



AMENDED
April 17, 2020

**DECLARATION OF STATE OF EMERGENCY BY THE MAYOR OF THE TOWN OF
TOPSAIL BEACH**

WHEREAS, the Board of Commissioners of the Town of Topsail Beach has duly adopted ordinances pursuant to the provisions of N.C. G.S. 166A Article 1A to determine and proclaim the existence of a State of Emergency and to impose certain prohibitions and restrictions appropriate to meet the emergency; and

WHEREAS, In response to the global spread of the virus and the disease it causes, the World Health Organization has declared COVID-19 a Public Health Emergency; the Centers for Disease Control and Prevention (CDC) has warned of the high public health threat posed by COVID-19 globally; and the North Carolina Department of Health and Human Services ("NCDHHS") confirmed cases of COVID-19 in North Carolina as of March 10, 2020; and

WHEREAS, Governor Cooper issued Executive Order No. 116 titled "Declaration of a State of Emergency to Coordinate Response and Protective Actions to Prevent the Spread of COVID-19, on March 10th and has issued subsequent executive orders pursuant to COVID-19 and;

WHEREAS, Based upon guidance from CDC and NCDHHS, arrangements must be made to take appropriate action to ensure that COVID-19 remains controlled and that residents and visitors of Topsail Beach will remain safe and secure.

NOW, THEREFORE, I, Steven G. Smith, Mayor of the Town of Topsail Beach does hereby proclaim:

I

A State of Emergency exists in the Town of Topsail Beach due to the expected impacts of COVID-19.

II

The emergency area covered by this state of emergency shall be for the territorial limits of the Town of Topsail Beach

III

All individuals and businesses shall adhere to the provisions set forth in the Governor's Executive Order No. 116 and all subsequent orders issued related to the COVID-19 pandemic. This order states that all individuals are ordered to stay at home or their place of residence except as explicitly allowed. Travel is allowed for essential purposes only. It is imperative that this order be heeded.

In addition, to the extent individuals used shared or outdoor spaces, whether on land or on water, they must at all times maintain social distancing of at least six feet from any other person, with the exception of family or household members or caretakers. This includes, but is not limited to, beaches, estuaries, sandbars, soundside waterways, and similar areas.

IV

The Town has instituted the following restrictions:

- 1) All public parking at beach and soundside accesses will be closed until further notice. Government agencies, town employees and any authorized contractor of the Town is exempt from this regulation.
- 2) All on-street parking to unauthorized vehicles is prohibited. Government agencies, town employees and any authorized contractor of the Town is exempt from this regulation. Private contractors working on projects with a valid and current building permit are also exempt from this provision.
- 3) Town Center Park is closed for all uses.
- 4) Parking at the Bush Marina facility is prohibited. The Boat Ramp will remain open for the purpose of watercraft launching and removal. Boat Slip

rentals will remain in effect. Government agencies, town employees and any authorized contractor of the Town is exempt from this regulation.

- 5) Discontinuance of All Short-term Rental Operations: Effective immediately, there will be no new rental occupancies of duration less than 90 days allowed within the Town until May 14, 2020, at or before which time the Town will reconsider any necessary further action. The following exemptions apply:
- a) Individuals or entities renting within the Town for purposes of providing other essential public services, including the Town's Channel Dredging and Beach Restoration Project, are exempted from the prohibition.
 - b) Permanent residents of the Town having construction on their primary residence. In addition, property owners may, by permit, utilize trailers, RV's or similar structures for housing needs.
 - c) Private contractors working on projects with a valid and current building permit, or those working on projects authorized by state or federal agencies.

IV

The Town Manager or his designee is hereby authorized to take all lawful actions necessary to manage the Town during this State of Emergency as deemed reasonably necessary to restrict the spread of COVID-19 and to protect the Town residents, the public and Town employees.


V

The Town strongly encourages all members of the public to adhere to the guidelines and regulations established by the CDC and the NCDHHS including Social Distancing, limited mass gatherings, and steps to prevent the spread of the virus. The Town encourages all persons to visit www.cdc.gov and www.ncdhhs.gov for continued updates.


NOTE: ANY PERSON WHO VIOLATES ANY PROVISION OF THIS DECLARATION OR ANY PROVISION OF ANY EXECUTIVE ORDER ISSUED BY THE GOVERNOR SHALL BE GUILTY OF A CLASS 2 MISDEMEANOR IN ACCORDANCE WITH N.C. GENERAL STATUTE §14-288.20A.

VI

This Amended Declaration of a State of Emergency shall be effective at 8:00 a.m. on April 17, 2020 and shall remain in effect until rescinded by the Mayor and/or the Board of Commissioners.



Steven G. Smith
Mayor

Attest:


Jessica DeRoche
Deputy Town Clerk