



City of Roanoke Rapids

Office of the City Manager - Joseph Scherer, MPA, MS

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MEMORANDUM FOR: DISTRIBUTION

FROM: Joseph Scherer

DATE: May 7, 2020

SUBJECT: Third Amendment to City's State of Emergency Declaration

1. Attached as an enclosure is the City of Roanoke Rapids' Third Amendment to our State of Emergency Declaration, which has been in effect since March 16, 2020.
2. In conjunction with Governor Cooper's Executive Order No. 138, which implemented Phase 1 of his 3 Phase plan to re-open the State, the nightly curfew of 9:00 PM to 6:00 AM is hereby lifted as of Friday, May 8th, 2020 at 6:00 AM.
3. Also included is the revision to earlier prohibitions on Public Gatherings, also in accordance with Executive Order No. 138.
4. We continue to encourage all our residents to follow the CDC Guidelines on Social Distancing practices, especially as the number of positive cases in Halifax County continues to increase.

**THIRD AMENDMENT TO CITY OF ROANOKE RAPIDS, NC
STATE OF EMERGENCY DECLARATION**

**THIRD AMENDMENT TO THE DECLARATION ISSUING A STATE OF EMERGENCY
WITHIN THE CITY OF ROANOKE RAPIDS, NORTH CAROLINA, PURSUANT TO
ARTICLE 1A, CHAPTER 166A, NCGS 166A-19.22; AND CHAPTER 93 OF THE CODE OF
ORDINANCES FOR THE CITY OF ROANOKE RAPIDS**

WHEREAS, NC General Statute §166A-19.30(c) in conjunction with NC General Statute §166A-19.31(b)(1) and Chapter 93 of the City of Roanoke Rapids, NC, Code of Ordinances authorizes the undersigned to prohibit and restrict the movement of people in public places, including by (a) imposing a curfew; (b) directing and compelling the voluntary or mandatory evacuation of people from an area; (c) prescribing routes, modes of transportation, and destinations in connection with evacuation; (d) controlling the movement of person within an emergency area; and (e) closing streets, roads, highways, and other areas ordinarily used for vehicular travel, except to the movement of person's necessary for recovery from the emergency; and

WHEREAS, NC General Statute §166A-19.30(c) in conjunction with NC General Statute §166A-1(b)(2) and Chapter 93 of the City of Roanoke Rapids, NC, Code of Ordinances authorizes the undersigned to prohibit and restrict the operation of offices, business establishments, and other places to and from which people may travel or at which they may congregate; and

WHEREAS, NC General Statute §166A-19.30(c) in conjunction with NC General Statute §166A-1(b)(5) and Chapter 93 of the City of Roanoke Rapids, NC, Code of Ordinances authorizes the undersigned to prohibit and restrict activities which may be reasonably necessary to maintain order and protect lives and property during a state of emergency; and

WHEREAS, a State of Emergency Declaration for the City Limits of the City of Roanoke Rapids was executed and imposed on the 13th day of March, 2020, in response to the pandemic of the novel coronavirus known as COVID-19; and

WHEREAS, an Amendment to the State of Emergency Declaration for the City Limits of Roanoke Rapids was executed and imposed on the 2nd day of April 2020; and

WHEREAS, a Second Amendment to the State of Emergency Declaration for the City Limits of Roanoke Rapids was executed and imposed on the 3rd day of April 2020; and

WHEREAS, North Carolina Governor Roy Cooper issued Executive Order Nos 117-120 for the purposes of protecting the health, safety, and welfare of the people of North Carolina; and

WHEREAS, on March 27, 2020, North Carolina Governor Roy Cooper issued Executive Order No. 121, Stay at Home Order and Strategic Directions for North Carolina in Response to Increasing COVID-19 Cases; and

WHEREAS, on May 5, 2020, North Carolina Governor Roy Cooper issued Executive Order No. 138, which revised and amended his earlier executive orders; and

WHEREAS, Executive Order No. 121 and 138 are incorporated by reference as if fully set forth herein; and

WHEREAS, individuals who contract the virus display no symptoms or have mild symptoms which means they may not be aware they carry the virus; and

WHEREAS, people without symptoms can transmit the disease and evidence shows the disease is easily spread; and

WHEREAS, additional actions must be taken immediately to ensure optimal mitigation of COVID-19 and that City of Roanoke Rapids resident remain safe and secure; and

WHEREAS, the spread of the disease poses a threat to life, property, and the economy in the City of Roanoke Rapids due to illness-related absenteeism, particularly among public safety personnel, healthcare personnel, and persons engaged in activities and businesses critical to the economy and infrastructure of the City of Roanoke Rapids; and

WHEREAS, local and state officials must use all preventative and mitigation measure, which will require access to available services, personnel, equipment, and facilities to respond to COVID-19; and

WHEREAS, the undersigned has determined that additional restrictions and prohibitions are required to slow the spread of COVID-19 in the City of Roanoke Rapids.

NOW, THEREFORE, in addition to the restriction set forth in Executive Order No. 121 signed by Governor Cooper on March 29, 2020, as amended by Executive Order 138, signed by Governor Cooper on May 5, 2020, both of which are incorporated by reference herein, the State of Emergency Declaration is amended and revised as follows:

1. Public Safety Curfew Terminated:

The curfew imposed by the State of Emergency Declaration for the City Limits of Roanoke Rapids, as amended, is hereby terminated beginning on Friday, May 8, 2020 at 6:00 a.m.

2. Revision to Earlier Prohibition on Public Gatherings:

The prohibitions on public gatherings imposed by the State of Emergency Declaration for the City Limits of Roanoke Rapids, as amended, are hereby revised and amended as follows:

Mass Gatherings are prohibited. "Mass Gathering" means an event or convening that brings together more than ten (10) persons at the same time in a single space, such as an auditorium, stadium, arena, conference room, meeting hall, or any other confined indoor or outdoor space. This includes parades, fairs, and festivals.

Mass Gatherings do not include gatherings for health and safety, to look for and obtain goods and services, for work, for worship, or exercise of First Amendment rights, or for receiving governmental services. A Mass Gathering does not include normal operations at airports, bus and train stations or stops, medical facilities, shopping malls, and shopping centers. However, in these settings, people must follow the Recommendations to Promote Social Distancing and Reduce Transmission as much as possible, and they should circulate within the space so that there is no

sustained contact between people. Events where the participants all stay with their cars, such as at a drive-in movie theater, are not Mass Gatherings.

Notwithstanding the above, a Retail Business, as defined below, should implement and follow the directives set out in North Carolina Governor Roy Cooper's Executive Order No. 138, issued May 5, 2020. A "Retail Business" is any business in which customers enter a space to purchase goods or services, including but not limited to grocery stores, convenience stores, large-format retail stores, pharmacies, banks, ABC stores, hardware stores, and vehicle dealerships.

Moreover, and notwithstanding any of the above, and in an effort to promote human dignity and limit suffering, funerals are permitted to include no more than fifty (50) persons, while observing Social Distancing Requirements to the extent practicable.

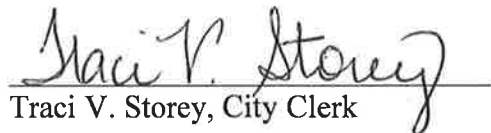
THEREFORE, I, MAYOR OF THE CITY OF ROANOKE RAPIDS, DO HEREBY DECLARE THIS THIRD AMENDMENT TO THE STATE OF EMERGENCY DECLARATION.

AND THAT FURTHER, THE PROVISIONS OF THE STATE OF EMERGENCY DECLARATION AS AMENDED SHALL BE INCORPORATED HEREIN IN FULL FORCE AND EFFECT.

Executed this 7th day of May, 2020 and effective May 8, 2020 at 5 p.m.


Emery G. Doughtie, Mayor

ATTEST:


Traci V. Storey, City Clerk