon any public street, highway, park, vacant lot, establishment, or other public place within the city from 11:00 p.m. until 7:00 a.m. beginning June 24, 2022.**
2. The following are exceptions to the curfew:
 - a. The minor is accompanied by a parent or legal guardian;
 - b. The minor is involved in an emergency or is seeking medical treatment;
 - c. The minor is traveling to or from work (the minor must carry written evidence of employment);
 - d. The minor is attending an activity sponsored by a school, religious or civic organization, by a public organization or agency, or by another similar organization or entity, which activity is supervised by adults, and/or the minor is going to or returning from such activity without detour or stop; or
 - e. The minor is exercising First Amendment rights provided by the United States Constitution, such as the free exercise of religion, freedom of speech, and the rights of assembly.

THIS EMERGENCY PROCLAMATION SHALL BE PLACED IN THE CITY OF VICKSBURG MINUTES AND REVIEWED EVERY THIRTY (30) DAYS AS REQUIRED BY LAW.

THIS THE ____ DAY OF _____ 2022.

GEORGE FLAGGS, JR., MAYOR
CITY OF VICKSBURG, MISSISSIPPI

ATTEST:

WALTER OSBORNE, JR., CITY CLERK