

ORDINANCE AUTHORIZING THE DECLARATION OF
STATES OF EMERGENCY BY BOARD CHAIR

WHEREAS, with the passage of S.L. 2012- 12, the State of North Carolina repealed Article 1, N.C. Gen. Stat. § 166A, the North Carolina Emergency Management Act of 1977, and replaced it with Article 1A, N.C. Gen. Stat. § 166A, the North Carolina Emergency Management Act; and

WHEREAS, current Alamance County emergency management plans are compliant with all State standards and requirements; and

WHEREAS, the County Attorney and Emergency Management Director recommend that this Board adopt this Ordinance to clarify the change in statutory authority and to streamline the process for the declaration of a state of emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE Board of Commissioners for the County of Alamance that:

1. Declaration. A state of emergency may be declared by the Board of Commissioners if it finds that an emergency exists. Recognizing that circumstances and practical considerations may dictate expediency of action, a state of emergency may, under N.C. Gen. Stat. § 166A-19.22(a) be declared by the Chair of the Board of Commissioners when he or she finds that an emergency exists. The declaration shall be in writing; shall activate any or all of the prohibitions and restrictions authorized by law and any and all applicable local plans, mutual assistance compacts, and agreements; and shall also authorize the furnishing of assistance thereunder. Reasonable steps shall be taken to give notice to the public of the terms of the declaration. Reports of the substance of the declaration shall be sent to the mass communications media which serve the affected area.
2. Area. The declaration of a state of emergency shall include a definition of the area constituting the emergency area. The emergency area of a state of emergency declared shall not include any area within the corporate limits of any municipality unless the municipality's governing body or mayor consents or requests, in writing, that the state of emergency apply to that municipal jurisdiction.
3. When States of Emergency Take Effect. Upon the declaration of a state of emergency by the Board of Commissioners or Chair of the Board of County Commissioners enacted under the authority of this Ordinance, the state of emergency shall take effect immediately unless the declaration sets a later time.
4. Expiration of States of Emergency. Unless otherwise stated in the declaration, a state of emergency declared pursuant to this Ordinance shall expire when it is terminated by the official or governing body that declared it.

Adopted at its regular session this the 19th day of August, 2024.

John P. Paisley, Jr., Chair
Alamance County Board of Commissioners

ATTEST:

Tory Frink, Clerk to the Board