



City of Las Vegas

1700 N. Grand Avenue | Las Vegas, NM 87701 | T 505.454.1401 | lasvegasnm.gov

Mayor Louie A. Trujillo

CITY OF LAS VEGAS OFFICE OF THE MAYOR

PROCLAMATION OF CIVIL EMERGENCY EXTENDING CURFEW

WHEREAS, the City of Las Vegas is a home rule municipality and on December 14, 2020, the Mayor extended the Proclamation of Civil Emergency Extending Curfew; and

WHEREAS, the City Council of the City of Las Vegas issued Resolution 20-15 declaring a disaster declaration of health emergency in the City of Las Vegas due to the Covid-19 global pandemic, and Resolution 20-15 authorized the Mayor and City Manager to conduct emergency measures as may be appropriate to safeguard the public health, safety and welfare of the City's residents and visitors; and

WHEREAS, the City of Las Vegas Municipal Charter, Article III, Section 3.02 recognizes the Mayor as head of the government for the City of Las Vegas for purposes of responding to civil emergencies; and

WHEREAS, the population of the City of Las Vegas includes a significant number of elderly persons and others who would be disproportionately, and likely fatally, affected by an outbreak and spread of Covid-19; and

WHEREAS, based on the current data related to Covid-19, input from health professionals, feedback from the public, consultation with the City Council, City Manager, Chief of Police, Fire Chief and District Attorney, the Mayor has determined a curfew is necessary to mitigate the spread of infectious diseases by reducing the risk of exposure during a time of outbreak; and

WHEREAS, the Mayor determined that it is in the best interest of the City and the public health, safety and welfare of the City's residents and visitors to declare a Proclamation of Civil Emergency in the manner provided herein.

NOW THEREFORE BE IT RESOLVED by the duly elected and sworn Mayor of the City of Las Vegas this 20th day of January, 2021, due to civil and health emergencies created by Covid-19 and the increased risk of infection and transmission by public gatherings and use of public property, as well as the recent amended emergency public health order issued by the New Mexico Department of Health, it is hereby declared and ordered that a temporary curfew is imposed in the City of Las Vegas every day of the week for the hours between 10:00 p.m. and 5:00 a.m. This curfew is effective as of 10:00 p.m. on January 20, 2021 and shall expire and automatically terminate on April 1, 2021 at 10:00 p.m., if not extended in writing by the Mayor.

- (a) The recitals listed above are incorporated in this Proclamation as if fully set forth herein.
- (b) This curfew shall apply to all persons within the city limits of the City of Las Vegas and its jurisdiction.

David Ulibarri
Councilor Ward 1

Michael L. Montoya
Councilor Ward 2

Elaine Rodriguez
Councilor Ward 3

David G. Romero
Councilor Ward 4



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During such curfew, no persons shall be or remain in public places, except as further provided in subsection (e) of this Proclamation. This curfew shall not apply to the following categories of persons:

- (1) Public safety or emergency service activities, including without limitation law enforcement, fire and rescue services, and emergency management agencies.
 - (2) First responders, crisis intervention workers, public health workers, emergency management personnel, emergency dispatchers, law enforcement personnel, and related contractors.
 - (3) Persons employed by or contracted to utilities, cable and telecommunications services.
 - (4) Persons providing fire, police, sanitation, security, emergency and hospital services, food delivery services and deliveries of merchandise or mail.
 - (5) Persons seeking or providing essential services or commodities.
 - (6) Persons supplying or restocking businesses in order to provide essential services or products, for example home improvement, groceries, fuel delivery locations, pharmacies or other retailers offering emergency supplies, transportation of fuels, movement of equipment necessary for the protection of critical infrastructure or public safety.
 - (7) Persons employed by the federal, state, county or city government or their agencies working within the course and scope of their public service employment. Such employees shall follow any current or future directives regarding performance of their duties, including working from home, as issued by their respective employers.
 - (8) Persons experiencing homelessness within the City.
- (c) All public and private gatherings of 5 or more persons or any size where a consistent distance of at least six feet cannot be maintained are prohibited, except as to those exempted activities further provided in this Proclamation.
- (d) Subject to the exceptions further in subsection (e) of this Order, all travel, including without limitation, travel on foot, bicycle, scooter, motorcycle, automobile, public transit, or other forms of travel during the effective curfew hours are prohibited. Transportation in interstate commerce is not governed by this Proclamation.
- (e) Exceptions. Persons may lawfully travel on public property while this Proclamation is in effect only to engage in one or more of the following exempt activities, provided that such persons do so in compliance with social distancing practices as prescribed by the Centers for Disease Control and Prevention and the New Mexico Secretary of Health, to the extent possible:
- (1) Traveling to one's place of residence located outside the City;
 - (2) Traveling through the City from one location outside the City directly to another location outside the City;
 - (3) Compliance with an order from law enforcement or a court;
 - (4) Healthcare emergencies, and legally mandated government purposes;
 - (5) Performing work to carry out activities as specifically permitted in this Proclamation; or
 - (6) Providing any services, goods or work necessary to build, operate or maintain essential infrastructure, including without limitation commercial food supply; commercial agricultural and ranching activities; water, sewer, gas and electrical services; roads and highways; solid waste

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collection and removal; flood control and watershed protection; internet and telecommunication systems.

- (f) Failure to comply with this Proclamation is in violation of this emergency measure and is punishable by a civil fine not to exceed one hundred dollars (\$100.00) for each offense. Pursuant to NMSA 24-1-21, any violation of the State of New Mexico face covering requirements and/or prohibitions against gatherings of person is punishable pursuant to NMSA 24-1-21.
- (g) All departments of the City, and their respective employees to whom this Proclamation applies, shall forthwith implement the same in accordance with its terms and requirements. Nothing contained in this Proclamation shall relieve a person from any requirement to obtain a license or other authorization in compliance with applicable laws and regulations. This Proclamation is not intended to conflict with any lawful ordinance or resolution duly enacted by the City Council. This Proclamation does not create any right, benefit or privilege, substantive or procedural, enforceable at law or in equity by a party against the City, its departments, agencies, entities, officers, employees or agent, or any other persons.
- (h) The effective dates and/or time of the curfew may be extended or reinstated in writing by the Mayor as anticipated above. The curfew may be terminated at any time in writing by the Mayor. The termination of any curfew within the City of Las Vegas does not have any effect on the directives, declarations and orders issued by the federal government, the State of New Mexico, the County of San Miguel or any other jurisdiction.



Mayor Louie A. Trujillo

Attest:



Cassandra Fresquez, City Clerk

David Ulibarri
Councilor Ward 1

Michael L. Montoya
Councilor Ward 2

Elaine Rodriguez
Councilor Ward 3

David G. Romero
Councilor Ward 4