



# State of North Carolina

**JOSH STEIN**  
GOVERNOR

January 2, 2025

## EXECUTIVE ORDER NO. 1

### INCREASING THE SUPPLY OF TEMPORARY HOUSING IN WESTERN NORTH CAROLINA

**WHEREAS**, Hurricane Helene (“Helene”) entered the State of North Carolina on September 26, 2024 as a tropical storm; and

**WHEREAS**, Helene has inflicted significant damage on public and private property; and

**WHEREAS**, impacts from Helene constitute a State of Emergency, as defined in N.C. Gen. Stat. § 166A-19.3(19); and

**WHEREAS**, on September 25, 2024, the Governor issued Executive Order No. 315, which declares a State of Emergency and provides for the health, safety, and welfare of residents and visitors located in North Carolina (“Declaration of a State of Emergency”); and

**WHEREAS**, N.C. Sess. Law 2024-51 extended the State of Emergency until March 1, 2025; and

**WHEREAS**, on September 26, 2024, the President of the United States issued an emergency declaration, FEMA-3617-EM, for the State of North Carolina, providing, in part, for Public Assistance-Category B, including direct federal assistance to the State; and

**WHEREAS**, on September 28, 2024, the President of the United States approved an Expedited Major Disaster Declaration, FEMA-4827-DR, for the State of North Carolina; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 147-12(a)(1), the Governor supervises the official conduct of all executive officers; and

**WHEREAS**, more than 12,000 western North Carolinians are displaced from their homes due to the effects of Helene; and

**WHEREAS**, there is an urgent need for temporary housing units in the areas affected by Helene; and

**WHEREAS**, temporary housing units provide residents of western North Carolina displaced from their homes shelter from winter conditions; and

**WHEREAS**, state leaders are committed to ensuring that displaced residents have resilient, permanent housing options, and many displaced residents have immediate need for temporary and semi-permanent housing options; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.30(b)(4), the Governor may, with the concurrence of the Council of State, waive a provision of any regulation or ordinance of a State agency or a political subdivision which restricts the immediate relief of human suffering; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.30(b)(5), the Governor may, with the concurrence of the Council of State, perform and exercise such functions and duties as are necessary to promote and secure the safety and protection of the civilian population; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.30(b)(7), the Governor may, with the concurrence of the Council of State, procure by purchase materials and facilities for emergency management without regard to the limitation of any existing law; and

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

### **Section 1. Limited Waiver of Regulations to Increase Supply of Temporary Housing**

This Executive Order relates only to the purchase of Transportable Temporary Housing Units to be placed in the North Carolina Counties identified in the FEMA Major Disaster Declaration, FEMA-4827-DR (“Designated Counties”). For purposes of this section, a Transportable Temporary Housing Unit (“Unit”) is a manufactured housing unit that is designed for utilization as a temporary dwelling in the designated county.

The Secretary of the North Carolina Department of Public Safety (“DPS”) is authorized to purchase up to 1000 Units. Solely for the purpose of permitting DPS to purchase up to 1000 Units, the Secretary of the North Carolina Department of Administration (“DOA”) is authorized to waive the following:

- a. Requirements for DPS to engage in formal or informal bidding procedures, including those contained in 01 N.C. Admin. Code 05B .0301 - .0313.
- b. Requirements for DPS to use certain solicitation documents, including those contained in 01 N.C. Admin. Code 05B .0314 and .0317.
- c. Requirement for DPS to make certain advertisements, including those contained in 01 N.C. Admin. Code 05B .0316.
- d. Any other requirement contained Title 01, Chapter 5, SubChapter B that unreasonably delays DPS’s efforts to immediately procure up to 1000 Units.

Notwithstanding the above, the Secretary of DOA shall not waive regulations 01 N.C. Admin. Code 05B .1509 and .1511. The Secretary of DOA shall notify the Office of the Governor of any regulations that have been waived and the duration of any such waiver.

In procuring the Units, DPS shall comply with all applicable FEMA and federal regulations and make all reasonable efforts to obtain the highest quality units at the best price to the State.

### **Section 2. Implementation**

DPS shall continue to procure Units beyond those discussed in Section 1 as needed. For procurement under this section, DPS shall comply with all applicable regulations.

DPS shall ensure that the receipt of assistance under this Executive Order does not adversely affect any person’s or entity’s eligibility for any federal disaster assistance program including but not limited to those under the Stafford Act, the Community Development Block Grant Program for Disaster Recovery (“CDBG-DR”), or other programs.

### **Section 3. Savings Clause**

If any provision of this Executive Order or its application to any person or circumstances is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

**Section 4. No Private Right of Action**

This Executive Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any part against the State of North Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof, or any other person.

**Section 5. Effect and Duration**

This Executive Order is effective immediately. Section 1 shall remain in effect through the earlier of DPS procuring 1000 Units or February 28, 2025, or until repealed, replaced, or rescinded by another applicable Executive Order.

The remainder of this Executive Order shall remain in effect through the duration of the State of Emergency unless repealed, replaced, or rescinded by another applicable Executive Order.

**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 2<sup>nd</sup> day of January in the year of our Lord two thousand and twenty-five.

  
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Josh Stein  
Governor

**ATTEST:**

  
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Elaine F. Marshall  
Secretary of State

