

DECLARATION OF A STATE OF EMERGENCY

WHEREAS, on September 23, 2022, previously labeled Tropical Depression Nine strengthened into a tropical storm named “Ian”; and

WHEREAS, on September 26, 2022, Ian strengthened into a hurricane with maximum sustained winds of 75 miles per hour, with the associated production of heavy and sustained rainfall; and

WHEREAS, meteorologists are predicting that Hurricane Ian, or the remnants of that storm, will have an imminent major impact on weather conditions in Union County; and

WHEREAS, such weather conditions and impacts are projected to include, without limitation, up to five inches of rain over a seven-day time period, which could result in flash or prolonged flooding in areas of Union County and danger to life and property; and

WHEREAS, based on the foregoing, 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

WHEREAS, declaring a State of Emergency and imposing any restrictions and prohibitions ordered herein is necessary to maintain an acceptable level of public order and services, and to protect lives, safety, and property.

NOW, THEREFORE, pursuant to the authority vested in me as the Chairman of the Board of Commissioners of Union County, North Carolina under Article 1A of Chapter 166A of the North Carolina General Statutes and Chapter 14, “Emergency Management,” of the Union County Code:

Section 1. A State of Emergency is hereby declared within Union County, North Carolina, as defined by N.C.G.S. § 166A-19.3 and Section 14-35 of the Union County Code, and as more particularly described in Section 2 herein, based upon the weather conditions and risk of resulting damage that are posed by this weather event related to Hurricane Ian.

Section 2. The emergency area covered by this state of emergency shall be (hereinafter the “Emergency Area”):

All areas within the jurisdiction of Union County, North Carolina, including any municipality which has consented to such jurisdiction

Except as set forth in this Section 2, the restrictions and prohibitions imposed by this Declaration are applicable within the Emergency Area. Notwithstanding the above, the Emergency Area shall not include any area within the corporate limits of any municipality, or within area of Union County over which a municipality has jurisdiction to enact general police-power ordinances, unless the municipality’s governing body or mayor consents or requests this Declaration’s application. The application of the prohibitions and restrictions imposed by this Declaration to the corporate limits of any municipality or any area of Union County over which the municipality has jurisdiction to enact general police-power ordinances shall be limited to

those prohibitions and restrictions consented to or requested by the municipality's governing body or mayor.

Section 3. The following restrictions and prohibitions are imposed:

Restricted Access: Pursuant to N.C.G.S. § 166A-19.31(b) and Section 14-41 of the Union County Code, the sheriff shall have the authority to restrict or deny access, within the emergency area, to any street, road, highway, bridge, public vehicular area or other area ordinarily used for vehicular travel, except to the movement of emergency responders and other persons necessary for recovery from the emergency, if such restriction or denial of access is reasonably necessary to promote efforts being made to overcome the emergency or to prevent further aggravation of the emergency. The sheriff shall notify the Department of Transportation of any closure of a road or public vehicular area as soon as practicable.

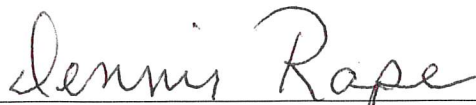
Section 4. I hereby order all Union County, North Carolina employees and all other emergency management personnel subject to my control to cooperate in the enforcement and implementation of the provisions of this Declaration, all applicable local ordinances, state and federal laws, and the Union County Emergency Operations Plan.

Section 5. I hereby order the Union County Manager to take all lawful actions necessary to manage the Union County organization during this state of emergency, which includes, without limitation, procuring goods and services necessary to manage this emergency and adjustment of hours, access, and operations of all County-owned facilities and government operations as he deems reasonably necessary.

Section 6. I hereby order this Declaration: (a) to be posted in the Union County Courthouse, (b) to be distributed to the mass communications media which serves the affected area, as well as calculated to bring its contents to the attention of the general public; (c) to be posted conspicuously on the County's website; (d) to be submitted to the Department of Public Safety WebEOC critical incident management system; (e) to be filed with Clerk to the Union County Board of Commissioners, who shall, upon request, furnish certified copies of this Declaration; and (f) to be distributed to others as necessary to ensure proper implementation of this Declaration.

Section 7. This Declaration shall take effect on September 29, 2022 at 5:00PM, and shall remain in effect until modified or terminated.

DECLARED this the September 29, 2022 at 12:00PM



Chairman, Union County Board of Commissioners