



# City of Burlington, North Carolina

## Declaration of a Local State of Emergency

### March 27, 2020

**WHEREAS**, the novel coronavirus (COVID-19) is a highly contagious respiratory disease that can result in serious illness or death; and

**WHEREAS**, the World Health Organization declared COVID-19 a Public Health Emergency and Global Pandemic on March 11, 2020; and

**WHEREAS**, the United States Federal Government has declared a National State of Emergency due to the spread of COVID-19 and recommends that public gatherings of more than 10 people be suspended, and that those citizens who are not employees in essential businesses and industries should remain at home; and

**WHEREAS**, on March 10, 2020, the State of North Carolina, through the office of Governor, Roy Cooper, issued Executive Order No. 116 titled “Declaration of a State of Emergency to Coordinate Response and Protective Actions to Prevent the Spread of COVID-19”; and

**WHEREAS**, on March 14, 2020, the State of North Carolina issued Executive Order No. 117, which prohibited mass gatherings of no more than one hundred (100) people in the state of North Carolina and closed K-12 public schools to limit the spread of COVID-19; and

**WHEREAS**, on March 17, 2020, the State of North Carolina issued Executive Order No. 118, which limited operations of restaurants and bars and broadened unemployment insurance benefits in response to COVID-19; and

**WHEREAS**, on March 20, 2020, the State of North Carolina issued Executive Order No. 119, which provides provisions to improve access to childcare and helps facilitate critical motor vehicle operations; and

**WHEREAS**, on March 23, 2020, the State of North Carolina issued Executive Order No. 120, which provides additional limitations on mass gatherings and long-term care facilities and extended school closures through May 15; and

**WHEREAS**, the North Carolina Department of Health and Human Services (NCDHHS) confirmed the number of cases of COVID-19 in North Carolina continues to rise and has lab documentation of community spread; and

**WHEREAS**, in consultation with health care professionals and based upon guidance from CDC and NCDHHS, arrangements must be made immediately to take such actions as are deemed necessary and appropriate to minimize the impacts of COVID-19 and make progress towards enhanced health and safety of residents of the City of Burlington; and

**WHEREAS**, on March 20, 2020, Alamance County, North Carolina declared a local State of Emergency to allow Alamance County to coordinate, provide, and request additional supplies and receive mutual aid from the state and federal government; and

**WHEREAS**, on March 13, 2020, Guilford County, North Carolina declared a local State of Emergency to allow Guilford County to coordinate, provide, and request additional supplies and receive mutual aid from the state and federal government; and

**WHEREAS**, the City of Burlington is located within both Alamance County and Guilford County; and

**WHEREAS**, the City of Burlington seeks to coordinate, provide, and request additional supplies and receive mutual aid and other financial assistance from the state and federal government; and

**WHEREAS**, medical professionals and public health leaders have advised that residents will be “safer at home,” over the next few weeks. The practice of social distancing is much simpler in your home; and

**WHEREAS**, pursuant to the authority contained in Article 1A of Chapter 166A of the North Carolina General Statutes and Chapter 10 – Emergency Management of the Burlington City Code of Ordinances, the Mayor of the City of Burlington is authorized to declare a local State of Emergency for the City of Burlington beginning upon adoption of this Declaration and shall remain in effect until modified or rescinded; and

**WHEREAS**, as a result of the above-described emergency, I have determined that the existing conditions, and anticipated conditions, pose a direct threat to the health and safety of residents and employees of the City of Burlington; and

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

**NOW, THEREFORE**, pursuant to the authority vested in me as Mayor of the City of Burlington, North Carolina, under Chapter 166A of the North Carolina General Statutes and Article 36A, Chapter 14 of the North Carolina General Statutes and Burlington City Code of Ordinances Section 10-26, State of Emergency:

Section 1. A State of Emergency is hereby declared within the jurisdiction of the City of Burlington.

Section 2. The emergency area covered by this State of Emergency shall be the entire jurisdiction.

Section 3. The following restrictions and prohibitions are imposed:

- A. **Hours of operation** – The City Manager shall have the authority to adjust hours for all municipal departments, to include reduced hours of operations, cessation of operations, or the provisions of employees to work from a distance. The City Manager can make exceptions before the order is rescinded.
- B. **Funerals and Burials** – The following provisions shall apply to all private and public cemeteries:
  - Graveside burials shall be restricted to include no more than 10 individuals at the cemetery gravesite;
  - Prohibit the use of walled tents, lap blankets, seat covers, or water coolers at services and take measures to require and promote social distancing;
  - This does not restrict the number of attendees participating from the confines of their vehicles for gravesite burial services; and,
  - Funeral homes are encouraged to use webcasting and streaming applications to broadcast services.

- C. **Recreation and Parks Facilities** – All indoor recreation centers are hereby closed, and all recreation programs are hereby canceled, pending the revocation of the Declaration, or a finding by the City Manager that individual facilities may be operated, or that programs may be reinstated, prior to the revocation of this Declaration. Outdoor public parks will remain open. Public and private communal playgrounds are to be closed. No organized play is to be permitted at City sports fields or courts. All rentals of City Recreation and Parks Department properties are cancelled. These restrictions do not pertain to golf courses or other outdoor recreation facilities where six feet of social distancing can be easily accomplished.
- D. **Events** - All events being held on public grounds or hosted by the City of Burlington have been postponed pending a decision by the City Manager or the revocation of this Declaration.
- E. **Gatherings** – All public and private social gatherings of more than ten (10) people, as advised by the Federal Government, are hereby prohibited. A social gathering is defined as any event or convening that brings together more than 10 persons in a single room or single space at the same time. A single space may include facilities such as an auditorium, stadium, arena, conference room, meeting hall, theater or any other confined indoor or outdoor space. This provision will be enforced by the Burlington Police Department and other law enforcement agencies with jurisdictional authority in the City of Burlington.
- F. **City Council Meeting Schedule** – The April 6, 2020, City Council Strategic Planning Workshop and Work Session and the April 7, 2020 and April 21, 2020 Burlington City Council Meetings are hereby cancelled. Notice shall be posted in accordance with North Carolina Open Meeting laws if there are additional meetings scheduled or any changes are made to the published schedule of the Burlington City Council.

Section 4. I hereby order City of Burlington law enforcement officers, employees and all other emergency management personnel subject to our control to cooperate in the enforcement and implementation of the provisions in this Declaration, all applicable ordinances, state and federal laws.

Section 5. Upon exercising any authority granted under this Declaration, the City Manager shall provide notice of any exercise of authority to the public via publishing on the City’s web page, distributing to the local media, and via any City communication mechanism. This notice shall be provided prior to implementation.

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) be filed with the City Clerk and (c) to be distributed to others as necessary to ensure proper implementation of this Declaration.

Section 7. This Declaration shall take effect at 8:00 a.m. on the March 27, 2020 and shall remain in effect until 5:00 p.m. on April 30, 2020.

Declared this 26<sup>th</sup> day of March 2020.

  
 Ian Baltutis, Mayor  
 City of Burlington, NC



Attest:

  
 Beverly D. Smith, NCCMC, Interim City Clerk  
 City of Burlington, NC