



DECLARATION OF A STATE OF EMERGENCY

WHEREAS, COVID-19 is a serious communicable disease that has been found in North Carolina posing a unprecedented public health threat to the entirety of North Carolina and the United States including the jurisdiction of the Town of Southern Shores (the “Town”); and

WHEREAS, On March 13, 2020, the President of the United States declared a nationwide emergency pursuant to Sec. 501(b) of Stafford Act due to the emergency conditions created by COVID-19 which remains in effect; and

WHEREAS, the Governor of North Carolina has also declared a statewide state of emergency that remains in effect via a series of executive orders (collectively the “North Carolina Declarations”) that provide for various restrictions upon and regulations of activity within the State; and

WHEREAS, on March 16, 2020, in my capacity as Mayor of the Town of Southern Shores, I declared a state of emergency pursuant to Town of Southern Shores Emergency Management Ordinance (Chapter 12), Chapter 166A of the North Carolina General Statutes and Article 36A of Chapter 14 of the North Carolina General Statutes; and

WHEREAS, Town officials, including myself, have and continue to gather information and to remain apprised of the local public health and associated economic impacts created by COVID-19; and

WHEREAS, on May 22, 2020 at 5:00p.m. the State of North Carolina will enter into a new phase of restrictions under the North Carolina Declarations which will allow for the reopening of restaurants to onsite services with limitations on indoor and outdoor seating and requirements for social distancing, signage and sanitation; and

WHEREAS, on May 19, 2020, the Town of Southern Shores Town Council recognized that in order for restaurants to remain economically viable under the indoor and outdoor seating requirements of the then expected and since confirmed North Carolina Declarations that temporary accommodations would have to be provided to restaurants from the existing zoning limitations placed upon them; and

WHEREAS, the Town Council further voted to request that the Mayor direct the Town Manager or his designee to allow for reasonable temporary accommodations in zoning regulations consistent with and furthering the purposes of any active emergency declaration and in the interests of public health, safety and welfare during the period of the emergency; and

WHEREAS, in my capacity as Mayor of the Town of Southern Shores, I have determined that the previously declared a state of emergency should remain in place as modified herein.

NOW, THEREFORE, pursuant to the authority vested in me as Mayor of the Town of Southern Shores I hereby declare, pursuant to Town of Southern Shores Emergency Management Ordinance (Chapter 12), Chapter 166A of the North Carolina General Statutes and Article 36A, Chapter 14 of the North Carolina General Statutes, I have determined that a State of Emergency continues to exist in the Town of Southern Shores and **IT IS ORDERED**.

Section 1. A state of emergency is hereby declared to continue within the Town of Southern Shores.

Section 2. All Southern Shores law enforcement officers and employees and all other emergency management personnel subject to the Town's control shall cooperate in the enforcement and implementation of the provisions of this Declaration, all applicable local ordinances, state and federal laws, and the Southern Shore's Emergency Operations Plan.

Section 3. The emergency area covered by this state of emergency shall be the Town of Southern Shores.

Section 4. Section 3 of the Town's March 16, 2020 Declaration of Emergency no longer necessary due to the existence of the North Carolina Declarations and is hereby repealed.

Section 5. The Town Manager or his designee may allow for reasonable temporary accommodations in zoning regulations consistent with and furthering the purposes of any active emergency declaration of the Town, the State or the United States and in the interests of public health, safety and welfare during the period of this emergency declaration and any extensions thereto unless expressly rescinded. Such temporary accommodations shall not create any form of vested right. The Town Manager or his designee shall endeavor to develop and manage a reasonable process for providing temporary emergency permitting to document and track the accommodations requested and those ultimately provided.

Section 6. This declaration shall: (a) be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) be filed with the Town Clerk of Southern Shores, and (c) be distributed to others as necessary to ensure proper implementation of this declaration.

Section 7. This declaration shall take effect on May 22, 2020 at 5:00p.m., and shall remain in effect until modified or rescinded.



DECLARED

Thomas G. Bennett, Mayor
Town of Southern Shores

ATTEST:

Town Clerk