

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

SUPERSEDING DECLARATION OF
LOCAL STATE OF EMERGENCY

July 17, 2020

SECOND EXTENSION OF PHASE 2: EASING OF CERTAIN COVID-19 RESTRICTIONS

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;

WHEREAS, in responding to the COVID-19 pandemic the Governor of North Carolina declared a State of Emergency on March 10, 2020 and a number of additional Executive Orders have been issued by the Governor for the purposes of protecting the health, safety, and welfare of the people of North Carolina;

WHEREAS, a local State of Emergency was declared by Buncombe County Commissioners on March 12, 2020, and supplemental and superseding local declarations have been issued to limit local public gatherings and the operations of specified businesses;

WHEREAS, the Governor has entered a number of executive orders to address the pandemic and by Executive Order 151 ("EO151") dated July 16, 2020 the Governor extended restrictions contained in EO141 and EO147 through Friday, August 7, 2020 at 5:00 p.m.; and

WHEREAS, EO151 includes clarifications and restrictions regarding requirements of documented medical exceptions for use of exercise facilities, gyms, and fitness facilities as well as clarifications and restrictions on parties and receptions; and

WHEREAS, based on data trends in Buncombe County COVID-19 cases and their associated burdens and this Board finds it in the best interest of the citizens and residents of Buncombe County to align with EO151.

NOW THEREFORE, pursuant to the authority contained in Chapter 21, Buncombe County Code of Ordinances and Article 1A of the N.C. Gen. Stat. Chapter 166A, the Board of Commissioners, do hereby declare and order the following:

1. Buncombe County aligns in all respects with the restrictions imposed by EO151 which becomes effective at 5:00 p.m. on Friday, July 17, 2020 and shall remain in effect until 5:00 p.m. on Friday, August 7, 2020 unless otherwise repealed, replaced, or rescinded.
2. The provisions of the Buncombe County March 12, 2020 Declaration of State of Emergency regarding Local State of Emergency and activation of the local Emergency Management Plan shall remain in effect until otherwise repealed, replaced, or rescinded.

3. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
4. Except as to the Buncombe County March 12, 2020 Declaration of State of Emergency this Second Extension of Phase 2 Order shall go into effect at 5:00 p.m. on Friday, July 17, 2020 and shall remain in effect until 5:00 p.m. on Friday, August 7, 2020 unless otherwise repealed, replaced, or rescinded.


Adopted this the 17th day of July, 2020.

ATTEST:

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE



Lamar Joyner, Clerk

By: 

Brownie Newman, Chairman