

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

SUPERSEDING DECLARATION OF
LOCAL STATE OF EMERGENCY

September 3, 2020

BUNCOMBE COUNTY ALIGNMENT WITH GOVERNOR'S EXECUTIVE ORDERS

**REVISED PROHIBITIONS AND RESTRICTIONS TO PROTECT LIVES IN
RESPONDING TO THE COVID-19 PANDEMIC**

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 163 ("EO163") dated September 1, 2020 the Governor revised the prohibitions and restrictions of earlier Executive Orders effective Friday, September 4, 2020 at 5:00 p.m.;

WHEREAS, Buncombe County health officials have been following data trends in Buncombe County COVID-19 cases and their associated burdens and are satisfied with local impacts of the Governor's executive orders and these officials recommend that Buncombe County remain aligned with the Governor's COVID-19 restriction as long as the local data remain acceptable; and

WHEREAS, based on data trends and Buncombe County health officials, this Board finds it in the best interest of the citizens and residents of Buncombe County to align with the Governor's executive orders related to COVID-19 prohibitions and restrictions.

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 Governor's executive orders related to COVID-19 prohibitions and restrictions including face coverings in all settings as described in such executive orders effective at 5:00 p.m. on Friday, September 4, 2020, and such alignment with current or future revised executive orders, as may be applicable, shall remain in effect 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. By and with the consent of the mayors of the following named municipalities within Buncombe County, this Order applies within the municipal limits of the City of Asheville, the Town of Woodfin, the Town of Black Mountain, the Town of Montreat, and the Town of Biltmore Forest.
4. 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.


Adopted this the 3rd day of September, 2020.

ATTEST:

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE



Lamar Joyner, Clerk

By: 

Brownie Newman, Chairman