



DECLARATION OF A STATE OF EMERGENCY

WHEREAS, the novel coronavirus (COVID-19) has been declared a pandemic by the World Health Organization, the Governor of North Carolina has declared a State of Emergency with imposed restrictions as delineated by Executive Order, and a case of COVID-19 has been presumptively confirmed positive within the borders of Watauga County; and

WHEREAS, as a result of the above-described emergency, I have determined that there is an imminent threat of, or existing conditions have caused or will cause, widespread or severe damage, injury, or loss of life or property, and public safety authorities will be unable to maintain public order or afford adequate protection for lives or property; and

WHEREAS, declaring a State of Emergency and imposing the restrictions and prohibitions ordered herein is necessary to maintain order and protect public health, safety, and welfare, and to secure property; and

WHEREAS, to prepare for continuity of government during the COVID-19 incident, in the event the Chairman of the Board of Commissioners fails or ceases to act in his capacity due to illness, quarantine, or is otherwise unavailable for the conduct of necessary business, the Chairman hereby appoints the following, in the order named,

William Kennedy, Vice Chairman of the Board of Commissioners, then

Deron Geouque, the County Manager,

who shall have full authority to act in the Chairman's stead including, but not limited to, the authority to impose additional emergency restrictions as deemed to be critical for life safety or incident stabilization by the AppHealthCare Director, Emergency Services Director, and/or Sheriff.

NOW, THEREFORE, pursuant to the authority vested in me as the Chairman of the Board of Commissioners of Watauga County under Article 1A of Chapter 166A of the North Carolina General Statutes and the Watauga County Code of Ordinances:

Section 1. A State of Emergency is hereby declared within Watauga County as more particularly described in Section 2.

Section 2. The emergency area covered by this state of emergency shall be (*check box*):

All areas within the jurisdiction of Watauga County

The following specific areas within the jurisdiction of _____

Section 3. The following restrictions and prohibitions are imposed:

Evacuation: _____

Curfew: _____

Restricted Access:

A. Effective immediately, all public meetings will be conducted remotely. Instructions to the public on how to participate, will be posted on the Watauga County website. Exceptions to this order may be allowed pertaining to quasi-judicial proceedings. A determination of whether quasi-judicial proceedings will be scheduled, conducted as usual, continued, or conducted remotely will be on a case-by-case basis, in the discretion of the presiding Chair.

B. Effective March 30, 2020 at 12:00 PM all playgrounds, courts, and picnic shelters in Watauga County and its municipalities shall be closed until further notice. The closure includes school playgrounds. Childcare facilities still operating shall be exempt from this directive.

C. Effective March 31, 2020, at 5:00p.m., all residents and non-residents of Watauga County arriving for overnight stays are ordered, while present in the County, to self-quarantine for a period of 14 days or 7 days after symptoms have resolved, whichever is longer, if arrival was preceded by overnights outside the County. The only exceptions to this provision are the commuting “essential” workforce and emergent response as coordinated through the Watauga County Emergency Services Director, AppHealthCare Director, and/or Sheriff and their designees.

Business Operations: Effective Thursday, March 26, 2020 at 12:00 PM, all lodging, short-term rentals and other fee based overnight accommodations for a period of less than thirty (30) days shall be prohibited for property within Watauga County for the duration of the County’s State of Emergency, unless otherwise deemed allowable by the County Manager, at which time an amendment will be issued. Short-term rentals shall include, but not be limited to:

1. Air bed and breakfasts
2. Campgrounds
3. Timeshare units
4. Condos
5. Motels

6. Resorts
7. Inns
8. Guest Houses
9. RV Parks
10. Vacation cabins
11. Home Rentals
12. VRBO
13. Hotels
14. Other rental programs or places where leases for less than thirty (30) days in duration.

The following are deemed exceptions to the lodging, short-term rental and overnight accommodation policy set forth above:

1. Persons currently subject to a written rental agreement shall be able to remain for the rental period and shall be able to extend said period with no time limitation provided it is continuous.
2. The prohibition against lodging, short-term rental and overnight accommodations shall not apply when work related accommodations are needed for the following:
 - a. Emergency Personnel including, but not limited to Law enforcement, EMTs, Fire and Rescue, 911 Communications and Emergency Management.
 - b. Federal, State and Local Government Personnel.
 - c. Medical and Public Health Personnel.
 - d. Any person, contractor, or service provider deemed necessary by the County Manager to the response and recovery for COVID-19.
 - e. Construction workers.
 - f. Homeless Shelters.
 - g. Emergency facilities, as determined by the County Manager.
3. Any housing arrangements within facilities owned and operated by Appalachian State University.

Personnel/Employees covered under this exception shall have their employer provided work-related identification.

Law enforcement shall have the authority to enforce violation of these restrictions in accordance with North Carolina General Statutes.

This prohibition shall be modified to allow for 50% occupancy of the businesses impacted by this section in accordance with **Section 6**. The 50% occupancy shall not apply to families who normally reside within the same domicile.

Campgrounds and RV Parks occupancy shall be covered by **Section 6** unless the National Park Service opens their facilities sooner; at which point these facilities will follow NPS restrictions.

Alcohol: _____

Dangerous Weapons & Gasoline (Except for lawfully possessed firearms and ammunition): _____

Other: Restrictions as imposed by the Governor of North Carolina by Executive Order.

No restrictions or prohibitions are imposed at this time.

Section 4. I hereby order all Watauga County Sheriff's Office law enforcement officers and employees and all other emergency management personnel subject to our control to cooperate in the enforcement and implementation of the provisions of this Declaration, all applicable local ordinances, state and federal laws, and the Watauga County Emergency Operations Plan.

Section 5. I hereby order this declaration: (a) to be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) to be filed with Clerk to the County Commissioners; and (c) to be distributed to others as necessary to ensure proper implementation of this declaration.

Section 6. This declaration shall supersede the current Declaration in effect dated May 8th, 2020 and take effect on May 20th, 2020 at 5:00pm. The Section **Restricted Access**, Subsections B and C, shall expire and Section **Business Operations** shall be modified upon the initiation of Phase 2 of the North Carolina Reopening Plan as described by Executive Order. Upon initiation of Phase 3, the Section **Business Operations** shall fully expire. This Declaration shall remain in effect until modified or rescinded.

DECLARED this the May 19th, 2020 at 9:00pm.



John Welch
Chairman, Watauga County Commissioners