

## **CURFEW ORDER**

I, Don Surratt, Mayor of Lumberton, Texas pursuant to the Disaster Declaration on August 25, 2017 do hereby issue this mandatory curfew order. **This Order pertains to the Brushy Creek and Briarwick subdivision areas off West Walton Road and any other areas where flood waters currently exist ONLY to be effective September 5, 2017 at 8:00 p.m.** Any violation of this Order shall be punishable as a Class C Misdemeanor. This Order shall remain in effect until terminated.

During this curfew it will be unlawful for any person to be outside the confines of his or her residence property, between the hours of **8:00 PM and 6:00 AM** until this Order is terminated except as allowed by exemptions herein.

### **Persons who are exempted:**

Persons involved in an "EMERGENCY" which means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, natural disaster, and automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life;

Persons involved in interstate travel and persons traveling to or from an airport and who are in possession of a boarding pass for a flight from that airport;

Persons engaged in an employment activity, or going to or returning home from employment activity, without any detour or stop;

Persons authorized by the Emergency Management Director to assist in the protection of the health, safety or welfare of the public;

Those employees of utility companies, utility contractors, debris removal contractors, construction contractors and their support personnel who are essential for and who are actively involved in the repair of utility infrastructure and the restoration of electrical service, water, and sewer service. This exemption applies only during times such employees are actively engaged in their work and in traveling to and from work without any detour or stop.

### **Enforcement:**

Before taking any enforcement action under this section, a law enforcement officer shall ask the apparent offender's reason for being away from his or her residence. The officer shall not issue a citation or make any arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no exemption applies.

### **Penalties:**

A person who violated this Order is subject to immediate arrest. A person who violates this Order is guilty of a separate offense for each day or part of a day during which the violation is committed or continued. Each offense, upon conviction, is punishable by a fine not to exceed \$500.00.

**ORDERED** this 5<sup>th</sup> day of September, 2017.



Don Surratt  
Mayor