

State of North Carolina



BEVERLY EAVES PERDUE
GOVERNOR

EXECUTIVE ORDER NO. 135

DISASTER DECLARATION FOR DARE, CURRITUCK, HYDE AND TYRRELL 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.G.S. § 166A-19.3(7) and categorizing the disaster as a Type I, Type II or Type III disaster as defined in N.C.G.S. § 166A-19.21(b); and

WHEREAS, beginning on October 27, 2012, Dare County, North Carolina was impacted by the effects of Hurricane Sandy; and

WHEREAS, as a result of the approach and impacts of Hurricane Sandy, I declared a state of emergency pursuant to N.C.G.S. § 166A-19.20(b) for numerous eastern North Carolina counties, including Dare, Currituck, Hyde and Tyrrell; and

WHEREAS, as a result of the approach and impacts of Hurricane Sandy, Dare County proclaimed a local state of emergency on October 27, 2012; and

WHEREAS, a joint preliminary damage assessment was done by local, state and federal emergency management officials on November 2 and November 3, 2012; and

WHEREAS, I have determined that a Type I disaster, as defined in N.C.G.S. § 166A-19.21(b)(1), exists in the State of North Carolina, specifically in Dare County and its contiguous counties; and

WHEREAS, pursuant to N.C.G.S. § 166A-19.21(b), the criteria for a Type I disaster are met if: (1) the Secretary of the Department of Public Safety has provided a preliminary damage assessment to the Governor and the General Assembly; (2) Dare County has declared a local state of emergency pursuant to N.C.G.S. § 166A-19.22; (3) the preliminary damage assessment has met or exceeded the criteria established for the Small Business Disaster Loan Program pursuant to 13 C.F.R. Part 123; and (4) a major disaster declaration by the President of the United States pursuant to the Stafford Act has not been declared; and

WHEREAS, pursuant to N.C.G.S. § 166A-19.41(b), if a Type I disaster is declared, the Governor may make State funds available for disaster 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 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. Pursuant to N.C.G.S. § 166A-19.21(b)(1), a Type I disaster is hereby declared for Dare County and the contiguous counties of Currituck, Hyde and Tyrrell.

Section 2. I authorize state disaster assistance in the form of individual assistance grants to eligible individuals and families located within the emergency area that meet the terms and conditions under N.C.G.S. § 166A-19.41(b)(1).

Section 3. 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 promptly filed with the Secretary of the Department of Public Safety, the Secretary of State, and the clerks of superior court in the counties to which it applies; and (c) to be distributed to others as necessary to ensure proper implementation of this declaration.

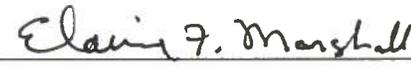
Section 4. This Type I disaster declaration shall expire 60 days after issuance unless renewed by the Governor or the General Assembly. Such renewals may be made in increments of 30 days each, not to exceed a total of 120 days from the date of first issuance.

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 8th day of November in the year of our Lord two thousand and twelve, and of the Independence of the United States of America the two hundred and thirty-seventh.




Beverly Eaves Perdue
Governor

ATTEST:


Elaine F. Marshall
Chief Deputy Secretary of State 