

**PROCLAMATION OF A STATE OF EMERGENCY**



**WAYNE COUNTY EMERGENCY OPERATIONS PLAN**

**WHEREAS,** TROPICAL STORM ISAIAS; and

**WHEREAS,** as a result of the above-described emergency, 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 public safety authorities will be unable to maintain public order or afford adequate protection for lives or property; and

**WHEREAS,** declaring a State of Emergency and imposing the restrictions and prohibitions ordered herein is necessary to maintain order and protect public health, safety, and welfare, and to secure property; and

**WHEREAS,** it is essential that Wayne County employees and employees of the Wayne County Sheriff, whether exempt or nonexempt, work extended hours to maintain order and protect public health, safety, and welfare to secure private and public property.

**NOW, THEREFORE,** pursuant to Chapter 22 of the Wayne County Code of Ordinance, Chapter 166A of the North Carolina General Statutes, and Article 36A, Chapter 14 of the North Carolina General Statutes:

**Section 1.** A State of Emergency is hereby declared within Wayne County as more particularly described in Section 2.

**Section 2.** The emergency area covered by this State of Emergency shall be:

- All unincorporated areas within the jurisdiction of Wayne County
- All areas within the jurisdiction of Wayne County  
*(At the request and consent of the Mayors)*

- The following specific areas within the jurisdiction of Wayne County  
(At the request and consent of the Mayors)
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**Section 3.** The following restrictions and prohibitions are imposed (*check all that apply*):

- Evacuation:** In the best interest of public safety and protection, it is necessary to evacuate the civilian population from \_\_\_\_\_.  
Citizens are free to use any type of legal transportation, but should only use designated evacuation routes, as determined by Wayne County Office of Emergency Services.
- Restricted Access:** Access to any area, location, or street where such a restriction is necessary in order to help overcome this emergency or to prevent the emergency from escalating will be restricted and/or denied. Access will be indicated and restricted by means of barricades, posted notices or by agents working in their official capacity.
- Curfew:** In the best interest of public safety, the following curfew is hereby imposed to begin \_\_\_\_\_ and will cease at such time as this Proclamation of a State of Emergency is terminated.
- A. No person not exempted by this proclamation shall appear in the geographical area described in this proclamation between the hours of \_\_\_\_\_ and \_\_\_\_\_ of any day until this curfew is removed by termination.
- B. This curfew shall apply to the following geographical area: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- C. To the preservation of the public health, safety and welfare, these curfew restrictions are exempt to the following classes of people in the circumstances indicated:
- i. All employees of the affected area who are in their official capacity during the curfew hours;
  - ii. All other law enforcement or other government or service providers responding in their official capacity;

- iii. Those whose appearance is essential in order to obtain or furnish a service or commodity which is immediately necessary to sustain the health or well-being of themselves or of someone within the curfew area; and
- iv. Those whose appearance necessarily occurs in the process of leaving a place at which they were temporarily engaged and for which they could not reasonably have planned their departure so as to avoid appearing during the period in which the curfew was applicable.

**Alcohol:** There shall be no sale, consumption, transportation, or possession of alcoholic beverages within the geographical area noted in Section 2 during this State of Emergency, except for that is allowed on a person's own premises.

**Dangerous Weapons:** There shall be no possession, transportation, sale, purchase, storage, and use of any dangerous weapons, including but not limited to rifles, shotguns, pistols, or ammunition for any weapon within the geographical area noted in Section 2 during this State of Emergency, except for that with is allowed on a person's own premises. Duly sworn Law Enforcement Officers acting in their official capacity are exempt.

**Other:** \_\_\_\_\_

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**No restrictions or prohibitions are imposed at this time.**

**Section 4.** I hereby order all law enforcement officers and employees and all other emergency response personnel subject to our control to cooperate in the enforcement and implementation of the provisions of this Proclamation, all applicable local ordinances, state and federal laws, as well as the Wayne County Emergency Operations Plan.

**Section 5.** In such cases of employees referenced in the whereas above who are responding or call back employees, exempt and nonexempt, will be paid overtime for time worked over forty (40) hours in a given seven-day workweek beginning Sunday midnight to Saturday at 2359 hours. Overtime for law enforcement and detention employees, however, shall be based on a 28-day cycle with overtime being any hours worked in excess of 171 hours for law enforcement and detention employees during the cycle. The 911/EMS/WayneNET personnel work on a fluctuating workweek. Telecommunicators, EMS, and WayneNET employees' week begins Sunday at 7:00 am. Accounting for overtime for all departments shall be done on the official payroll time card or record.

**Section 6.** The Board of Commissioners hereby authorize the County Manager, in coordination with Human Resources, to modify the Wayne County Personnel Policy as needed to address the current emergency incident.

**Section 7.** The Board of Commissioners hereby order this proclamation: (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 governing Board and (c) to be distributed to others as necessary to ensure proper implementation of this proclamation.

**Section 8.** Penalty for Violation – Any person who violates any provision of an ordinance or a declaration enacted or declared pursuant to General Statute 166A, or who violated any provision of a declaration or executive order issued pursuant to General Statute 166A is guilty of a Class 2 misdemeanor. Further violations may be imposed in accordance with Article 36A, Chapter 14 of the North Carolina General Statutes.

**Section 9.** This document may be amended by Office of Emergency Services staff that issued the State of Emergency.

**Section 10.** This proclamation shall take effect on 8/3/2020 at 12PM, and shall remain in effect until modified or terminated.

DECLARED this the 8/3/2020 (date) at 12PM (time)



Attest:

*E. Ray Mayo*

\_\_\_\_\_  
E. Ray Mayo, Chairman  
Wayne County Board of Commissioners

*Carol Bowden*  
\_\_\_\_\_  
Carol Bowden, Clerk to the Board

*Craig Honeycutt* ACM  
\_\_\_\_\_  
Craig Honeycutt, County Manager

*Aaron Stryker*  
\_\_\_\_\_  
Aaron Stryker, Emergency Management Coordinator