



**Mayor and City Council**

**Mayor  
Bill Saffo**

**Mayor Pro-Tem  
Margaret E. Haynes**

**Council Members  
Neil Anderson  
Clifford D. Barnett, Sr.  
Kevin O'Grady  
Charlie Rivenbark  
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**PROCLAMATION DECLARING A CONTINUING STATE OF  
EMERGENCY  
IN THE CITY OF WILMINGTON**

WHEREAS, the COVID-19 outbreak currently poses an imminent and continuing threat of severe health consequences, including loss of life, as well as potential severe economic damages to the City of Wilmington; and

WHEREAS, on March 10, 2020, Governor Roy Cooper issued Executive Order No. 116 (EO 116), which declared a state of emergency on behalf of the state of North Carolina in order to coordinate emergency response and to implement protective actions to prevent the spread of COVID-19; and

WHEREAS, Governor Cooper has issued several more outbreak-related Executive Orders, including Nos. 116 – 122, 124, 129 – 131, 133 – 135, 138-140, and 141, all designed to fight the spread of the virus; and

WHEREAS, as Mayor of the City of Wilmington, I, Bill Saffo, am authorized to proclaim, amend, and revise as appropriate a state of emergency pursuant to NCGS 166A-19.22 and Section 6-17 of the Wilmington City Code; and

WHEREAS, pursuant to Section 6-17 of the City Code, I have determined that a state of emergency does exist in the City of Wilmington as a result of the COVID-19 outbreak and its risk to public health and safety is ongoing; and

WHEREAS, New Hanover County, through its Board of Commissioners Chair Julia Olson-Boseman, issued a state of emergency on March 20, 2020, which imposed additional restrictions, beyond those present in EO 116, for the unincorporated areas of New Hanover County, including prohibitions against gatherings of more than 10 people and closing public beach access points; and

WHEREAS, on March 20, 2020, I, the undersigned, on behalf of the City of Wilmington, consented to New Hanover County's declaration of state of emergency and requested for the declaration to apply to the entirety of the corporate limits of the City of Wilmington; and

WHEREAS, on March 23, 2020, Governor Roy Cooper, in Executive Order No. 120 (EO 120), closed K-12 public schools statewide through May 15<sup>th</sup>, banned mass gatherings over 50 people, and closed specific types of businesses, including but not limited to gyms, movie

**CERTIFIED TO BE A TRUE COPY**  
*Bill Saffo*  
CITY CLERK

theaters, hair and nail salons, tattoo parlors, and live performance venues; and

WHEREAS, on March 27, 2020, Governor Roy Cooper, in Executive Order No. 121 (EO 121), issued a statewide Stay at Home Order beginning Monday, March 30, 2020, at 5 p.m., until April 29, 2020, directing people to stay at home except to visit essential businesses, exercise outdoors, or help a family member, and specifically banned gatherings of more than 10 people and directed everyone to physically stay at least six feet apart from others; and

WHEREAS, New Hanover County, through its Board of Commissioners Chair Julia Olson-Boseman, issued an amended state of emergency on March 28, 2020, effective at 5 p.m. on March 30, 2020, through 5 p.m. on April 13, 2020, which imposed additional restrictions beyond those present in EO 121 for the unincorporated areas of New Hanover County; and

WHEREAS, at a special called and noticed meeting on March 30, 2020, the Wilmington City Council determined, pursuant to NCGS 166A-19.22 and Section 6-17 of the Wilmington City Code, that the additional restrictions imposed by the New Hanover County state of emergency declaration were appropriate and necessary to slow the rate of the spread of the virus in our area based upon the current crisis, and voted by way of resolution to consent to New Hanover County's declaration of state of emergency and request for the declaration to apply to the entirety of the corporate limits of the City of Wilmington; and

WHEREAS, on April 9, 2020, Governor Roy Cooper, in Executive Order No. 131 (EO 131), established emergency occupancy limits and cleaning requirements for retail establishments and long-term care facilities beginning Friday, April 10, 2020, at 5 p.m., and lasting until May 13, 2020; and

WHEREAS, New Hanover County Board of Commissioners Chair Julia Olson-Boseman issued a restated state of emergency that began on April 13, 2020, at 5 p.m. and lasting until April 29, 2020, at 5 p.m., which revised and superseded the restrictions in the previous New Hanover County declarations, amended or otherwise, and issued restrictions beyond those present in EO 121 and EO 131 for the unincorporated areas of New Hanover County; and

WHEREAS, on April 13, 2020, and again on April 17, 2020, by way of a renewal and extension, and pursuant to NCGS 166A-19.22 and Section 6-17 of the Wilmington City Code, I, on behalf of the City of Wilmington, consented to New Hanover County's April 13, 2020, declaration of state of emergency and requested for the declaration to apply to the entirety of the corporate limits of the City of Wilmington; and

WHEREAS, at its regular meeting on April 20, 2020, the Wilmington City Council determined, pursuant to NCGS 166A-19.22 and Section 6-17 of the Wilmington City Code, that the additional restrictions imposed by the New Hanover County state of emergency declaration were appropriate and necessary to slow the rate of the spread of the virus in our area based upon the current crisis, and voted by way of resolution to consent to New Hanover County's April 13, 2020, declaration of state of emergency and requested for the declaration to apply to the entirety of the corporate limits of the City of Wilmington; and

WHEREAS, on April 23, 2020, Governor Roy Cooper issued Executive Order No. 135 (EO 135) to extend the statewide state of emergency until May 8, 2020; and

WHEREAS, the restated state of emergency issued by New Hanover County Board of Commissioners Chair Julia Olson-Boseman on April 13, 2020, was allowed to expire effective April 29, 2020, at 5:00 p.m.; and

WHEREAS, on April 29, 2020, and again on April 30, 2020, by way of a renewal and extension, and pursuant to NCGS 166A-19.22 and Section 6-17 of the Wilmington City Code, I, Mayor Bill Saffo, on behalf of the City of Wilmington, issued a state of emergency declaration which revised and superseded the restrictions in the previous New Hanover County declarations, amended or otherwise, and issued restrictions beyond those present in the Governor's Executive Orders for the entirety of the corporate limits of the City of Wilmington; and

WHEREAS, at its regular meeting on May 5, 2020, the Wilmington City Council determined, pursuant to NCGS 166A-19.22 and Section 6-17 of the Wilmington City Code, that the additional restrictions imposed by the state of emergency proclaimed by Mayor Saffo were appropriate and necessary to slow the rate of the spread of the virus in our area based upon the current crisis, and voted by way of resolution to extend Mayor Saffo's April 30, 2020, Proclamation declaring a state of emergency through May 8, 2020, at 5 p.m.; and

WHEREAS, on May 5, 2020, Governor Roy Cooper issued Executive Order No. 138 (EO 138), to be effective May 8, 2020, at 5 p.m., and extending through May 22, 2020, which eases some restrictions on travel, business operations, and mass gatherings ("PHASE 1"); and

WHEREAS, on May 8, 2020, and again on May 13, 2020, and May 15, 2020, by way of a renewal and extension, and pursuant to NCGS 166A-19.22 and Section 6-17 of the Wilmington City Code, I, Mayor Bill Saffo, on behalf of the City of Wilmington, issued a state of emergency declaration which revised and superseded the restrictions in the previous Wilmington City Council resolution, and issued restrictions beyond those present in the Governor's Executive Orders for the entirety of the corporate limits of the City of Wilmington; and

WHEREAS, at its regular meeting on May 19, 2020, the Wilmington City Council determined, pursuant to NCGS 166A-19.22 and Section 6-17 of the Wilmington City Code, that the additional restrictions imposed by the state of emergency proclaimed by Mayor Saffo were appropriate and necessary to slow the rate of the spread of the virus in our area based upon the current crisis, and voted by way of resolution to extend Mayor Saffo's May 15, 2020, Proclamation declaring a state of emergency through May 22, 2020, at 5 p.m.; and

WHEREAS, on May 20, 2020, Governor Roy Cooper issued Executive Order No. 141 (EO 141), to be effective May 22, 2020, at 5 p.m., and extending through June 26, 2020, which eases some restrictions on travel, business operations, and mass gatherings ("PHASE 2"); and

WHEREAS, since the execution of the most recent local order, additional residents of the City of Wilmington have tested positive for the COVID-19 virus. This Proclamation is necessary to slow the rate of the spread and is the least restrictive means based upon the current evidence.

NOW, THEREFORE, I, Bill Saffo, Mayor of the City of Wilmington, do hereby issue a Proclamation declaring a state of emergency in the City of Wilmington. For the duration of such Proclamation, all employees of the City of Wilmington shall be designated and recognized as emergency personnel and shall cooperate in the implementation of the City's emergency plan. During the state of emergency, the citizens of the City of Wilmington are urged to comply with emergency management and public health advisories as issued from time to time.

NOW THEREFORE BE IT FURTHER ORDAINED THAT:

1. The terms set forth in Governor Roy Cooper's Executive Order (EO) 141, are hereby incorporated by reference into this declaration, and the businesses and facilities ordered to cease or restrict operations therein are hereby ordered to cease and close or restrict operations in compliance with the terms of EO 141.

2. To the greatest extent possible, all persons are encouraged to follow the Centers for Disease Control and Prevention (CDC) guidance on the wearing of cloth masks.

3. Mass gatherings are defined and prohibited in the same way and to the same extent as set forth in EO 141, except as follows:

a) The City of Wilmington and any facilities owned or operated by the City of Wilmington shall adhere to and follow the Mass Gathering limitations contained in EO 141, notwithstanding the last sentence of Section 7(A)(2)(a) of the Executive Order.

4. All persons, when they are using shared spaces outside of their residence, whether indoors or outdoors, shall at all times as much as reasonably possible, maintain social distancing of at least six (6) feet from any other person. Social distancing is not required to be maintained between immediate family or household members.

5. All stores, indoor and outdoor shopping malls, and retail facilities which are allowed to remain open to the public shall be subject to all requirements for retail establishments set forth in Section 6 of EO 141 and shall conspicuously post at all public entrances a placard stating the maximum occupancy for the retail establishment per EO 141. The occupancy number on the placard shall be readily discernible and in front of at least six (6) inches in height. All fitting or dressing rooms that are utilized to allow customers to try on clothing may open and may be used, however any article of clothing that is tried on by a customer shall be sanitized or sequestered for 1 day before being returned to the retail floor for sale. Additionally, all persons are strongly encouraged to follow all of the recommendations set forth in Section 3(B) of EO 141.

6. All public exercise stations are hereby ordered to be closed, or continue to remain closed, and not be used. Trails and open spaces may remain open and may be used so long as mass gathering restrictions against groups of more than 25 people (See EO 141) and

social distancing restrictions (See Section 4) are followed. As used in this declaration, team sports facility shall include any facility, indoor or outdoor, that facilitates athletic activity by the use of a ball or object that is handled by more than a single individual during the course of play. Outdoor team sports facilities may be open for use by teams of five (5) players or less, so long as mass gathering rules are followed (EO 141), and social distancing (See Section 4) is used to the extent reasonably practicable.

7. For the purposes of this declaration, based on the advice of the health officials, the following businesses shall close their facilities to the public. Those businesses are:

- i. Auto dealerships, boat dealerships and other motor vehicle sales points (not including repair or maintenance services). Auto and boat dealerships may remain open and continue sales so long as they do so in full compliance with attached "Exhibit A." Additionally, a specific auto or boat sale may be allowed pursuant to a governmental request to assist with the emergency response to fight the virus.
- ii. Hotels and Motels, except rooms may rented under the following conditions:
  - (a) Allowed for a governmental request to assist with the emergency response to Coronavirus;
  - (b) Allowed to provide lodging in support of the supply and distribution of COVID-19 Essential Businesses and Operations;
  - (c) Allowed in support of our communities' COVID-19 emergency response and practices utilized to fight the virus or its spread;
  - (d) Extended stay hotels may continue to offer lodging for terms of no less than 28 days;
  - (e) In addition to room rentals made under subsections (a) – (d) above, hotels and motels may rent up to an additional 50% of their stated room capacity.

8. This declaration shall apply to the entirety of the corporate limits of the City of Wilmington.

9. Nothing in this declaration is intended to lessen or limit any previous orders of the state that are already in effect and applicable to the City of Wilmington, and which are all incorporated herein by reference.

10. Any person violating any prohibition or restriction imposed by this declaration as authorized by the Revised declaration Declaring a State of Emergency in the City of Wilmington shall be guilty of a Class 2 misdemeanor in accordance with G.S. 14-288.20A.

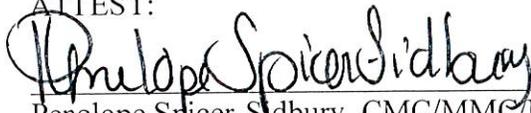
11. This declaration is adopted and shall take effect May 22, 2020, at 5 p.m., and will be valid until May 27, 2020, at 5 p.m., but will be regularly reviewed and evaluated and may be

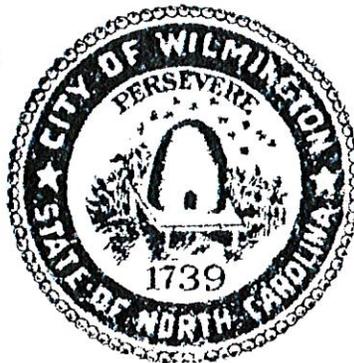
revised, amended, or extended accordingly, based upon existing evidence and recommendations by health officials, and the wishes of the Wilmington City Council.

Proclaimed on the 22<sup>nd</sup> day of May, 2020.

  
Bill Saffo, Mayor

ATTEST:

  
Penelope Spicer-Sidbury, CMC/MMC/NCCMC  
City Clerk



## **“Exhibit A”**

In addition to, and in compliance with the North Carolina Governor's COVID-19 Executive Orders, the following additional practices will be implemented with relation to auto and boat sales:

- 1) All social distancing requirements apply.
- 2) Auto and boat dealership facilities shall follow the occupancy limits for retail set forth by NC Executive Order 141, Section 6(B).
- 3) Hand sanitizer and sanitizing products readily available for employees and customers.
- 4) No test drives permitted unless conducted in adherence to the following requirements:
  - a. Vehicles are completely sanitized with COVID-19 approved products after every test drive with a card stating time it was driven and when it was sanitized.
  - b. Sales representative may only ride in a vehicle with a customer if the sales representative is wearing a face mask.