

## CHATHAM COUNTY

### STATE OF EMERGENCY ORDINANCE

#### BE IT ORDAINED BY THE CHATHAM COUNTY BOARD OF COMMISSIONERS:

Section 1. Purpose. The purpose of this ordinance is to implement and supplement the provisions of Chapter 166A ("North Carolina Emergency Management Act") of the North Carolina General Statutes, and Article 36A ("Riots, Civil Disorders, and Emergencies") of Chapter 14 of the North Carolina General Statutes.

Section 2. Definitions. As used in this ordinance, the following shall mean:

- (a) Emergency - An occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made, accidental, military, paramilitary, terrorism, weather-related, public health, pandemic, explosion-related, riot-related, cause, or technological failure or accident, including, but not limited to, a cyber-incident, an explosion, a transportation accident, a radiological accident, or a chemical or other hazardous material incident.
- (b) Chairperson - The chairperson of the Chatham County Board of Commissioners or, in his or her absence or disability, the vice chairperson or, in his or her absence or disability, another person authorized by the Board of Commissioners to act in lieu of the chairperson.
- (c) State of Emergency - A finding and declaration by the chairperson that an emergency exists.

Section 3. Declaration of State of Emergency. The chairperson is authorized to declare a state of emergency by proclamation imposing any or all of the prohibitions and restrictions authorized by Section 4 of this ordinance as may be appropriate.

Section 4. Types of Prohibitions and Restrictions Authorized. During a state of emergency declared by the chairperson, any one or more of the following prohibitions or restrictions may be imposed:

- (a) Restrictions or prohibitions on the movement of people, including any of the following:
  - (i) Imposing a curfew.
  - (ii) Directing and compelling the voluntary or mandatory evacuation of all or part of the population from any stricken or threatened area within Chatham County.
  - (iii) Prescribing routes, modes of transportation, and destinations in connection with evacuation.

- (iv) Controlling ingress and egress of an emergency area and the movement of persons within that area.
- (v) Providing for the closure within the emergency area of streets, roads, highways, bridges, public vehicular areas, or other areas ordinarily used for vehicular travel, except to the movement of emergency responders and other persons necessary for recovery from the emergency. In addition to any other notice or dissemination of information, notification of any closure of a road or public vehicular area under the authority of this subsection shall be given to the Department of Transportation as soon as practicable.
- (b) Restrictions or prohibitions on the operation of offices, business establishments, and other places to or from which people may travel or at which they may congregate.
- (c) Restrictions or prohibitions on the possession, transportation, sale, purchase, and consumption of alcoholic beverages.
- (d) Restrictions or prohibitions on the possession, transportation, sale, purchase, storage, and use of gasoline and dangerous weapons and substances, except that this subsection does not authorize prohibitions or restrictions on lawfully possessed firearms or ammunition. As used in the subsection, the term "dangerous weapons and substances" has the same meaning as it does under G.S. 14-288.1. As used in this subsection, the term "firearm" has the same meaning as it does under G.S. 14-409.39(2).
- (e) Restrictions or prohibitions on other activities or conditions, the control of which may be reasonably necessary to maintain order and protect lives or property during the state of emergency.

Section 5. Effective Date of Restrictions and Prohibitions. All prohibitions and restrictions imposed by declaration pursuant to this ordinance shall take effect in the emergency area immediately upon publication of the declaration unless the declaration sets a later time. For the purpose of requiring compliance, publication may consist of reports of the substance of the prohibitions and restrictions in the mass communications media serving the emergency area or other effective methods of disseminating the necessary information quickly. As soon as practicable, however, appropriate distribution of the full text of any declaration shall be made.

Section 6. Expiration of Restrictions and Prohibitions. Restrictions and prohibitions imposed pursuant to this ordinance shall expire upon the earliest to occur of either of the following:

- (a) The restrictions or prohibitions are terminated by the official who imposed them.
- (b) The state of emergency terminates.

Section 7. Any person who violates any provision of a declaration enacted or declared pursuant to this ordinance shall be guilty of a Class 2 Misdemeanor in accordance with G.S. 14-288.20A.

Section 8. This ordinance repeals and replaces the 1987 Chatham County State of Emergency Ordinance. This ordinance is effective upon adoption.

Introduced: \_\_\_\_\_

Adopted this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Karen Howard, Chairperson  
Chatham County Board of Commissioners

ATTEST:

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Lindsay K. Ray  
Clerk to the Chatham County Board of Commissioners