

**NEW HANOVER COUNTY BOARD OF COMMISSIONERS
DECLARATION OF STATE OF EMERGENCY – FIRST AMENDMENT
ADDITIONAL PROHIBITIONS AND RESTRICTIONS**

- Section 1:** On March 20, 2020, pursuant to New Hanover County Code Chapter 17, Article III, Section 17.71 and Section 17.72, and North Carolina General Statutes Chapter 166A, Article 1A, 166A-19.22, the New Hanover County Board of Commissioners determined that a State of Emergency as defined in the New Hanover County Code Section 17.71 exists in New Hanover County, and now desires to further supplement said Declaration. The terms of this supplemental amendment are in addition to, not in lieu of, the March 20, 2020 Declaration.
- Section 2:** It is in the interest of all persons to slow the spread of the coronavirus and a unified response is optimal to do so. Pursuant to NCGS 166A-19.22(b)(2), the municipalities may hereby consent to and request that this state of emergency apply within their municipal corporate limits.
- Section 3:** The New Hanover County Board of Commissioners, acting through the Chair, hereby orders all county law enforcement officers, employees and all emergency management personnel to cooperate in the enforcement and implementation of the additional provisions of the county emergency ordinances, which are set forth below. This order and declaration is in addition to and concurrent with all public health control measures authorized in North Carolina General Statute 130A and the provisions of the March 20, 2020 Declaration of State of Emergency.
- Section 4:** **Closure of playgrounds, team sport facilities, and public gardens.** All public playgrounds, public playground equipment and exercise stations, public team sport facilities, and public gardens are hereby ordered to be closed and not used. Trails and open spaces may remain open under the restriction that social distance guidelines are followed and no gatherings of more than 10 people occur.
- Section 5:** **March 23, 2020 North Carolina Executive Order 120 and March 27, 2020 Executive Order 121.** The terms set forth in the March 23, 2020 Executive Order 120 and March 27, 2020 Executive Order 121 are hereby incorporated by reference into this Declaration and the businesses and facilities listed therein are hereby ordered to cease operations and close in compliance with the terms of that Executive Order.
- Section 6:** **Specific Closures to further limit viral transmission - Amusement.** All places of public amusement, whether publicly or privately owned or operated, where people may gather, whether indoors or outdoors, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, zoos, museums, arcades, fairs, children’s play centers, playgrounds, recreation centers, team sports facilities, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and country clubs or social clubs shall be closed to the public, including to private events with more than ten (10) people gathered including staff. Golf courses are restricted to allowing walking golfers or one golfer per cart to maintain social distance requirements.
- Section 7:** **Specific Closures to further limit viral transmission – Non-essential retail.** All stores, indoor or outdoor shopping malls, and retail facilities that do not provide goods that are essential for health, sustenance, shelter, mobility, and hygiene shall close all in-person shopping areas to the public. Delivery and curb-side service may be implemented or continued. This restriction shall not apply to grocery stores, pharmacies, convenience stores, hardware and building supply stores, or gas stations. Any store, mall, or retail facility that does provide essential goods as set forth above, shall close to the public any portion of its facility dedicated to non-essential goods that it is reasonably capable of so closing.
- Section 8:** **Specific Closures to further limit viral transmission – Specific merchants.** For the purposes of this Declaration, the following businesses shall be subject to the same restrictions as non-essential retail set forth in Section 8 and shall close their facilities to the public. Those businesses are:
- Auto dealerships, boat dealerships and other motor vehicle sales points (not including repair or maintenance services)
 - Hotels, Motels, and Short-term lodging (except as allowed by a governmental request to assist with the emergency response to Coronavirus or to provide lodging in support of the supply and distribution of COVID-19 Essential Businesses and Operations or in support of our communities’

COVID-19 emergency response and practices utilized to fight the virus or its spread). Extended stay hotels may continue to offer lodging for terms of no less than 28 days.

- Retail stores situated at marinas

Section 9: Closure of inside carry-out food service. All carry-out food service that requires the customer to enter the interior of the merchant's facility is forbidden and any business so engaged shall cease such activities immediately. Delivery, drive-through and curbside food service is allowed.

Section 10: Jurisdiction. This Declaration shall be effective for New Hanover County and those municipalities therein signing below, consenting to, or otherwise authorizing its effect within their respective jurisdictions.

Section 11: Execution of Emergency Plan. All persons and emergency management personnel within New Hanover County are ordered to comply with the emergency plan, including but not limited to further restrictions on public gatherings and business operations.

Section 12: This declaration shall become effective March 30, 2020 at 5:00 p.m. and remain in effect until 5:00 p.m. April 13, 2020 unless rescinded earlier or extended.

Adopted this the 28th day of March 2020, at 10:00 a.m.



Julia Olson-Boseman, Chair
Board of County Commissioners

Kimberleigh G. Crowell
Clerk to the Board