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Gunther Jochl
Mayor

Scott J. Brown
Mayor Pro Tem

Council Members
David Ammann
Jonathan Green
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THE VILLAGE OF SUGAR MOUNTAIN
251 Dick Trundy Lane
Sugar Mountain, NC 28604

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; 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, the Village Council for the Village of Sugar Mountain has 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, North Carolina has declared a state of emergency; and

WHEREAS, it is necessary that the Village of Sugar Mountain declare a State of Emergency to address this public health crisis and its associated affects.

NOW, THEREFORE, pursuant to the authority of the Village Council and the authority vested in me as the Mayor of the Village of Sugar Mountain under Article 1A of Chapter 166A of the North Carolina General Statutes:

Section 1. Pursuant to N.C.G.S. 166A-19.22(b)(2), a state of emergency is hereby declared within the corporate limits of the Village of Sugar Mountain.

Section 2. Emergency restrictions and prohibitions shall apply within the entire jurisdiction of the Village of Sugar Mountain, as may be necessary and declared by an authorized official of the Village of Sugar Mountain. To that end, and to the extent authorized by N.C.G.S. 166A et seq., the authority to issue such declarations and restrictions is hereby delegated to the Mayor of Sugar Mountain or his authorized agents, subject to subsequent direction or restrictions issued by the Village Council.

Section 3. It is hereby ordered all Village of Sugar Mountain 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 Village of Sugar Mountain Emergency Operations Plan.

Section 4. It is hereby ordered 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 Village of Sugar Mountain; and (c) to be distributed to others as necessary to ensure proper implementation of this declaration.

Section 5. In connection with the actions of the Board of Commissioners of Avery County, the Town of Banner Elk, the Town of Beech Mountain, and other municipalities in Avery County, it is strongly encouraged that the Short Term rental of properties, being for a period of less than thirty days, be suspended by property owners and property managers within the corporate limits of Sugar Mountain, except as is necessary to provide housing for emergency personnel, those engaged in essential and necessary travel, or those displaced as a result of the virus. This request includes all properties rented for periods of less than thirty days, including Air BnB, VRBO, timeshares, condominiums, bed and breakfasts, and similar rentals.

Section 6. The application of the state of emergency declaration within the corporate limits of the Village of Sugar Mountain shall remain in effect until further notice.

DECLARED this the 24th day of March, 2020 at 5:26 P.M.

Gunther Jochl, Mayor

ATTEST:

(Seal)

Tammy Floyd,
Clerk to the Board

THE VILLAGE OF SUGAR MTN. NORTH CAROLINA
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