



News Release



For Immediate Release

Oct. 7, 2016

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City and County Declare States of Emergency

FAYETTEVILLE, N.C. – Cumberland County and the City of Fayetteville declared states of emergency effective at 11 a.m. today for Hurricane Matthew. County Board of Commissioners Chairman Marshall Faircloth and Mayor Nat Robertson signed the attached emergency declarations for the jurisdictions.

Due to last week's heavy rain and flooding, Fayetteville and Cumberland County are particularly vulnerable to flash flooding and significant river flooding. While high winds and heavy rainfall are not expected to affect the area until Saturday, Cumberland County will activate shelters at 6 p.m. today in order to give residents time to prepare to evacuate ahead of the storm and flooding.

The National Weather Service is predicting strong maximum wind gusts up to 50 mph on Saturday and into the evening. The area can expect 5 to 10 inches of rain in flash flood watch areas and Cumberland County is under a Flash Flood Watch.

Details on shelter openings and locations will be announced this afternoon. Residents in low-lying, flood-prone areas are strongly encouraged to evacuate ahead of the storm.

"We encourage our citizens to take this storm seriously and to prepare for flooding, downed trees and power outages," Faircloth said.

The County held a conference call this morning with all municipalities to update and coordinate on emergency plans.

DECLARATION OF A STATE OF EMERGENCY

WHEREAS, County of Cumberland is experiencing a Hurricane Event (Matthew); and

WHEREAS, as a result of the above-described emergency, I have determined that there is an imminent threat of, or existing conditions have caused or will cause, widespread or severe damage, injury, or loss of life or property, and public safety authorities will be unable to maintain public order or afford adequate protection for lives or property; and

WHEREAS, declaring a State of Emergency and imposing the restrictions and prohibitions ordered herein is necessary to maintain order and protect public health, safety, and welfare, and to secure property.

NOW, THEREFORE, pursuant to the authority vested in me, Marshall Faircloth, Chairman of the Board of Commissioners, of Cumberland County, under Article 1A of Chapter 166A of the North Carolina General Statutes and Article 36-A, Chapter 5, sec. 5-9 of the Cumberland County Code of Ordinances:

Section 1. A State of Emergency is hereby declared within the County of Cumberland as more particularly described in Section 2.

Section 2. The emergency area covered by this state of emergency shall be (*check box*):

All areas within the jurisdiction of Cumberland County

Section 3. The following restrictions and prohibitions are imposed (*check all that apply*):

Evacuation: Voluntary low-lying and flood prone areas.

Curfew: _____

Restricted Access: _____

Business Operations: _____

Alcohol: _____

Dangerous Weapons & Gasoline: Except for lawfully possessed firearms (handgun, rifle, or shotgun) and ammunition, _____

Other: _____

No restrictions or prohibitions are imposed at this time.

Section 4. I hereby order all Cumberland County law enforcement officers and employees and all other emergency management personnel subject to our control to cooperate in the enforcement and implementation of the provisions of this Declaration, all applicable local ordinances, state and federal laws, and the Cumberland County Emergency Operations Plan.

Section 5. I hereby order this declaration: (a) to be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) to be filed with Clerk to the County Of Cumberland and (c) to be distributed to others as necessary to ensure proper implementation of this declaration.

Section 6. This declaration shall take effect on October 7, 2016 at 11:00 AM and shall remain in effect until modified or rescinded.

DECLARED this the 7th day of October at 11 a.m.



Marshall Faircloth, Chairman of Board of Commissioners

CITY OF FAYETTEVILLE STATE OF EMERGENCY DECLARATION

A DECLARATION ISSUING A STATE OF EMERGENCY WITHIN THE CITY OF FAYETTEVILLE, NORTH CAROLINA, PURSUANT TO ARTICLE 1A, CHAPTER 166A, N.C.G.S.; N.C.G.S. § 166A-19.22; AND CHAPTER 9 OF THE CODE OF ORDINANCES, CITY OF FAYETTEVILLE

THAT WHEREAS, due to the impending and contemplated impact of Hurricane Matthew on the 7th day of October, 2016, generating damage due to rain, winds, high water, flooding, and other adverse weather as to create hazardous conditions for the citizens within the City limits of the City of Fayetteville, it is in the best interest of the public health, safety, and welfare that a **STATE OF EMERGENCY DECLARATION** be issued by the Mayor of the City of Fayetteville, North Carolina, pursuant to the authority of the Mayor as set forth in ARTICLE 1A, CHAPTER 166A, N.C.G.S.; N.C.G.S. § 166A-19.22; and CHAPTER 9 OF THE CODE OF ORDINANCES, CITY OF FAYETTEVILLE;

NOW, THEREFORE, I, MAYOR, DO HEREBY DECLARE A STATE OF EMERGENCY DECLARATION WITHIN THE CITY LIMITS OF THE CITY OF FAYETTEVILLE COMMENCING AT 10:00 P.M./A.M. ON THE 7th DAY OF OCTOBER, 2016, AND CONTINUING UNTIL TERMINATED BY APPROPRIATE DECLARATION ISSUING THE SAME.

AND THAT FURTHER, DURING SAID STATE OF EMERGENCY DECLARATION, AS ISSUED HEREIN, THE FOLLOWING RESTRICTIONS SHALL BE IN EFFECT:

Sec. 1. Evacuation.

The Mayor may direct and compel the evacuation of all or part of the population of the City of Fayetteville by prescribed routes and modes of transportation, and control entry to and egress from a disaster area, the movement of persons within the area, and the occupancy of premises therein. The areas within the City limits of the City of Fayetteville shall be immediately evacuated by following such routes, using such modes of transportation, and using such points of egress and ingress as shall be determined by the Chief of Police and/or his designee. Cumberland County Emergency Services may open emergency shelters for the homeless and people with special medical needs. Persons needing shelter should contact the Cumberland County Emergency Operations Center at (910) 677-5509.

Sec. 2. Curfew and restricting access to areas.

(A) A curfew may hereby be imposed for citizens within the City limits of the City of Fayetteville, at such time as City Emergency Management officials advise local print and broadcast media of gale force or greater winds or other extreme conditions which pose a risk to the public safety, health, and welfare. This curfew shall not apply to authorized law enforcement, fire department, and other emergency personnel designated by the Chief of Police and/or his designee.

(B) Unless otherwise specified, the curfew shall continue to apply until removed by a new declaration or until the state of emergency is terminated.

(C) Areas to which access is denied or restricted shall be designated by the Chief of Police of the City of Fayetteville and subordinates of the Chief of Police or other law enforcement officers when directed in the declaration to do so by the Mayor. When acting under this authority, the Chief of Police and subordinates may restrict or deny access to any area, street, highway, or location within the City of Fayetteville if that restriction or denial of access or use is reasonably necessary to promote efforts being made to overcome the emergency or to prevent further aggravation of the emergency.

Sec. 3. Restrictions on possession, transportation, and transfer of dangerous weapons and substance.

The possession, transportation, sale, purchase, storage, and use of dangerous weapons and substances and gasoline are restricted with exception to "lawfully possessed firearms and ammunition".

Sec. 4. Exemptions from restrictions.

The Mayor is hereby authorized to exempt from all or any part of the restrictions imposed by the emergency declaration those classes of persons whose exemption will benefit the public safety, health, and welfare. These persons shall be exempt from the declaration's restrictions only while they are acting within the scope of their official duties, or are acting under the direction of emergency response/recovery force personnel. Those exempt from restrictions may include, but are not limited to, fire fighters, law enforcement personnel, EMS personnel, doctors, nurses, military personnel, communications personnel, public utilities employees, and newspaper, radio, and television employees.

Sec. 5. Other actions necessary to maintain order and protect lives and property.

The Mayor may enact ordinances designed to permit the imposition of prohibitions and restrictions within the emergency area during a state of emergency declared pursuant to G.S. 166A-19.22. The mayor or the chair of the board of county commissioners of a county may impose by declaration prohibitions and restrictions under this section at a particular time as appropriate.

The types of restrictions allowed include the following: (1) the movements of people and the implementation of a curfew; (2) the operation of offices, business establishments, and other places where people may travel to or congregate; (3) the possession, transportation, sale, purchase, and consumption of alcoholic beverages; (4) the possession, transportation, sale, purchase, storage, and use of gasoline; (5) and any other activities or conditions the control of which may be reasonably necessary to maintain order and protect lives of property during the state of emergency.

Any individual who violates any provision of an ordinance or a declaration enacted or declared pursuant to this section shall be guilty of a Class 2 misdemeanor in accordance with G.S. 14-288.20A.

Sec. 6. Removal of prohibitions and restrictions, and declaration termination.

The Mayor shall, by declaration, terminate the entire state of emergency declaration or remove any of the bans and restrictions when the emergency no longer requires them, or when directed to do so by the City Council. A declaration shall expire five days after the imposition unless renewed.

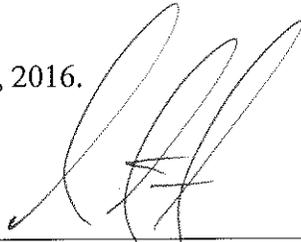
Sec. 7. Other provisions.

(A) The provisions of ARTICLE 1A, CHAPTER 166A, N.C.G.S.; N.C.G.S. § 166A-19.22; and CHAPTER 9 OF THE CODE OF ORDINANCES, CITY OF FAYETTEVILLE, are incorporated by references as if fully set forth herein.

(B) A copy of this Declaration shall be posted in the City Hall lobby by the City Clerk/Deputy City Clerk. Reports of the substance of the declaration shall be sent to the Public Information Officer for dissemination to the mass communications media that serves the affected area.

(C) In case of the absence or disability of the Mayor, the Mayor Pro Tem or other such person as may be designated by the City Council shall have the authority to exercise all of the powers herein given the Mayor.

Executed and imposed this 7th day of October, 2016.



ROBERTSON, Mayor



ATTEST:

Pamela Megill
PAMELA MEGILL, City Clerk