



## FIRST MODIFICATION OF THE DECLARATION OF A STATE OF EMERGENCY IN THE CITY OF ALBEMARLE, NORTH CAROLINA

**WHEREAS**, the Governor has issued a State of Emergency for the entire State of North Carolina, pursuant to Executive Order No. 116, due to the potential impacts from the coronavirus (COVID-19) pandemic on March 10, 2020; and

**WHEREAS**, Stanly County has issued a State of Emergency effective March 23, 2020;

**WHEREAS**, as a result of the above-described states of emergency, I have determined that there is an imminent threat of, or existing conditions have caused or will cause, widespread or severe illness and in extreme cases, the loss of life;

**WHEREAS**, declaring a State of Emergency is necessary to maintain order and protect public health, safety and welfare;

**WHEREAS**, based on guidance from the U.S. Centers for Disease Control and Prevention and the North Carolina Department of Health and Human Services, arrangements must be made immediately to take such actions deemed necessary and appropriate to ensure that the coronavirus (COVID-19) remains controlled and that residents and visitors of the City of Albemarle remain safe and secure; and

**WHEREAS**, the City of Albemarle, North Carolina declared a state of emergency on March 27, 2020 with restrictions and prohibitions attached thereto;

**NOW, THEREFORE**, pursuant to the authority vested in me as the Mayor of the City of Albemarle under Article 1A of Chapter 166A of the North Carolina General Statutes and Chapter 32 of the City of Albemarle Code of Ordinances:

**Section 1.** The State of Emergency is hereby modified within the City of Albemarle.

**Section 2.** The emergency area covered by this modified state of emergency shall be the corporate limits of the City of Albemarle and any property owned by the City of Albemarle.

**Section 3.** The following restrictions and prohibitions, previously enacted on March 27, 2020, are hereby **modified**:

- A. Curfew. The curfew for minors, enacted by the emergency declaration, is hereby rescinded: "A minor is any person who has not reached his/her sixteenth birthday and is not married, emancipated, or a member of the armed services of the United States. It shall be unlawful for any minor to be or remain upon any public place within the city or on any property or right-of-way owned by the city and located outside the corporate limits of the city. A public place is any place which is generally open to and used by the public, whether it be publicly or privately owned,

including but not limited to streets, highways, public vehicular areas, places of business and amusement parks, and other common areas open to the public. This curfew shall be in effect between the hours of 11:00 p.m. and 6:00 a.m. each calendar day of the week. The curfew shall not apply if a person under the age of sixteen (16) is (1) accompanied by their parent or guardian, (2) is in a public place or establishment in order to receive treatment for or be in a quarantine related to COVID-19 or (3) has otherwise been ordered by a unit of state, local, or the federal government to be present at the public place or establishment.”

Curfew restrictions existing prior to the emergency declaration, pursuant to Chapter 33 of the City of Albemarle Code of Ordinances, are still in effect.

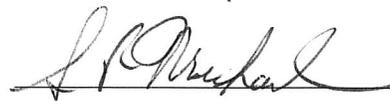
- B. Gathering Limits. Restrictions on gatherings of persons assembling on City property or within the corporate limits of the City of Albemarle will remain consistent with Executive Orders declared by the North Carolina Governor.

**Section 4.** All City of Albemarle law enforcement officers and employees and all other emergency management personnel subject to our control to cooperate in the enforcement and implementation of the provisions of this Declaration, all applicable local ordinances, and state and federal laws. Control measures could be placed in effect immediately to implement plans for the prevention of, preparation for, response to, and recovery from any and all emergency situations that may result from the impacts of the COVID-19 pandemic. These control measures will be coordinated with federal, state and local agencies for the orderly protection, treatment and rehabilitation of affected persons.

**Section 5.** I hereby order this declaration: (a) to be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) to be filed with the Clerk to the City Council and (c) to be distributed to others as necessary to ensure proper implementation of this declaration. This declaration is intended to be consistent with current North Carolina State law and all executive orders as declared by the North Carolina Governor. This declaration may be amended by the Mayor as needed to adjust to the evolving nature of this pandemic or to comply with future local, state and federal laws.

**Section 6.** This declaration shall take effect at 5:00 p.m. on May 8, 2020 and shall remain in effect until modified or rescinded.

**DECLARED** this 8th day of May, 2020.



G. Ronnie Michael  
Mayor

ATTEST:



Cynthia L. Stone  
Clerk/Assistant to City Manager

