



FRANKLIN COUNTY, KY EXECUTIVE ORDER

WHEREAS, On January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for the novel coronavirus (COVID-19), beginning on January 27, 2020; and

WHEREAS, Kentucky Governor Andy Beshear declared a State of Emergency in the Commonwealth of Kentucky on March 6th, 2020, in response to COVID-19; and

WHEREAS, President Trump declared a National Emergency on March 13th, 2020; and

WHEREAS, Judge/Executive Huston Wells declared a State of Emergency for FRANKLIN County on March 12th, 2020; and

WHEREAS, local government has the responsibility to protect public health, safety and welfare, and to mitigate the effects of such events;

NOW THEREFORE, I, Huston Wells, by the authority vested in me by KRS 39A.100 (2) (C), do hereby direct the following curfew shall exist in the unincorporated areas of FRANKLIN County, Kentucky until further notice:

CURFEW

1. Definitions
2. Juvenile Curfew
3. Police Action Upon Violation
4. Penalty

1. Definitions: For the purposes of this order, the following words or phrases shall have the following meaning:

- A. "Allow." Either to permit or to neglect to prevent. It requires actual or constructive knowledge of the parent that the juvenile is violating this order. Constructive knowledge is deemed to present when circumstances are such that a reasonably prudent parent should have known that the juvenile was violating this order. "Emergency." A set of unforeseen circumstances, or their resulting state, that includes, but is not limited to fire, natural disaster, automobile accident, widespread contagion, or any situation that requires immediate action to prevent serious bodily injury, loss of life, or immediate loss of property.

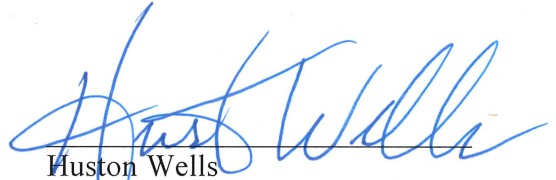
- B. "Juvenile." Any unmarried person under the age of eighteen (18).
- C. "Parent." Any person having legal custody of a juvenile as a natural or adoptive parent, a legal guardian, a person to whom legal custody of the juvenile has been granted by a court order, or a person who stands in loco parentis to the juvenile.
- D. "Public Place." Any place within unincorporated areas of FRANKLIN County to which the general public or a substantial part of the general public has access. It includes, but in no way is limited to, streets, sidewalks, school grounds, shopping centers, museums, restaurants, parking lots, parks, and bowling alleys.

2. Juvenile Curfew:

- A. During the period of this Declared Emergency, as defined herein, and except as provided in paragraph (C) of this section, no unmarried person under the age of eighteen (18) shall be or remain in any public place within the unincorporated areas of FRANKLIN COUNTY, KENTUCKY each day between the hours of 10:00 p.m. to 6:00 a.m.
 - B. Except as provided in paragraph (C) of this section, it shall be unlawful to any parent having legal custody of a juvenile to allow that juvenile to be or remain in a public place during the hours stated in paragraph (A) of this section.
 - C. The juvenile curfew hours set forth in paragraph (A) of this order shall not apply in the following instances:
 - 1) When the juvenile is accompanied by a parent or an adult of at least twenty-one (21) years of age who is authorized by the parent of the juvenile to accompany that juvenile;
 - 2) When returning home via direct route, and within one (1) hour of the termination of any school, religious or civic activity;
 - 3) When engaged in a business or occupation authorized by the laws of Kentucky for a juvenile, or when traveling to or returning from, such business or occupation via direct route, provided that the return is within one (1) hour of when the juvenile's work hours have ended.
3. **Police Action Upon Violation:** Upon determining that there is a probable cause that a juvenile is in violation of this curfew, The Sheriff of FRANKLIN County, Kentucky or any other law enforcement agency with proper jurisdiction may obtain information necessary to issue a citation to the juvenile's parent(s), which shall inform the parent(s) that there is probable cause to believe that the violation of this order has been committed and then either take the minor home or direct the minor to proceed immediately to his/her home.
4. **Penalty:** Violations of this order which result in the issuance of the first citation within any twelve (12) month period shall not carry a penalty. Following the

issuance of the second citation within a twelve (12) month period, violation of this order shall, for the first offense, be subject to a fine not to exceed two hundred fifty Dollars (\$250.00) and for any subsequent violations, a fine not to exceed five hundred Dollars (\$500.00).

This order is effective 1:00 p.m. April 13th, 2020.



Huston Wells
Franklin County Judge/Executive