



## **SUPPLEMENTAL DECLARATION OF A LOCAL STATE OF EMERGENCY**

WHEREAS, based on public health guidance from the World Health Organization, the Centers for Disease Control and Prevention, the United States Department of Health and Human Services and the North Carolina Department of Health and Human Services, Jackson County declared a Local State of Emergency on March 16, 2020 in an effort to promote social distancing to slow the spread of COVID-19.

WHEREAS, in just over the past week, the State of North Carolina, through the Governor, Roy Cooper, has issued Executive Order No. 116 titled “Declaration of a State of Emergency to Coordinate Response and Proactive Actions to Prevent the Spread of COVID-19; Executive Order No. 117 prohibiting mass gatherings and directing the statewide closure of K-12 public schools to limit the spread of COVID-19; Executive Order No. 118 “Limiting Operations of Restaurants and Bars and Broadening Unemployment Insurance Benefits in Response to COVID-19”; Executive Order No. 119 waiving restrictions on child care and elder care and providing DMV flexibilities; Executive Order No. 120 temporary closure of certain businesses in which members of the public may be in close contact with each other and extension of statewide closure of K-12 public schools in Response to COVID-19”.

WHEREAS, the emergency response orders in place in the State of North Carolina currently prohibits mass gatherings that bring together more than fifty (50) persons in a single room or single space at a time, such as an auditorium, stadium, arena, large conference room, meeting hall, theater or any other confined indoor or outdoor space. The prohibition does not extend to other defined spaces and establishments.

WHEREAS, the latest Executive Order is a critical step in minimizing close contact between members of the community. Close contact for COVID-19 is currently defined as contact within six feet for a duration of at least ten minutes. Social Distancing is a specific strategy, proven by data to severely lessen the impact of high consequence pathogens by minimizing the opportunity for close contact encounters.

WHEREAS, per federal guidelines and guidance from the California Department of Public Health, as well as state governments, including Wisconsin and Virginia, gatherings of ten people or more are prohibited.

WHEREAS, given its specific knowledge of Jackson County and to further safeguard its residents and community via Social Distancing, Jackson County Public Health has determined that an imminent hazard exists and has issued guidance recommending the temporary closure of businesses related to non-essential travel of non-resident individuals in Jackson County to slow the spread of COVID-19.

NOW THEREFORE, pursuant to the authority vested in me as the Chairman of the Board of Commissioners of Jackson County under Article 1A of Chapter 166A of the North Carolina General Statutes and the Emergency Management Ordinance for the County of Jackson I hereby declare:

1. Effective Wednesday, March 25, 2020, no gatherings of ten persons or more shall take place in Jackson County, including its incorporated municipalities during the term of this Declaration of Local State of Emergency. For the avoidance of doubt and consistent with Executive Orders 117 118, and 120, grocery stores, pharmacies, convenience stores, gas stations and food distribution sites, to the extent they sell or distribute prepared food, are exempt from the provisions of this Declaration. Also, a gathering of persons does not “include normal operations at airports, bus and train stations, medical facilities, shopping malls and centers. It also does not include office environments, factories and child care centers.” [Libraries are omitted from this listing of exemptions to the Executive Orders because Jackson County Libraries are currently closed]. Further, food banks and other food distribution sites, farmer’s markets, retail and hardware operations and rental centers in which the public are not generally in close contact with other patrons are exempt from this Declaration.
2. Pursuant to Executive Order 120, effective Wednesday, March 25, 2020 at 5:00 p.m., all bingo parlors, bowling alleys, ice skating rinks, indoor exercise facilities (e.g. gyms, yoga studios, and martial arts facilities), health clubs, indoor pools, live performance venues, movie theaters, roller skating rinks, spas, sweepstakes lounges, video game arcades personal care and grooming businesses, including but not limited to the following: barber shops, beauty salons, hair salons, manicure/pedicure providers, massage parlors, nail salons, tattoo parlors shall close for business.
3. Effective Wednesday, March 25, 2020 at 5:00 p.m., all Lodging Facilities for example, hotels, motels, resorts, inns, guest houses, bed and breakfasts, campgrounds, RV Parks, vacation cabins, home rentals and any and all rentals or leases by Air-BNB, Homeaway, VRBO and other rental programs or places where leases or use of any are for less than one month in duration, shall be closed in Jackson County, including in its incorporated municipality, EXCEPT exemptions as hereinafter set forth.

- a. Work-Related Exemptions: This closure does not apply if a lease or extended overnight accommodation is due to work here in Jackson County for business, medical, construction, emergency services or other related services. In this situation, the employee staying at the lodging facility should have their employer provide their work related identification badge or a letter from the employer stating the purpose of the work to be performed in Jackson County and the expected duration of the stay.
- b. Homeless Shelter: This closure does not apply to lodging facilities housing authorized individuals through HERE in Jackson County or as needed to house the homeless in an emergency related to the COVID-19 Response.
- c. Emergency Facility: This closure does not apply to a lodging facility if used as an emergency facility to assist with the COVID-19 Response.

By and with the consent of the mayors of the municipalities within Jackson County, this Declaration of Local State of Emergency applies within the municipal limits of the Town of Sylva, the Town of Dillsboro, the Town of Webster and the Village of Forest Hills.

This Declaration is in addition to the Executive Orders referenced above and should any provision hereof be declared invalid or unconstitutional by any court of any competent jurisdiction, such declaration shall not affect the validity of this Declaration that as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

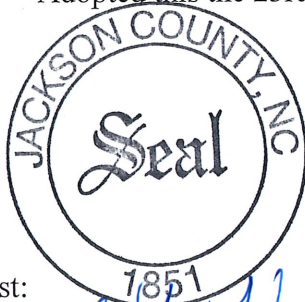
We direct that copies of this Declaration be disseminated to the mass communications media for publication and broadcast and that a copy of this Declaration be posted at the Jackson County Justice and Administration Building and other public buildings as appropriate.

Any person who violates any provision of the Declaration shall be guilty of a Class 2 misdemeanor in accordance with N.C.G.S. Sections 166A-19.31 and 14-288.20A

All of the terms and conditions of that said Local State of Emergency declared on March 16, 2020 remain in force and effect.

This Declaration of Local State of Emergency for Jackson County shall begin upon its adoption and shall remain in effect until rescinded.

Adopted this the 23rd day of March, 2020 at 5pm.



JACKSON COUNTY BOARD OF COMMISSIONERS

By: Brian Thomas McMahen  
BRIAN THOMAS MCMAHAN, Chairman

Attest:

Angela M. Winchester  
ANGELA M. WINCHESTER, Clerk to the Board