

## Public Records Request #3731

The following materials have been gathered in response to public records request #3731. These materials include:

- Mecklenburg County and the City of Charlotte Joint Proclamation of a State of Emergency

This information was provided as a response to a public records request on 5/30/20 and is current to that date. There is a possibility of more current information and/or documents related to the stated subject matter.

### Further Information

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For further information about this request or the Citywide Records Program, please contact:

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## Mecklenburg County and City of Charlotte Joint Proclamation of a State of Emergency



**By the Chairperson of the Board of Commissioners of Mecklenburg County and the Mayor  
of the City of Charlotte**

**WHEREAS**, The North Carolina General Assembly has adopted Article 1A of Chapter 166A of the General Statutes, entitled "North Carolina Emergency Management Act", which sets forth the authority and responsibility of the Governor, State agencies, and local governments in prevention of, preparation for, response to, and recovery from natural or man-made emergencies; and

**WHEREAS**, G.S. §166A-19.22 and G.S. §166A-19.31, which are part of the North Carolina Emergency Management Act, authorize counties and municipalities to declare states of emergency and authorizes counties and municipalities to impose prohibitions and restrictions under conditions and following procedures contained in G.S. §166A-19.22 and G.S. §166A-19.31; and

**WHEREAS**, County Ordinance and Chapter 166A of the General Statutes and Article 36A, Chapter 14 of the General Statutes, I have determined that a State of Emergency as defined in Section 15-20, exists within the City of Charlotte and/or the County of Mecklenburg; and

**WHEREAS** civil unrest has created a state of emergency in the County of Mecklenburg and the City of Charlotte; and

**WHEREAS**, pursuant to the authority contained in Article 1 of N.C.G.S. Chapter 166A, Article 36A of N.C.G.S. Chapter 14, the Mecklenburg County resolution adopted February 21, 2017 entitled "An Ordinance Authorizing the Declaration of a State of Emergency and the Imposition of Prohibitions and Restrictions During a State of Emergency," and Section 15-20 of the City of Charlotte Municipal Code, we, the Chairperson of the Mecklenburg County Board of Commissioners and the Mayor of the City of Charlotte, proclaim the existence of a State of Emergency in the City of Charlotte and the County of Mecklenburg; and

**WHEREAS**, we further proclaim that the ordinances set forth below are necessary to maintain public order and protect lives and property during this emergency, and that the same shall be in effect within the unincorporated area of the County of Mecklenburg and incorporated limits of the City of Charlotte and, by request of the chief elected officials, within the incorporated limits of the until this Proclamation is rescinded. We 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 ordinances set forth below; and

**WHEREAS**, we further proclaim that Charlotte-Mecklenburg Emergency Operations Plan (EOP) and all applicable supporting plans, mutual assistance compacts, and agreements are in effect and shall remain in effect until this proclamation expires or is rescinded. All city and county employees subject to our control are hereby ordered to cooperate in the implementation of the provisions of the Emergency Operation Plan and all applicable supporting plans, mutual assistance compacts, and agreements, and to furnish assistance thereunder; and

**WHEREAS**, we further proclaim that one or more of the following public safety measures may be determined as appropriate actions to ensure public safety and protection of property within the corporate limits of the City of Charlotte:

1. *Excessive Price Prohibitions*: It is hereby unlawful to sell or rent or offer to sell or rent any goods or services which are consumed or used as a direct result of an emergency or which are consumed or used to preserve, protect, or sustain life, health, safety, or economic well-being of persons or their property with the knowledge and intent to charge a price that is unreasonably excessive under the circumstances or engage in any price gouging practices as defined by N.C.G.S. 166A-19.23, N.C.G.S.75-37, or N.C.G.S.75-38; and
2. *Curfew*. Every person who is located within the corporate limits of the City of Charlotte is to be inside a house or dwelling for a specified time to be determined by elected officials. This curfew does not apply to:
  - a. Law enforcement officers, firefighters and other public employees;
  - b. Doctors, nurses, employees of hospitals and other medical facilities;
  - c. On-duty military personnel, whether state or federal;
  - d. On-duty employees of public utilities, public transportation companies, and newspaper, magazine, radio broadcasting, and television broadcasting corporations operated for profit;
  - e. Any person deemed “essential” under COVID-19 protocols; and
3. *Restricted Access*. Travel upon any public street, alley, or roadway or upon any other public property, within the corporate limits of the City of Charlotte is prohibited during the stated hours of a curfew, except by those in search of medical assistance, food or other commodity or service necessary to sustain the well-being of themselves or their families or some member thereof; and
4. *Restricting Business and Congregation*: No business activity, keeping open of places of business, entertainment, or any other places of public assembly is permitted within the corporate limits of the City of Charlotte, unless deemed “essential” under the COVID-19 protocols; and
5. *No Alcoholic Beverages*. There shall be no sale, consumption, transportation or possession of alcoholic beverages during the State of Emergency in the City of Charlotte and/or the County of Mecklenburg, except possession or consumption is allowed on a person's own premises; and
6. *No Dangerous Weapons*. There shall be no transportation, sale, purchase, storage, and use of gasoline, and dangerous weapons and substances within the corporate limits of the City of Charlotte. This proclamation does not authorize prohibitions or restrictions on lawfully possessed firearms or ammunition. As used in this subdivision, the term

"dangerous weapons and substances" has the same meaning as it does under G.S. 14-288.1. As used in this subdivision, the term "firearm" has the same meaning as it does under G.S. 14-409.39(2); and

7. *Limiting mass gatherings. Defined by the Executive Order 135 issued on April 23, 2020 by the Governor of North Carolina.*

This proclamation shall become effective immediately and shall remain in effect until rescinded by the issuing authorities. Proclaimed this the 30<sup>th</sup> day of May 2020, at 12:00 noon.

  
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CHAIRPERSON, BOARD OF COMMISSIONERS  
OF MECKLENBURG COUNTY

  
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MAYOR, CITY OF CHARLOTTE

