



**STATE OF NORTH CAROLINA
COUNTY OF MADISON**

**STATE OF NORTH CAROLINA COUNTY OF MADISON SUPPLEMENTAL
DECLARATION OF A LOCAL STATE OF EMERGENCY-REVISION II**

WHEREAS, beginning in December 2019, a Novel Coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization; and

WHEREAS, a State of Emergency was declared by the Governor of North Carolina on March 10, 2020; and

WHEREAS, Madison County in conjunction with the Town of Marshall, Town of Mars Hill, and Town of Hot Springs declared a local State of Emergency on March 13, 2020, acknowledging the gravity of the COVID -19 pandemic; and

WHEREAS, a Supplemental Declaration of a Local State of Emergency was issued by Madison County on March 27, 2020 that went in to effect on March 27, 2020 at 8:00 p.m. and was effective until April 10, 2020 at 6:00 a.m.; and

WHEREAS, a Supplemental Declaration of a Local State of Emergency Extension was issued by Madison County on Friday, April 10, 2020 at 6:00 a.m. and continued until Monday, April 20, 2020 at 6:00 a.m.; and

WHEREAS, a Supplemental Declaration of a Local State of Emergency Revision I was issued by Madison County on Tuesday, April 14, 2020 and was previously effective until Sunday, May 31, 2020 at 6:00 a.m.; and

WHEREAS, symptoms of COVID-19 include fever, coughing, and shortness of breath. In some cases the virus has caused death; and

WHEREAS, The virus that causes COVID-19 is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety; and

WHEREAS, Because of the risk of the rapid community spread of the virus, and the need to protect the most vulnerable members of the community, this supplemental declaration requires all individuals anywhere in Madison County to stay at home, except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing; and

WHEREAS, it is essential to slow viral transmission as much as possible to protect the most vulnerable and to prevent the health care system from being overwhelmed; and

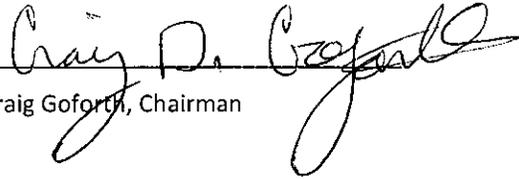
NOW THEREFORE, pursuant to the authority contained in Article IA of the N.C. Gen. Stat. Chapter 166A, the Board of Commissioners, do hereby declare and order the following:

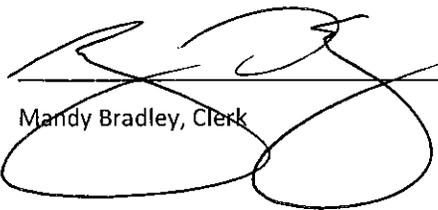
1. This Order supersedes all previous Orders and is subject to the terms and conditions more particularly set forth below;
2. All individuals currently living within Madison County are ordered to follow the State of North Carolina Executive Order No. 135: EXTENDING STAY AT HOME ORDER AND ORDERS LIMITING MASS GATHERINGS, REQUIRING SOCIAL DISTANCING, AND RESTRICTING VISITATION AT LONG TERM CARE FACILITIES, as set forth by North Carolina Governor Roy Cooper on April 23, 2020 (Attachment "A").
3. All short term lodging facilities which include but are not limited to hotels, motels, short term rentals (e.g. Air BnB, VRBO), bed and breakfasts, condo-tels, lodges, or any business that typically rents lodging facilities for accommodations of short durations.
 - a. All short term-lodging operations shall continue to cease taking new reservations for the period between today, April 27, 2020 and May 8, 2020.
 - b. Exception: If a short-term lodging unit is occupied by a local essential worker, that worker may remain in the unit.
 - c. Exception: If individual(s) are experiencing symptoms of illness, or are under a quarantine or isolation order from the Madison County Public Health Department, or have other good cause (such as homelessness) to do so, they may remain in any short term lodging unit occupied by such individual(s) and shall be exempt from the limitations set forth herein so long as such individual(s) remain in the unit.
4. Failure to comply with this declaration is a Class 2 Misdemeanor.

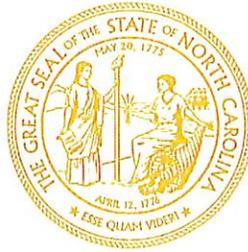
5. This Order of Revision II shall be effective until 5:00 p.m. May 8, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.

ATTEST:

BOARD OF COMMISSIONERS FOR THE
COUNTY OF MADISON

By: 
Craig Goforth, Chairman


Mandy Bradley, Clerk



State of North Carolina

ROY COOPER
GOVERNOR

April 23, 2020

EXECUTIVE ORDER NO. 135

EXTENDING STAY AT HOME ORDER AND ORDERS LIMITING MASS GATHERINGS, REQUIRING SOCIAL DISTANCING, AND RESTRICTING VISITATION AT LONG TERM CARE FACILITIES

WHEREAS, on March 10, 2020, the undersigned issued Executive Order No. 116 which declared a State of Emergency to coordinate the State's response and protective actions to address the Coronavirus Disease 2019 (COVID-19) public health emergency and to provide for the health, safety, and welfare of residents and visitors located in North Carolina ("Declaration of a State of Emergency"); and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 outbreak a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207 (the "Stafford Act"); and

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, *et seq.* and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared that the COVID-19 pandemic in the United States constitutes a national emergency, retroactive to March 1, 2020; and

WHEREAS, on March 25, 2020, the President of the United States, pursuant to Section 401 of the Stafford Act, approved a Major Disaster Declaration, FEMA-4487-DR, for the State of North Carolina; and

WHEREAS, community spread of COVID-19 continues to increase in North Carolina and nationwide, and increased testing capacity would undoubtedly show that COVID-19 is circulating in communities across North Carolina that have not yet identified a confirmed case; and

WHEREAS, the continued presence of community spread in North Carolina, the rapid increase in COVID-19 cases, and the rising number of COVID-19 related deaths, both globally and in North Carolina, require us to continue our measures to slow the spread of this virus during the pandemic; and

WHEREAS, hospital administrators and health care providers have expressed concerns that unless the spread of COVID-19 is limited, existing health care facilities may be insufficient to care for those who become sick; and

WHEREAS, slowing the community spread of COVID-19 is critical to ensuring that our healthcare facilities remain able to accommodate those who require intensive medical intervention; and

WHEREAS, as proactive steps to prevent and respond to COVID-19, and for the purposes of protecting the health, safety and welfare of the people of North Carolina, the undersigned has issued Executive Order Nos. 116-122, 124-25, 129-131, and 133-134; and

WHEREAS, in Executive Order No. 118, issued on March 17, 2020, the undersigned limited operations of restaurants and bars in response to COVID-19; and

WHEREAS, in Executive Order No. 120, issued on March 23, 2020, the undersigned placed additional limitations on mass gatherings, venues, and long term care facilities, and directed school closures; and

WHEREAS, in Executive Order No. 121, issued on March 27, 2020, the undersigned restricted travel, prohibited certain mass gatherings, and required social distancing to the extent individuals are using shared or outdoor spaces outside their residence; and

WHEREAS, Executive Order No. 121 provided that except as amended, Executive Orders Nos. 118 and 120 would continue in effect; and

WHEREAS, in Executive Order No. 131, issued on April 9, 2020, the undersigned established additional social distancing measures for retail establishments; and

WHEREAS, some of the provisions of the above-listed Executive Orders are set to expire unless the undersigned takes further action; and

WHEREAS, if these provisions were to expire prematurely, they could undo the important progress North Carolina has made in controlling the outbreak of COVID-19; and

WHEREAS, the undersigned has determined that certain provisions must remain in place until May 8, 2020; and

WHEREAS, as the situation in North Carolina develops, the undersigned reserves the right to extend provisions to later dates, modify existing provisions, or lift restrictions earlier than scheduled; and

WHEREAS, Executive Order No. 116 invoked the Emergency Management Act, and authorizes the undersigned to exercise the powers and duties set forth therein to direct and aid in the response to, recovery from, and mitigation against emergencies; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.10(b)(2), the undersigned may make, amend, or rescind necessary orders, rules, and regulations within the limits of the authority conferred upon the Governor in the Emergency Management Act.

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED**:

Section 1. Extensions and technical amendments

For the reasons and pursuant to the authority set forth above and set forth in the relevant Executive Orders referenced below, the undersigned orders as follows:

Sections 1, 4, and 5 of Executive Order No. 118; Sections 1, 2, 3 and 5 of Executive Order No. 120; and all of Executive Order No. 121 are in effect, and shall remain in effect, until 5:00 pm on May 8, 2020. Sections 1 and 2 of Executive Order No. 131 are amended to expire at 5:00 pm

on May 8, 2020. The effective date provisions of Executive Orders Nos. 118, 120, 121, and 131 are amended to have the above-listed sections of those orders continue in effect through the above-listed time and date. Future Executive Orders may extend the term of these Executive Orders. An Executive Order rescinding the Declaration of a State of Emergency will automatically rescind this Executive Order.

Section 2. Savings Clause

If any provision of this Executive Order or its application to any person or circumstances is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

Section 3. Distribution

I hereby order that this Executive Order be: (1) distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (2) promptly filed with the Secretary of the North Carolina Department of Public Safety, the Secretary of State, and the superior court clerks in the counties to which it applies, unless the circumstances of the State of Emergency would prevent or impede such filing; and (3) distributed to others as necessary to ensure proper implementation of this Executive Order.

Section 4. Enforcement

- A. Pursuant to N.C. Gen. Stat. § 166A-19.30(a)(2), the provisions of this Executive Order shall be enforced by state and local law enforcement officers.
- B. A violation of this Executive Order may be subject to prosecution pursuant to N.C. Gen. Stat. § 166A-19.30(d) and is punishable as a Class 2 misdemeanor in accordance with N.C. Gen. Stat. § 14-288.20A.
- C. Nothing in this Executive Order shall be construed to preempt or overrule a court order regarding an individual's conduct (e.g., a Domestic Violence Protection Order or similar orders limiting an individual's access to a particular place).

Section 5. Effective Date

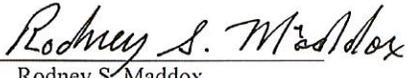
This Executive Order is effective immediately. This Executive Order shall remain in effect until 5:00 pm on May 8, 2020, unless repealed, replaced, or rescinded by another applicable Executive Order. An Executive Order rescinding the Declaration of a State of Emergency will automatically rescind this Executive Order.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 23rd day of April in the year of our Lord two thousand and twenty.



Roy Cooper
Governor

ATTEST:



Rodney S. Maddox
Chief Deputy Secretary of State

