

# State of North Carolina

**ROY COOPER**  
GOVERNOR

November 26, 2019

## EXECUTIVE ORDER NO. 112

### DECLARATION OF STATE OF EMERGENCY

**WHEREAS**, a strong coastal storm brought high winds, heavy rain, and significant flooding of North Carolina Highway 12 in Dare and Hyde counties; and

**WHEREAS**, the storm caused severe damage to North Carolina Highway 12, a federal-aid highway, and required immediate repairs to preserve the well-being and health of North Carolinians; and

**WHEREAS**, the impacts of this storm constitute a state of emergency as defined in N.C. Gen. Stat. §§ 166A-19.3(6) and 166A-19.3(19); and

**WHEREAS**, N.C. Gen. Stat. §§ 166A-19.10 and 166A-19.20 authorize the Governor to declare a state of emergency and exercise the powers and duties set forth therein to direct and aid in response to, recovery from, and mitigation against emergencies; and

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

#### **Section 1.**

I hereby declare that a state of emergency, as defined in N.C. Gen. Stat. §§ 166A-19.3(6) and 166A-19.3(19), exists in Dare and Hyde counties, which comprise the emergency area as defined in N.C. Gen. Stat. §§ 166A-19.3(7) and 166A-19.20(b).

#### **Section 2.**

I order all state and local government entities and agencies to cooperate in the implementation of the provisions of this declaration and the provisions of the North Carolina Emergency Operations Plan (“the Plan”).

#### **Section 3.**

I delegate to Erik A. Hooks, the Secretary of the North Carolina Department of Public Safety, or his designee, all power and authority granted to and required of me by Article 1A of Chapter 166A of the North Carolina General Statutes for the purpose of implementing the Plan and deploying the State Emergency Response Team to take the appropriate actions necessary to promote and secure the safety and protection of the populace in North Carolina.

**Section 4.**

Further, Secretary Hooks, as Chief Coordinating Officer for the State of North Carolina, shall exercise the powers prescribed in N.C. Gen. Stat. § 143B-602.

**Section 5.**

I further direct Secretary Hooks or his designee to seek assistance from any and all agencies of the United States Government as may be needed to meet the emergency and seek reimbursement for costs incurred by the State in responding to this emergency. Such assistance may include, but is not limited to 23 U.S.C. §§ 120(e) and 125 and 23 C.F.R. § 668.

**Section 6.**

I hereby order that this declaration be: (1) distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (2) promptly filed with the Secretary of the North Carolina Department of Public Safety, the Secretary of State, and the superior court clerks in the counties to which it applies, unless the circumstances of the state of emergency would prevent or impede this; and (3) distributed to others as necessary to ensure proper implementation of this declaration.

**Section 7.**

This declaration does not prohibit or restrict lawfully possessed firearms or ammunition or impose any limitation on the consumption, transportation, sale or purchase of alcoholic beverages as provided in N.C. Gen. Stat. § 166A-19.30(c).

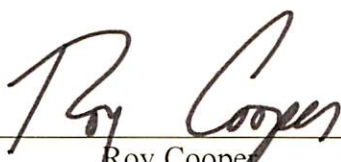
**Section 8.**

This declaration will not trigger the prohibitions against excessive pricing in the emergency area, notwithstanding the provisions of N.C.G.S. § 166A-19.23.

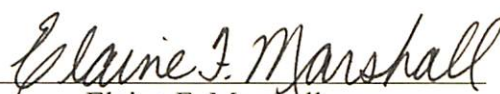
**Section 9.**

This declaration is effective immediately and shall remain in effect until rescinded.

**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 26<sup>th</sup> day of November in the year of our Lord two thousand and nineteen.

  
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Roy Cooper  
Governor

**ATTEST:**

  
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Elaine F. Marshall  
Secretary of State

