



## **SECOND DECLARATION OF STATE OF EMERGENCY SHELTER IN PLACE ORDER**

**WHEREAS** the novel coronavirus disease-2019 (COVID-19) is a disease spreading across the globe causing flu-like symptoms, but with a significantly higher rate of death, particularly among those who are elderly or medically vulnerable;

**WHEREAS** COVID-19 is believed to have begun in Wuhan, China, in late 2019, the first case was detected in the United States on January 21, 2020, and the first case was confirmed in North Carolina on March 3, 2020;

**WHEREAS** on January 31, 2020, Health and Human Services Secretary, Alex M. Azar, II, declared COVID-19 to be a public health emergency in the United States;

**WHEREAS** on March 10, 2020, in order to address and mitigate the threat of COVID-19 to vulnerable populations and to slow the spread of COVID-19 in North Carolina, Governor Roy Cooper declared a state of emergency in North Carolina;

**WHEREAS** on March 13, 2020, President Trump declared the COVID-19 pandemic to be a national emergency;

**WHEREAS** on March 16, 2020, the undersigned declared a state of emergency in Clemmons, North Carolina, but did not enact any restrictions as part of that declaration;

**WHEREAS** since March 16, 2020, President Trump and Governor Cooper have continued to announce and enforce further restrictions in order combat the spread of the virus in order to give scientists and experts time to find medical solutions before our health care system becomes overburdened;

**WHEREAS** since the undersigned declared a state of emergency, COVID-19 has continued to spread throughout the United States, North Carolina, and Forsyth County, including at least one confirmed case of the virus in Clemmons;

**WHEREAS** in many areas battling COVID-19, there is a severe shortage of medical supplies for health care workers and basic equipment to help the public avoid transmitting the disease;

**WHEREAS** many individuals who contract the virus display no symptoms or have mild symptoms which means they may not be aware they carry the virus. People without symptoms can transmit the disease, and because evidence shows the disease is easily spread, mass gatherings can result in further transmissions of the virus;

**WHEREAS** until the state or federal government or private companies can implement better testing or develop an effective treatment, restricting movement is the best practice to slow transmission of COVID-19;

**WHEREAS** the undersigned has conferred with local health officials and confirmed that they support immediate restrictions to slow down COVID-19's spreading within Clemmons in order to preserve supplies to treat those with COVID-19 and other serious illnesses and injuries;

**WHEREAS** as a result of the above-described public health 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 may be unable to maintain public order or afford adequate protection for lives or property;

**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;

**NOW, THEREFORE**, pursuant to the authority vested in me as the Mayor of the Village of Clemmons under N.C.G.S. § 166A-19.31 and Chapter 33 of the Clemmons Code of Ordinances, I hereby declare and proclaim the following:

**Section 1.** The previously ordered State of Emergency on March 16, 2020, will continue within the jurisdiction of the Village of Clemmons.

**Section 2.** The emergency area shall be within the corporate limits of the Village of Clemmons.

**Section 3.** North Carolina General Statute 166A-19.31 allows the Village of Clemmons to enact a variety of restrictions and prohibitions as this evolving situation warrants. In accordance therewith, I order the following in addition to the restrictions in Executive Order 120 signed by Governor Cooper on March 23, 2020:

- A. **SHELTER IN PLACE.** Except as allowed in this order, all individuals in the Village of Clemmons are prohibited from (i) being or traveling upon any street, alley, or roadway or upon public property, or (ii) participating or carrying on any

business activity, or keeping open places of business or entertainment and any other place of public assembly.

Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location. Individuals experiencing homelessness are exempt from this directive, but strongly urged to obtain shelter. For the purposes of this Order, homes or residences include hotels, motels, shared rental units, shelters, and similar facilities.

- B. **PROHIBITED ACTIVITIES.** All public and private gatherings of more than 10 people are prohibited except as permitted by this Order. Nothing herein prohibits the gathering of members of a household or residence.
- C. **ESSENTIAL ACTIVITIES.** The following Essential Activities are excluded from the “shelter in place” provisions of Section 3(A) above:
1. *Health and Safety.* To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members or persons who are unable or should not leave their home (including, but not limited to, pets), such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.
  2. *Necessary Supplies and Services.* To obtain necessary services or supplies for themselves and their family or household members or persons who are unable or should not leave their home, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and food, household consumer products, supplies they need to work from home, automobile supplies (including dealers, parts, supplies, repair and maintenance), and products necessary to maintain the safety, sanitation, and essential operation of residences.
  3. *Outdoor Activity.* To engage in outdoor activity, such as, by way of example and without limitation, walking, hiking, running, or biking. Individuals may go to public parks, open outdoor recreation areas, and utilize public right of way; provided, however, that individuals comply with the Social Distancing Requirements defined below; and provided further, that public access playgrounds may increase spread of COVID-19, and therefore shall be closed.
  4. *Permitted Business Functions.* To perform work as permitted herein.
  5. *To Take Care of Others.* To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by this Order. This includes attending weddings and funerals, so long as such events comply with the other restrictions in this Order.

- D. **SOCIAL DISTANCING REQUIREMENTS.** Any person within the corporate limits of Clemmons who is not “sheltering in place” in accordance with Section 3(A) shall maintain at least a six-foot distance between themselves and any other individual, except as reasonably necessary to perform Essential Activities.
- E. **LIMITATIONS ON BUSINESS OPERATIONS.** All businesses and operations in the Village of Clemmons, except as allowed herein, are required to cease. “Business” means any for-profit, non-profit, or private educational entity, regardless of the nature of the service or function it performs, or of the organization’s corporate or entity structure.
1. *Working from Home.* Businesses may continue any operations consisting exclusively of employees or contractors performing activities at their own residences.
  2. *Essential Businesses.* The following businesses are not prohibited from operating and are encouraged to operate and remain open to the public, provided that they enforce, to the extent reasonably possible, Social Distancing Requirements and meet any other requirements in this Order.
    - a. **CISA List.** All workers identified in the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response issued on March 19, 2020.
    - b. **Businesses that sell, produce, or distribute groceries, medicine, or essential household goods.** Grocery stores, supermarkets, pharmacies, farmers markets, farm and produce stands, food banks, convenience stores, and other businesses, whether retail or wholesale, engaged in the sale or distribution of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, over the counter and prescription medicine, and any other essential household consumer product or food necessary to maintaining the safety, sanitation, and essential operation of residences or businesses permitted to operate as ordered herein.
    - c. **Food, beverage, and agriculture.** Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;
    - d. **Organizations that provide charitable and social services.** Businesses that provide food, shelter, services, and other necessities of life for economically disadvantaged or otherwise needy individuals.

- e. **Healthcare and public health operations.** Hospitals, medical offices, dental and eye care offices, urgent care facilities, and other physical or mental healthcare providers. To avoid any impact on delivery of healthcare, this term shall be broadly defined, but shall not include fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities, and further it shall not include any prohibited business or activity covered by any order of the Governor or other entity having jurisdiction over the Village.
- f. **Media and first amendment protected speech.**
- g. **Gas stations and businesses needed for transportation.** Retail and wholesale fuel (gas, diesel, fuel oil, LP) sales, vehicle supply and repair facilities, and vehicle sales.
- h. **Financial and insurance institutions.**
- i. **Hardware and supply stores.**
- j. **Critical trades.** Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Activities.
- k. **Mail, post, shipping, logistics, delivery, and pick-up services.**
- l. **Educational institutions.** Public and private preK-12 schools, colleges and universities for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six-feet per person is maintained to the extent possible. This is consistent with and does not amend or supersede other Orders regarding school closures.
- m. **Laundry services.** Laundromats and laundry service providers.
- n. **Restaurants for consumption off-premises.** Restaurants, stores, and other facilities that prepare and serve food, but only for delivery or carry out. This is consistent with and does not amend or supersede other Orders regarding the closure of restaurants.
- o. **Services and supplies for Essential Businesses, Essential Government Services, or Minimal Basic Operations.** Businesses that sell, manufacture, transport, or supply support or materials needed to enable Essential Businesses, Essential Government

Services, or Minimum Basic Operations, as such terms are defined herein.

- p. **Transportation.** Taxis, transportation network providers (such as Uber or Lyft), marinas, docks, boat storage, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities described above.
  - q. **Home-based care and services.** For adults, seniors, children, and/or people with disabilities, substance abuse, and/or mental illness, including caregivers such as nannies who may travel to the child's home and other in-home services such as meal delivery.
  - r. **Residential facilities or shelters.** For adults, seniors, children, pets, disabled persons, substance abuse, and/or mental illness.
  - s. **Professional services.** Legal, accounting services, notary services, real estate services, and vendors and providers necessary to facilitate such services not already delineated herein.
  - t. **Childcare facilities.**
  - u. **Hotels and motels.** Lodging and delivery of carry-out food only.
  - v. **Funeral services.** Funeral, mortuary, cremation, burial, cemetery, and related services.
  - w. **Waste removal and recycling services.**
  - x. **Manufacture, distribution, and supply chain for critical products and industries.** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.
3. *Outdoor Businesses or Services.* Until otherwise ordered, those businesses that operate primarily outdoors or in structures under construction (e.g., construction related contractors or vendors, lawn or landscaping maintenance, boat repair or maintenance, etc.) and consistently practice Social Distancing Requirements are permitted to operate as if they were an Essential Business.
4. *Alternate Offering of Non-Essential Goods and Services.* Any business providing non-essential goods and services may continue to operate, provided they do so via curbside, delivery, mail order, or virtual/web service only, with

no in-store customer traffic; provided they otherwise comply with this Order, including Social Distancing Requirements and the limitation of no gatherings of more than 10 people; and provided further that they comply with any order from the President or federal government, any order from the Governor or state government, and any other order from any local government having proper jurisdiction within the Village of Clemmons.

This provision is to be read in harmony with any other applicable orders, and shall not permit any business to operate that is otherwise prohibited by another lawful order from another government entity having proper jurisdiction in the Village of Clemmons.

5. *Minimum Basic Operations for All Businesses.* Provided they comply with Social Distancing Requirements, any business may have staff present to perform the following Minimum Basic Operations, which includes performing:
  - a. Minimum activity needed to maintain value of business inventory, ensure security, process payroll and benefits, or for related functions;
  - b. Minimum activity to perform any function permitted by this Order; or
  - c. Minimum activity needed to facilitate employees working from home.
- F. **ESSENTIAL GOVERNMENT SERVICES.** Federal, state, and local governments (including law enforcement authorities and public school systems) shall continue services classified as “essential” by the respective unit of government.
- G. **RESTRICTED ACCESS TO VILLAGE OF CLEMMONS.** Entry into the Village is strongly discouraged except by those who are residents, property owners, persons needing to pass through in order to reach their home or business outside the Village limits, or traveling for purposes permitted herein.
- H. **NURSING HOMES.** Nursing home and elder care facilities within the Village of Clemmons are strongly urged to take every precaution, including screening employees for COVID-19, if possible, and restricting visitation.

**Section 4.** I hereby further encourage all residents, visitors, businesses, and establishments within the Village of Clemmons to follow any and all directives and recommendations set forth by the United States Federal Government and its designated agencies, the North Carolina Governor’s office, the North Carolina Department of Health and Human Services, the Forsyth County Department of Public Health, and any other government agency having proper jurisdiction to address this emergency within the Village of Clemmons.

**Section 5.** I hereby order all Village of Clemmons’ contracted law enforcement officers, emergency response personnel, and all other Village employees subject to our

control to cooperate in the enforcement and implementation of the provisions of this Declaration, all applicable local ordinances, state, and federal laws, and the Village of Clemmons Emergency Operations Plan.

**Section 6.** 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 Village of Clemmons; and (c) to be distributed to others as necessary to ensure proper implementation of this declaration.

**Section 7.** This declaration shall take effect on Friday, March 27, 2020, at 5:00 p.m., and shall remain in effect until 5:00 p.m., Thursday, April 16, 2020, or until modified or rescinded.

**DECLARED** this the 25<sup>th</sup> day of March, 2020, at 10:30 a.m.



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John Wait  
Mayor, Village of Clemmons

**ATTEST:**



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Lisa Shortt, NCCMC  
Village Clerk