



## TOWN OF ELON, NORTH CAROLINA DECLARATION OF A STATE OF EMERGENCY

**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 has declared COVID-19 a Public Health Emergency and a Global Pandemic; 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 critical businesses and industries should remain at home; and

**WHEREAS**, the State of North Carolina has declared a State of Emergency due to COVID-19 and has temporarily closed public schools, prohibited in-door gatherings of more than 50 persons and out-door gatherings of more than 100 persons, required that people wear face coverings when in public venues, and remain at least six (6) feet away from each other; and

**WHEREAS**, the County of Alamance, North Carolina has declared a State of Emergency due to COVID-19; and

**WHEREAS**, the Town of Elon has a significant population of non-full year residents; 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 the employees of the Town of Elon, the residents of the Town of Elon, and visitors to the Town of Elon; and

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

**NOW, THEREFORE**, pursuant to the authority vested in me as the Mayor of the Town of Elon, under Chapter 166A - 19.22 of the North Carolina General Statutes and Chapter 2.55 of the Elon Code of Ordinances:

**Section 1.** A State of Emergency is hereby declared within the jurisdiction of the Town of Elon.

**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** - Upon consultation with the Mayor, the Town Manager shall be vested with the authority to adjust operating hours for all municipal departments, to include reduced hours or cessation of operations, or the provision of employees to work from a distance.



- B. **Parking regulations** - Upon consultation with the Mayor, the Town Manager shall be vested with the authority to amend local parking regulations as deemed necessary.
- C. **Business operations** - Upon consultation with the Mayor, the Town Manager shall be vested with authority to require local businesses to reduce or cease operations, or to alter internal seating practices as determined to be necessary.
- D. **Curfew** - Upon consultation with the Mayor, the Town Manager shall be vested with the authority to establish a curfew to enforce any recommendations of the Federal, State or County government.
- E. **Water/Sewer**- Upon consultation with the Mayor, The Town Manager is vested with the authority to delay or otherwise modify penalties associated with the non-payment of water and sewer bills, and to delay the shut off of water due to lack of payment.
- F. **Recreation facilities** - All recreational facilities are open with safety precautions, including masks and social distancing requirements as required under the Governor's Executive Order. Recreation programs are hereby canceled, or will operate in a modified fashion, pending the revocation of this Declaration, or a finding by the Town Manager that individual facilities may be operated, or that programs may be reinstated, prior to the revocation of this Declaration.
- G. **Penalties/fees waiver** - Upon consultation with the Mayor, the Town Manager is vested with the authority to waive or otherwise modify any fees or penalties that would be assessed during this declared emergency.
- H. **Events** - All events being held on Town grounds or hosted by the Town of Elon have been postponed pending a decision by the Town Manager or the revocation of this Declaration.
- I. **Prohibition on Mass Gatherings.** Mass Gatherings are prohibited. "Mass Gathering" means an event or convening that brings together more than twenty-five (25) people indoors or more than fifty (50) people outdoors at the same time in a single confined indoor or outdoor space, such as a home, dwelling unit, lawn, backyard or other area not included in any exception provided or under the Governor's Executive Order. In publicly accessible indoor facilities, the Mass Gathering limit applies per room of the facility. The outdoor mass-gathering limit of fifty (50) people applies to groups of people that may gather together in an outdoor setting such as a yard, lawn or other similar outdoor space. This includes parades, fairs, and festivals. This prohibition against Mass Gathering shall have no application to those gatherings, restricted businesses and operations excepted under Section 6.2(a)(1)(b) of Governor Roy Cooper's Executive Order 163 issued September 1, 2020, as modified by Executive Order 204 issued on March 23, 2021, or any future Executive Order that creates or modifies restrictions for specific uses.
- J. **Emergency Services** - Upon consultation with the Mayor, the Town Manager is vested with the authority to curtail or change the provision of municipal emergency services within Town and the Elon Fire District.
- K. **Public Meetings** - For the duration of this declaration, and based on advice from the Federal and State Governments to reduce the size of gatherings and avoid, to the extent possible, public interaction, the Elon Board of Aldermen, and other Town Boards and Committees (to the extent possible and lawful) will conduct meetings via in-person and/or electronic means, or a combination thereof, to include phone and/or video. All meetings shall be duly announced, complete with log in capacity for the press and members of the public.

L. **Meeting Schedule-** For the duration of this Declaration, the Elon Board of Aldermen may conduct one business meeting per month (additional meetings may be scheduled as needed).

**Section 4.** I hereby order all Elon 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 Elon and or County of Alamance Emergency Operations Plan.


**Section 5.** Upon exercising any authority granted under this Declaration, the Town Manager shall provide notice of any exercise of authority to the public via publishing on the Town's web page, distributing to the local media, and via any Town communication mechanism (such as Elon Connect). 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) to be filed with the Town 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 5 p.m. on Friday, March 26, 2021, and shall remain in effect until modified or rescinded. With this declaration, the existing Emergency Declaration of February 26, 2021 is hereby repealed.

**DECLARED** this the 26th day of March, 2021 at 5 pm.



  
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Mayor Jerry R. Tolley  
Town of Elon, NC

**Attest:**

  
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DiAnne Enoch  
Town Clerk