



WHEREAS, N.C.G.S. Chapter 166A, formally titled the North Carolina Emergency Management Act, authorizes a municipality to take action in prevention of, preparation for, response to, and recovery from natural or man-made disasters and to reduce the vulnerability of its people and property to damage, injury, and loss of life and property; and

WHEREAS, in accordance with Kitty Hawk Town Code Chapter 10--Emergency Management, a State of Emergency was declared to exist in Kitty Hawk on March 16, 2020 at 12:00 noon by Mayor Gary Perry, near simultaneous with the Governor's enactment of a state of emergency declaration at the State level; and,

WHEREAS, in accordance with Kitty Hawk Town Code Chapter 10--Emergency Management, certain restrictions and prohibitions were placed on restaurant business establishments within the Town of Kitty Hawk on May 19, 2020 by Mayor Gary Perry; and

WHEREAS, in accordance with Kitty Hawk Town Code Chapter 10--Emergency Management, mandatory face coverings were made a requirement within public places where social distancing was not a capability within the Town of Kitty Hawk on June 19, 2020 by Mayor Gary Perry; and

WHEREAS, on June 24th, 2020 the Governor of North Carolina issued Executive Order No. 147 which acted to extend the Phase 2 order and new measures to save lives in the COVID-19 pandemic; and

WHEREAS, on July 14th, 2020 the Governor of North Carolina issued Executive Order No. 148 which acted to extend the Phase 2 order and new measures to save lives in the COVID-19 pandemic; and

WHEREAS, on September 1, 2020 the Governor of North Carolina issued Executive Order No. 163 which acted to revise prohibitions and restrictions that move the State of North Carolina into Safer at Home Phase 2.5 measures; and

WHEREAS, on September 30, 2020 the Governor of North Carolina issued Executive Order No.169 establishing "Restrictions to Protect Lives During the COVID-19 Pandemic: Phase 3" that become effective at 5:00 p.m. on October 2, 2020 and will be in place until 5:00 p.m. on October 23, 2020; and

WHEREAS, the Governor of North Carolina has made clear that he will continue to update, amend, and issue further Executive Orders intended to quell the spread of COVID-19 across the State of North Carolina; and

WHEREAS, the Mayor of the Town of Kitty Hawk, based on competent advice from health professionals and the historical effect of past Executive Orders, has found that the provisions of

any and all future Executive Orders entered by the Governor of North Carolina will help prevent the spread of COVID-19 in Kitty Hawk; and

WHEREAS, it is the intent of the Mayor of the Town of Kitty Hawk, based on the aforementioned evidence, to adopt a standing Declaration which will act to confirm that the provisions of any and all future COVID-19-related Executive Orders entered by the Governor of the State of North Carolina will be effective as to the Town of Kitty Hawk; and

NOW, THEREFORE, pursuant to the authority vested in me as the Mayor of the Town of Kitty Hawk pursuant to Article IA of Chapter 166A of the North Carolina General Statutes and Kitty Hawk Town Code Chapter 10--Emergency Management, the previously imposed restrictions and prohibitions are hereby modified within the corporate limits of the Town of Kitty Hawk:

Section 1: Effective at 5:00 p.m. on November 13, 2020, the Town of Kitty Hawk Emergency Declaration for COVID-19 is amended as follows:

- a. The restrictions, prohibitions, and conditions of the any and all future COVID-19-related Executive Orders entered by the Governor of the State of North Carolina shall be followed in the Town of Kitty Hawk, as the same may be modified, extended, or rescinded from time to time. To the extent there are differences, whether more or less restrictive, between the Town's declarations and the Governor's Order, the Governor's Order shall control.
- b. This declaration may be amended by the Town, in writing, to incorporate any changes stemming from future Executive Orders that are deemed substantial and necessary for incorporation, in the discretion of the Town of Kitty Hawk.

Section 2: All individuals and businesses in the corporate limits of the Town of Kitty Hawk shall also adhere to the provisions of all statewide Executive Orders until modified, extended, or rescinded.

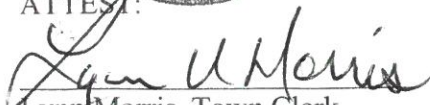
I hereby order this declaration: (a) to be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) to be filed with Clerk to the Kitty Hawk Town Council and (c) to be distributed to others as necessary to ensure proper implementation of this declaration.

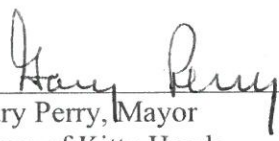
This declaration is entered this the 13th day of November, 2020 and shall remain in effect until modified, extended or rescinded.

This 13th day of November, 2020.



ATTEST:


Lynn Morris, Town Clerk


Gary Perry, Mayor
Town of Kitty Hawk