



Rick Owen, Town Manager
Stacy C. Eggers, IV, Attorney

Town of Banner Elk

PO Box 2049
Banner Elk, North Carolina 28604
Telephone (828) 898-5398
Fax (828) 898-4568
www.townofbannerelk.org

Council Members
Brenda Lyerly, Mayor
David Lecka, Mayor Pro Tem
Charlie B. VonCanon
Allen Bolick
Robert Tufts
Mike Dunn

CONSENT TO APPLICATION OF AVERY COUNTY STATE OF EMERGENCY DECLARATION

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death by the SARS-CoC-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person; and

WHEREAS, in response to the global spread of the virus and the disease it causes, the World Health Organization has declared COVID-19 a Public Health Emergency of International Concern; the Centers for Disease Control and Prevention (“CDC”) has warned of the high public health threat posed by COVID-19 globally and in the United States and has deemed it necessary to prohibit or restrict travel to areas designated by the CDC; the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19; and the North Carolina Department of Health and Human Services (“NCDHHS”) confirmed multiple cases of COVID-19 in North Carolina as of March 10, 2020; and

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

WHEREAS, as a result of the above-described events, 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, the County of Avery has declared a state of emergency; and

WHEREAS, the Town of Banner Elk is located within the County.

NOW, THEREFORE, pursuant to the authority vested in me as the Mayor of the Town of Banner under Article 1A of Chapter 166A of the North Carolina General Statutes and Chapter 35 of the Town of Banner Elk Code of Ordinances:

Section 1. Pursuant to N.C.G.S. 166A-19.22(b)(2), the state of emergency declaration issued by Avery County shall apply within the corporate limits of the Town of Banner Elk.

The Town of Banner Elk is an equal opportunity service provider.

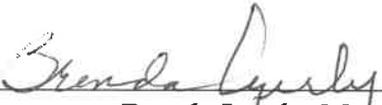
Section 2. Emergency restrictions and prohibitions imposed pursuant to the County's state of emergency declaration shall apply within the Town of Banner Elk unless otherwise declared by an authorized municipal official on behalf of the Town of Banner Elk.

Section 3. I hereby order all Town of Banner Elk law enforcement officers and employees and all other emergency management personnel 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 Town of Banner Elk and Avery County Emergency Operations Plan.

Section 4. 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 Town of Banner Elk; and (c) to be distributed to others as necessary to ensure proper implementation of this declaration.

Section 5. The application of the County's state of emergency declaration within the corporate limits of the Town of Banner Elk shall remain in effect until further notice.

DECLARED this the 21th day of March, 2020 at 12:30 P.M.



Brenda Lyerly, Mayor

ATTEST: 

Town Manager

