



**DECLARATION OF A
STATE OF EMERGENCY IN DURHAM COUNTY, NC**

WHEREAS, *(describe the emergency event including specific imminent [no hard and fast time but 24-48 hours has been the standard where advance planning/mobilization of resources needs to occur] or actual threats posed to the public health, welfare, and safety of the jurisdiction in additional clauses)(Can be done in anticipation of a reasonably foreseeable event in which case those expected impacts should be identified); and*

WHEREAS,

WHEREAS, *(If a storm system, has it caused significant damage in other areas); and*

WHEREAS, *(Has the President or Governor issued a Declaration); and*

WHEREAS, *(If a storm system, has caused or significant damage anticipated); and*

WHEREAS, ; and

WHEREAS, ; and

WHEREAS, the undersigned has conferred with *(If restrictions and prohibitions are enacted, identify the subject matter experts (at least generally) consulted); and,*

WHEREAS,

.

NOW, THEREFORE, pursuant to the authority vested in me as the Chair of the Board of Commissioners of Durham County under Chapter 166A, and Article 36A of Chapter 14, of the North Carolina General Statutes, and Chapter 10, Article III of the Durham County Code of Ordinances:

Section 1. State of Emergency Declared

A State of Emergency is declared within the County of Durham, North Carolina *(or more limited area), and at the request of the Mayor, within the corporate limits of the City of Durham as well.* It does not apply within the corporate limits of municipalities in Durham County unless those municipalities either request or consent to have this Order apply within their jurisdiction.

Section 2. Restrictions and Prohibitions

The following restrictions and prohibitions are imposed: *(Not all may be relevant to the current emergency)*

A. Evacuation: *(specify whether voluntary or mandatory, areas to be evacuated and state times, dates for evacuation, and categories of personnel who, while working within the scope of their duties are not subject to evacuation order such as law enforcement officers, firefighters, emergency medical services, and other public employees, rescue squad members, doctors, nurses, employees of hospitals and other medical facilities; on-duty military personnel, whether state or federal; on-duty employees of public utilities, public transportation companies and newspaper, magazine, radio and television employees)*

B. Curfew: *(describe areas of jurisdiction under curfew and specify times during which curfew is in effect; include categories of essential personnel [see above], if any, not subject to*



curfew) OPTION Unless working as a member of (Select categories), all persons within Durham County/specific area, are to remain indoors between the hours of _____ pm and _____ am.

C. Restricted Access: (describe areas under restricted access or limited entry; and include categories of essential personnel, if any, not subject to restriction) OPTION The Sheriff of Durham County is delegated authority to restrict or deny access to any area, location, or street where such a restriction is necessary in order to help overcome this emergency or to prevent the emergency from worsening. Any such restriction must be posted with a notice or barricade and notice provided to the Emergency Operations Center and the North Carolina Department of Transportation.

D. Business Operations: (describe limitations on operations of businesses and commercial establishments, such as restricted hours of operation)

E. Alcohol: (describe restrictions on the possession, transportation, sale, purchase, and consumption of alcoholic beverages) OPTION There shall be no sale, consumption, transportation, or possession of alcoholic beverages during the State of Emergency in the County of Durham, except possession or consumption is allowed on person's own premises.

F. Dangerous Weapons & Gasoline: (describe restrictions on the possession, transportation, sale, purchase, storage, and use of dangerous weapons and substances, and gasoline) OPTION During the State of Emergency, there shall be no sale, purchase, or possession of any dangerous weapon or explosive off of the owner's premises. IF RESTRICTED, MUST INCLUDE THE FOLLOWING: This prohibition does not apply to the lawful possession, transportation, sale, purchase, storage, and use of firearms (defined as handguns, rifles, and shotguns) or their ammunition.

G. Other: (describe any other restrictions or prohibitions on other activities or conditions which may be reasonably necessary to maintain order and protect lives or property during the state of emergency)

Section 3. Enforcement and Implementation

I hereby order Durham County emergency management and emergency response personnel, and all other Durham employees subject to our control to cooperate in the enforcement and implementation of the provisions of this Order, all applicable local ordinances, state, and federal laws, and the Durham County Emergency Operations Plan. I further request the cooperation and support of the Sheriff's Office and Durham Police Department in enforcing the provisions of this Declaration, violations of which are a criminal offense.

Section 4. Dissemination

A copy of this Declaration of State of Emergency in the County of Durham shall be provided to the Clerk to the Board of County Commissioners for posting on the County's



website and to the Clerk of Superior Court for posting at the County Courthouse. Reports of the substance of its prohibitions and restrictions, and the full text of this Declaration, shall be sent immediately to the mass communications media serving Durham County.

A copy of this Declaration of State of Emergency shall also be provided to the Chief of Emergency Management for Durham County for filing with the State Office of Emergency Management.

Section 6. Effective Date and Time

All provisions of this Declaration shall take effect *immediately, or at* _____ *a.m./p.m. on* _____, 2024. This Declaration will automatically expire within five (5) days unless rescinded or modified by the undersigned.

This Declaration is electronically signed at this date and time: _____, 2024, at _____ a.m./p.m.

Nida Allam, Chair
Durham County Board of Commissioners