

State of North Carolina

ROY COOPER
GOVERNOR

April 24, 2018

EXECUTIVE ORDER NO. 42

**DISASTER DECLARATION FOR THE TOWN OF TRYON (POLK COUNTY) AND
THE VILLAGE OF CEDAR ROCK (CALDWELL COUNTY)**

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

WHEREAS, on October 8, 2017, the Town of Tryon in Polk County, North Carolina and the Village of Cedar Rock in Caldwell County, North Carolina were impacted by tornadoes spawned by the remnants of Tropical Storm Nate; and

WHEREAS, as a result of the tornadoes both the Town of Tryon and the Village of Cedar Rock proclaimed local states of emergency on October 8, 2017; and

WHEREAS, due the impact of the severe weather, a joint preliminary damage assessment was done by local, state and federal emergency management officials on October 12, 2017; and

WHEREAS, I have determined that a Type I disaster, as defined in N.C. Gen. Stat. § 166A-19.21(b)(1), exists in the State of North Carolina, specifically in the Town of Tryon in Polk County, and the Village of Cedar Rock in Caldwell County, North Carolina; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.21(b)(1), the criteria for a Type I disaster are met if: (1) the Secretary of the Department of Public Safety (“Secretary of Public Safety”) has provided a preliminary damage assessment to the Governor and the General Assembly; (2) the Town of Tryon and the Village of Cedar Rock declared a local state of emergency pursuant to N.C. Gen. Stat. § 166A-19.22; (3) the preliminary damage assessment meets or exceeds the state infrastructure criteria set out in N.C. Gen. Stat. § 166A-19.41(b)(2)a.; and (4) the President of the United States has not issued a major disaster declaration pursuant to the Stafford Act; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.41(b), if a disaster is declared, the Governor 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 the citizens of the State.

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. Pursuant to N.C. Gen. Stat. § 166A-19.21(b)(1), a Type I disaster is hereby declared for the Town of Tryon in Polk, County North Carolina and the Village of Cedar Rock in Caldwell County, North Carolina, hereinafter the “Emergency Area.”

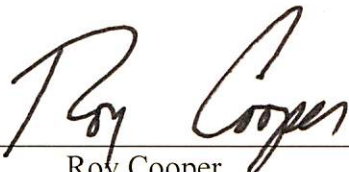
Section 2. I authorize state disaster assistance in the form of public assistance grants to the eligible government(s) located within the emergency area that meets the terms and conditions under N.C. Gen. Stat. § 166A-19.41(b)(2). The public assistance grants are for the following:

- a. Debris clearance.
- b. Emergency protective measures.

Section 3. 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 Public Safety, the 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 4. This Type I disaster declaration shall expire sixty (60) days after issuance unless renewed by the Governor or 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 24th day of April in the year of our Lord two thousand eighteen.



Roy Cooper
Governor

ATTEST:



Elaine F. Marshall
Secretary of State

