

**IN THE OFFICE OF THE COUNTY JUDGE OF SEVIER COUNTY, ARKANSAS**

**IN THE MATTER OF RESTRICTED ACCESS  
TO COUNTY FACILITIES TO PROTECT THE  
HEALTH OF COUNTY EMPLOYEES AND  
THE PUBLIC**

**EXECUTIVE ORDER**

**WHEREAS**, Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza;

**WHEREAS**, in late 2019, a new and significant outbreak of COVID-19 emerged in China; and

**WHEREAS**, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern; and

**WHEREAS**, the CDC currently recommends mitigation measures in communities with COVID-19 cases, including staying at home when sick, keeping away from others who are sick and staying at home when a household member is sick with respiratory disease symptoms or if instructed to do so by public health officials or a health care provider; and

**WHEREAS**, Sevier County must ensure, as best as can be reasonably accomplished, the health and safety of county employees and the public served by Sevier County, and to provide for continued services by Sevier County to our public. This order is entered following consultation with health professionals and officials knowledgeable in the current state of affairs preventative medicine.

**NOW, THEREFORE, I GREG RAY**, as Sevier County Judge, by virtue of the authority vested in me by Amendment 55, Section 3 of the Arkansas constitution, as the chief executive of Sevier County and the custodian of county property, and all other applicable laws, promulgate the following Executive order to take effect Friday, March 20, 2020 at 4:30 p.m., and last until April 17, 2020 at 11:59 p.m.:

It shall be unlawful for any person under the age of 18 years to loiter or remain in or upon any street, alley or public place in the county between the hours of 8:30 p.m. and 6:00 a.m.

The following activities shall be exempt from the curfew requirements of this division where the minor is:

- (1) Accompanied by his or her parent, guardian or any other person 21 years of age or older who is authorized by a parent as the caretaker for the minor;
- (2) On an errand, without any detour or stop, at the direction of his parent, guardian or caretaker;

- (3) In a vehicle involved in interstate travel;
- (4) Engaged in a certain employment activity, or going to or from employment, without any detour or stop;
- (5) Involved in an emergency;
- (6) In attendance at an official school, religious or other recreational activity sponsored by the city, a civic organization or another similar entity that takes responsibility for the minor, or going to or from such an activity, without any detour or stop, and supervised by adults;  
or
- (7) Exercising First Amendment rights, including free exercise of religion, freedom of speech and the right of assembly.

Before taking any enforcement action under this section, any Sevier County Sheriff Deputy shall ask the apparent offender's age and reason for being in the public place. The Deputy shall not issue a citation on the first offense. If a second offense occurs, the Deputy shall not issue a citation or take further action under this section unless the Deputy reasonably believes an offense has occurred, and that, based on any response and other circumstances, no exception to the Order is present.

It shall be unlawful for any parent, guardian or other person having the legal care and custody of any minor under the age of 18 years to allow or permit any such child, ward or other person under such age, while in his legal custody, to loiter or remain, unaccompanied, upon any of the streets, alleys or other public places in the county between the hours of 8:30 p.m. and 6:00 a.m., unless there exists a reasonable necessity therefore.


**DEFINITIONS** The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Harbor* includes the tacit or express permission to a child by the owner, proprietor or occupant, or any of their agents, to remain on or about the premises for a time longer than reasonably necessary for the child to transact such business as he may have on or about such premises.

*Loiter* includes aimlessly driving or riding in or on any automobile, motorcycle, motor-driven cycle or any other motor-driven vehicle on the streets, alleys, highways or public thoroughfares of the city without an immediate and predetermined destination.

*Other public places* includes privately owned places of business, and the premises thereof, serving the public or open to the public, such as restaurants, laundromats, gas stations, theaters and other places of public amusement.

**IT IS SO ORDERED.**

  
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GREG RAY, SEVIER COUNTY  
JUDGE/CHIEF EXECUTIVE OFFICER