

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

SUPERSEDING DECLARATION OF
LOCAL STATE OF EMERGENCY

January 26, 2021

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; and

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

WHEREAS, a local State of Emergency was declared by Buncombe County Commissioners on March 12, 2020, acknowledging the gravity of the COVID-19 pandemic;

WHEREAS, Governor Cooper has, as circumstances have changed over time, issued a number of modifications to the statewide emergency declaration, including Executive Order Nos. 117-122, 124-125, 129-131, 133-136, 138-144, 146-153, 155-157, 161-165, 169-173, 176-177, 180-181, 183-185, and 188;

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 align with the Governor's COVID-19 restrictions 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 immediately, and such alignment with current or future executive orders as same are related to the pandemic shall remain in effect unless otherwise repealed, replaced, or rescinded.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 and the Town of Montreat.
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 26th day of January, 2021.

ATTEST:

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE



Lamar Joyner, Clerk

By: 

Brownie Newman, Chairman