



**AMENDED**  
**May 22, 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 10<sup>th</sup> 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. Specifically, all individuals and businesses shall adhere to the Governor's Executive Order No. 141 and Phase 2 of the three phase plan to re-open North Carolina. It is imperative that this order and subsequent orders be heeded.

In addition, to the extent individuals use and/or share 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. Please follow CDC recommendations on social distancing.

## IV

The Town has instituted the following restrictions:

- 1) Public parking is permissible; however, the Town reserves the right to close certain accesses for other government project-related needs.
- 2) Town Center Park will be open to the public; however, per Governor's Executive Order No. 141, the children's playground area will remain closed.

## 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.

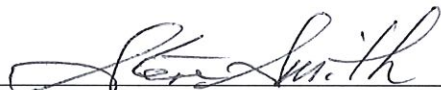
V


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 guidance to cleaning and disinfecting public spaces, work places, businesses and homes to help prevent the spread of the virus. The Town encourages all persons to visit [www.cdc.gov](http://www.cdc.gov) and [www.ncdhhs.gov](http://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 5:00 p.m. on May 22, 2020 and shall remain in effect until rescinded by the Mayor and/or the Board of Commissioners.

  
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Steven G. Smith  
Mayor

Attest:  
  
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Jessica DeRoche  
Deputy Town Clerk