



## PROCLAMATION OF EMERGENCY RESTRICTIONS

by the Chairman of the Wake County Board of Commissioners

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

**WHEREAS**, the World Health Organization (“WHO”) declared COVID-19 as a Public Health Pandemic of International Concern on March 11, 2020. The United States Centers for Disease Control (“CDC”) has reported the high public health threat posed by COVID-19, both globally and to the United States and has deemed it necessary to prohibit or restrict travel to areas designated by the CDC; and

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 319 of the Public Health Service Act; and

**WHEREAS**, the North Carolina Department of Health and Human Services (“NCDHHS”) confirmed multiple instances of community spread of COVID-19 in this state; and

**WHEREAS**, The State of North Carolina has activated the North Carolina Emergency Operation Center and State Emergency Response Team to manage the public health crisis; and

**WHEREAS**, The Governor of the State of North Carolina has declared a State of Emergency as defined by N.C. Gen. Stat. 166A-19.3(6) and 166A-19.3(19) for the State of North Carolina based on the public health emergency posed by COVID-19; and

**WHEREAS**, the County of Wake, with consent of incorporation by the City of Raleigh and the Towns of Apex, Cary, Fuquay-Varina, Garner, Holly Springs, Knightdale, Morrisville, Rolesville, Wake Forest, Wendell and Zebulon, declared a State of Emergency on March 13, 2020; and

**WHEREAS**, the City of Durham, and towns of Angier and Clayton have also declared a State of Emergency and have municipal jurisdiction within portions of Wake County; and

**WHEREAS**, in consultation with health care professionals and based upon guidance from the CDC and NCDHHS, arrangements must be made immediately to take

such actions that are deemed necessary and appropriate to ensure that COVID-19 remains mitigated and that residents in Wake County remain safe and secure; and

**WHEREAS**, the spread of the disease poses a threat to life, property and the economy in the County and its municipalities 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 County and its municipalities; and

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

**WHEREAS**, the Wake County Public Health Director has confirmed a public health threat due to the confirmed spread of COVID-19;

**NOW, THEREFORE**, pursuant to the authority contained in Article 1A of N.C. Gen. Stat. Chapter 166A, Article 36A of N.C. Gen. Stat. Chapter 14, Title VII, Chapter 70 of the Wake County Code of Ordinances,, I, Gregory Ford, Chairman of the Wake County Board of Commissioners, do hereby proclaim that a **STATE OF EMERGENCY** continues within the County of Wake and by request of the mayors or their appointed representatives of the City of Raleigh and the Towns of Apex, Cary, Fuquay-Varina, Garner, Holly Springs, Knightdale, Morrisville, Rolesville, Wake Forest, Wendell and Zebulon, within the corporate limits of those municipalities.

I further proclaim that the ordinances set forth below, which are contained in Title VII, Chapter 70 of the Wake County Ordinances, are necessary in order to maintain an acceptable level of public order, services, and protection of lives, safety and property during this emergency, and that the same shall be in effect within the County of Wake and by request of the chief elected officials of Apex, Cary, Fuquay-Varina, Garner, Holly Springs, Knightdale, Morrisville, Raleigh, Rolesville, Wake Forest, Wendell and Zebulon; within the corporate limits of those municipalities; and for the portions of the Towns of Angier, Clayton and the City of Durham incorporated within the borders of Wake County and by consent of the Mayors of Towns of Angier, Clayton and the City of Durham, until this Proclamation expires or is rescinded. I hereby order all county employees and all other emergency management personnel subject to my control to cooperate in the enforcement and implementation of the emergency management ordinances set forth below.

I further proclaim that the Emergency Operations Plan adopted by the County of Wake, and all applicable mutual assistance compacts and agreements are in effect and shall remain in effect until this Proclamation expires or is rescinded. All emergency management personnel subject to my control are hereby ordered to cooperate in the implementation of the provisions of the County's Emergency Management Plan and all applicable mutual assistance compacts and agreements, and to furnish assistance thereunder.

I hereby delegate to the Wake County Manager, and/or his designee, all power and authority granted to me and required of me by Chapter 166A and Article 36A of Chapter 14 of the North Carolina General Statutes, and by Title VII, Chapter 70 of the Wake County Code of Ordinances, for the purpose of implementing the referenced Emergency Operations Plan, and to take such further action as is necessary to promote and secure the safety and protection of those dwelling in the County.

I hereby impose the following restrictions and prohibitions for the welfare and safety of the residents of Wake County, including , by the request and consent of their respective Mayors, the residents of Apex, Cary, Fuquay-Varina, Garner, Holly Springs, Knightdale, Morrisville, Raleigh, Rolesville, Wake Forest, Wendell and Zebulon; and, for the portions of the Towns of Angier, Clayton and the City of Durham incorporated within the borders of Wake County and by consent of the Mayors of Towns of Angier, Clayton and the City of Durham:

1. Restrictions on nursing homes, long term care facilities and assisted living facilities operated pursuant to Article 6 of NC General Statute Chapter 131E:
  - a. Owners, administrators, operators, staff, contractors, and volunteers of nursing homes, long term care and assisted living facilities are prohibited from allowing residents, customers, clients, or visitors from assembly in spaces that do not permit appropriate social distancing which consists of separation of 6 feet or more between each individual.
  - b. Owners, administrators, operators, staff, contractors, and volunteers of nursing homes, long term care and assisted living facilities are prohibited from allowing a person to enter the facility and visit a resident unless each of the following criteria are met: (1) the visitor is an adult, (2) the resident has not already had a visitor that day; and (3) the visit takes place in the resident's room. This prohibition does not apply to end of life situations.
  - c. No person is allowed to visit a resident of a nursing home, long term care or assisted living facility unless the visitor has been screened prior to entry for signs and symptoms of COVID-19 including the following: fever of 100.4 or higher, cough, or difficulty breathing, contact in past 14 days with a person who has a confirmed diagnosis of COVID-19 or who is under investigation for COVID-19. All visitors may be required to take precautionary measures including, but not limited to, social distancing or wearing personal protective equipment.
  - d. No person is allowed to visit a resident of a nursing home, long term care or an assisted living facility unless the visitor shows identification, signs into a visitor's log that includes the date and time in and time out , and provide their name and contact information including phone number and email if available.

- e. Operators and staff of nursing homes, long term care and assisted living facilities are prohibited from destroying each day's visitor log for a period of 30 days from that day.
- f. Owners, administrators, and operators of nursing homes, long term care and assisted living facilities are prohibited from allowing a person to work or volunteer in the facility unless the person has been screened, in the same manner and meeting the same criteria as Item 1(c) above, at the start of every shift and does not show any symptoms associated with COVID-19.

2. Prohibit the assembly of mass gatherings of 50 or more persons.

- a. A mass gathering is defined as any event or convening that brings together 50 or more 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.
- b. A mass gathering does not include businesses and operations associated with maintaining federally identified critical infrastructure or operations and conducting essential activities. Federally identified critical infrastructure components consist of manufacturing, assembly, maintenance or operation of communications systems, defense industrial base operations, operation of dams, operation and maintenance of energy industries and distribution, food and agriculture, financial institutions, government facilities, water supply, wastewater treatment, nuclear reactors and material waste, information technology, transportation systems, healthcare and public health; critical manufacturing, chemical manufacturing, emergency services; social services and retail providers of essential goods such as grocery stores, pet stores, hardware stores, pharmacies, retailers and not for profit providing commodities or services essential for basic living. More specifically, for the purposes of this Order, **other businesses excluded from this prohibition of mass gatherings of 50 or more people include:**

- i. Healthcare Operations and Essential Infrastructure;
- ii. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;

- iii. Food cultivation, including farming, livestock, and fishing;
- iv. Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- v. Newspapers, television, radio, and other media services;
- vi. Gas stations and auto-supply, auto-repair, and related facilities;
- vii. Banks and related financial institutions;
- viii. Hardware stores;
- ix. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
- x. Businesses providing mailing and shipping services, including post office boxes;
- xi. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
- xii. Laundromats, dry cleaners, and laundry service providers;
- xiii. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- xiv. Businesses that supply products needed for people to work from home;
- xv. Businesses that supply other essential businesses with the support or supplies necessary to operate;

- xvi. Businesses that ship or deliver groceries, food, goods or services directly to residences;
- xvii. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- xviii. Home-based care for seniors, adults, or children;
- xix. Residential facilities include hotels, motels, shared rental units and shelters for seniors, adults, and children;
- xx. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
- xxi. Childcare facilities providing services that enable employees exempted from the provisions of this Proclamation of Emergency Restrictions to work as permitted. To the extent possible, childcare facilities must operate under the following conditions:
  - 1. Childcare must be carried out in stable groups of 50 or fewer (“stable” means that the same 50 or fewer children and staff are in the same group each day).
  - 2. Children shall not change from one group to another.
  - 3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
  - 4. Childcare providers shall remain solely with one group of children.

### 3. Restrictions on the operation of certain businesses

- a. Owners, administrators and operators of fitness clubs, studios and gyms, salons, tanning salons, spas and professional grooming, massage, and tattoo services are prohibited from operating.

### 4. Restrictions on the use of playgrounds

- a. The use of publicly and privately-owned playground equipment is prohibited. No prohibition exists for the areas surrounding playground equipment including greenways, walking trails or other amenities of open spaces or parks.

Furthermore, I **recommend** that the following screening protocols be implemented:

5. Recommend businesses enact temperature and respiratory screening prior to allowing employees to enter the workplace. Employers are encouraged to allow alternative work arrangements for all employees.
6. Recommend retail businesses authorized to conduct business under this Order enact practices to check customer body temperatures and prohibit those with a fever greater than 100.4 from entering the establishment's building. At the discretion of the business operator, exceptions may be made for businesses providing essential commodities such as fuel, groceries, medications and other basic living essentials.

I direct that copies of the Proclamation be disseminated to the mass communications media for publication and broadcast, and that a copy of the Proclamation be posted at the Wake County Courthouse and other public buildings as appropriate.

This Proclamation dated March 22, 2020 supersedes and to the extent not in conflict incorporates the prior declaration issued March 13, 2020 and shall become effective upon endorsement. Restrictions imposed under Item 1, pertaining to nursing homes, long term care facilities and assisted living facilities are effective immediately. Restrictions pertaining to Items 2,3 and 4 are effective as of Monday, March 23, 2020 at 8:00 a.m. This Proclamation shall continue until April 30, 2020 unless terminated, amended or rescinded earlier pursuant to N.C. Gen Stat. 166A-19.31(e).

**PROCLAIMED** this the 22<sup>nd</sup> day of March 2020.

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Gregory D. Ford, Chairman  
Wake County Board of Commissioners