

State of North Carolina

ROY COOPER

GOVERNOR

October 17, 2019

EXECUTIVE ORDER NO. 109

DISASTER DECLARATION FOR CERTAIN NORTH CAROLINA COUNTIES

WHEREAS, the North Carolina Emergency Management Act, Chapter 166A of the North Carolina General Statutes, authorizes the issuance of a disaster declaration for an emergency area as defined in N.C. Gen. Stat. § 166A-19.3(7) that has been impacted by a Type I, Type II or Type III disaster as defined in N.C. Gen. Stat. § 166A-19.21(b); and

WHEREAS, on September 5-6, 2019, Hurricane Dorian (“Dorian”) severely impacted Carteret, Dare, Hyde and New Hanover counties in North Carolina, each of which suffered severe damages as a result of storm surge, flooding, tornadoes, and heavy winds; and

WHEREAS, the undersigned issued *A Declaration of a State of Emergency*, Exec. Order No. 101, 34 N.C. Reg. 533-34 (Oct. 1, 2019), declaring a state of emergency for the entire State of North Carolina; and

WHEREAS, pursuant to N.C. Gen. Stat. §166A-19.22, local state of emergency declarations were issued in Carteret County on September 2, 2019, Dare County on September 2, 2019, Hyde County on September 1, 2019 and New Hanover County on September 3, 2019; and

WHEREAS, due to the impact of Dorian, local, state, and federal emergency management officials conducted a joint preliminary damage assessment on September 26-27, 2019; and

WHEREAS, pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121 *et seq.* (2019) (“the Stafford Act”), the President of the United States issued a major disaster declaration for North Carolina for Public Assistance, FEMA-4465-NC, on October 4, 2019, but denied the State’s request for Individual Assistance on October 8, 2019; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.21(b)(1), the criteria for a Type I disaster are met if: (a) the Secretary of the North Carolina Department of Public Safety has provided a preliminary damage assessment to the undersigned and the General Assembly; (b) local state of emergency declarations have been issued pursuant to N.C. Gen. Stat. § 166A-19.22 in the areas impacted by the Type I disaster; (c) the preliminary damage assessment met or exceeded the criteria established for the Small Business Disaster Loan Program pursuant to 13 C.F.R. Part 123; and (d) a major disaster declaration by the President of the United States pursuant to the Stafford Act has not been declared for Individual Assistance; and

WHEREAS, the undersigned has determined that a Type I disaster, as defined in N.C. Gen. Stat. §166A-19.21(b)(1), exists in Carteret, Dare, Hyde, and New Hanover counties in North Carolina and the contiguous counties of Beaufort, Brunswick, Craven, Currituck, Jones, Onslow, Pamlico, Pender, Tyrrell, and Washington; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.41, if a disaster is declared, the undersigned may make state funds available for emergency assistance in the form of individual assistance and public assistance for recovery from those disasters for which federal assistance

under the Stafford Act is either not available or does not adequately meet the needs of residents in the emergency area.

NOW, THEREFORE, pursuant to the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED:**

Section 1.

For purposes of this Executive Order only, the emergency area as defined in N.C. Gen. Stat. § 166A-19.3(7) is Carteret, Dare, Hyde and New Hanover counties in North Carolina and the contiguous counties of Beaufort, Brunswick, Craven, Currituck, Jones, Onslow, Pamlico, Pender, Tyrrell, and Washington (“the Emergency Area”).

Section 2.

Pursuant to N.C. Gen. Stat. § 166A-19.21(b)(1), a Type I disaster is hereby declared for the Emergency Area.

Section 3.

I authorize state emergency assistance funds in the form of grants to individuals and families located within the Emergency Area that meet the terms and conditions under N.C. Gen. Stat. § 166A-19.41(b)(1). Individual assistance grants shall include benefits comparable to those provided by the Stafford Act.

Section 4.

I hereby order that this declaration be (a) distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) promptly filed with the Secretary of the North Carolina Department of Public Safety, the North Carolina Secretary of State, and the clerks of superior court in the counties to which it applies; and (c) distributed to others as necessary to ensure proper implementation of this declaration.

Section 5.

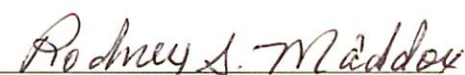
Pursuant to N.C. Gen. Stat. § 166A-19.21(c)(1), this Type I disaster declaration shall expire sixty (60) days after issuance unless renewed by the Governor or the General Assembly. Such renewals may be made in increments of thirty (30) days each, not to exceed a total of 120 days from the date of first issuance.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 17th day of October in the year of our Lord two thousand and nineteen.



Roy Cooper
Governor

ATTEST:



Rodney S. Maddox
Chief Deputy Secretary of State

