

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

NO.

DIVISION

DOCKET NO.

CITY OF NEW ORLEANS

FILED: 9-2-08; 8:42pm _____ Dale N. Oliver
DEPUTY CLERK

PROMULGATION OF EMERGENCY ORDERS
AMENDED MANDATORY EVACUATION

WHEREAS, on August 29, 2008, in anticipation of the landfall of Hurricane Gustav, I, C. Ray. Ray Nagin, Mayor of the City of New Orleans and Chief Executive Officer of the Parish of Orleans, did issue a Proclamation and Declaration of a State of Emergency; and

WHEREAS, thereafter on the 30th day of August, 2008, I did issue a Proclamation of Mandatory Evacuation; and on the 31st day of August, 2008, I did issue a Proclamation of Curfew; and

WHEREAS, the passage of Hurricane Gustav caused serious damage throughout the City of New Orleans; and

WHEREAS, the immediate threats from Hurricane Gustav have diminished; and

WHEREAS, basic infrastructure in some areas remains severely damaged and unable to support significant populations; and

WHEREAS, ongoing repair efforts in the City have made sections of the City accessible to business owners, although some residences and establishments remain without power and other city services; and

WHEREAS, in the areas of the City that have power, that power is in a fragile state, with the possibility of failure; sewerage and water facilities are also in a fragile state; and City Hall continues to operate under generator power.

NOW THEREFORE, I, C. RAY NAGIN, as Mayor of the City of New Orleans and Chief Executive Officer of the Parish of Orleans, do by virtue of the Constitution and laws of the state of Louisiana and the Home Rule Charter and other laws of the City of New Orleans, do hereby order, direct and proclaim as follows:

SECTION 1. That the emergency mandatory evacuation orders issued by me relative to Hurricane Gustav, are hereby amended as follows:

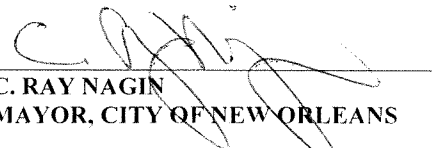
All persons pre-credentialed as Tier 2 and 3 personnel are authorized to begin to return to the City effective 6:00 a.m. on Wednesday, September 3, 2008. Tier 2 personnel are those providing recovery support; i.e. core assessment teams of major employers or businesses deemed to be essential to the future return of residents or the economic vitality of the Parish. Tier 3 personnel are those providing repopulation support; i.e. accountants, apparel sales, banking, home improvement, gasoline stations, health care, hospitality, restaurants, retail, pharmaceutical stores, transportation, and other businesses deemed to be essential for the return of residents and/or for the economic vitality of the parish.

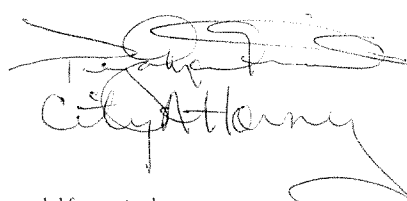
SECTION 2. The mandatory evacuation order is rescinded effective 12:01 a.m. on Thursday, September 4, 2008, at which time the evacuation order will become voluntary. However, considering the compromised state of the City's utilities, in particular, electricity, gas, water and sewerage, lack of medical facilities, those returning should understand that they remain in the City with full knowledge of the lack of City services and remain at their own risk.

SECTION 3. All other emergency orders issued by me in furtherance of the Declaration of State of Emergency, specifically including the proclamation of curfew issued on August 31, 2008, shall remain in full force and effect until rescinded or revised by me or by operation of law.

The City Attorney is directed to file this declaration promptly in the office of the Clerk of Court and with the Secretary of State.

IN WITNESS wherefore I have fixed my hand this 2 day of September, 2008


C. RAY NAGIN
MAYOR, CITY OF NEW ORLEANS


City Attorney