

State of North Carolina

PAT McCRORY
GOVERNOR

September 12, 2013

EXECUTIVE ORDER NO. 27

DECLARATION OF A STATE OF EMERGENCY BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

WHEREAS, due to a combination of various weather conditions abundant moisture has remained in place across North Carolina for several months starting in May 2013. The influence of these passing fronts, has enabled cool and wet conditions to impact this State resulting in above normal precipitation; and

WHEREAS, starting in May 2013, storms tracked primarily to the west and brought substantial rainfall to western North Carolina while leaving the east generally dry. The passage of Tropical Storm Andrea on June 7th brought light consistent rain and intermittent downpours to the entire state, after the system had passed, several storms continued to bring widespread showers and storms for the remainder of the month of June; and

WHEREAS, the combination of consistent frontal passages and atmospheric moisture resulted in a particularly wet pattern throughout July, many communities in North Carolina, particularly those in the western counties, continued to experience torrential rains and storms. Several western locations in the State reported more than 20 inches of rainfall, and many achieved the wettest July on record; and

WHEREAS, these locally heavy rains caused damaging floods and landslides due to the short duration of the event; and

WHEREAS, as a result of severe flooding in July the Governor declared a Type I State disaster declaration for Catawba and surrounding counties for storm damage that impacted those areas; and

WHEREAS, as a result of severe flooding in early July, the Governor declared a Type I State disaster declaration for the Town of Bakersville, in Mitchell County for storm damage that impacted that area; and

WHEREAS, due to the abnormally wet conditions which resulted in agricultural losses since May 2013, the Governor has requested from the United States Department of Agriculture a Secretarial Disaster Designation for several impacted counties; and

WHEREAS, due to the flooding and landslides, the damage to the public infrastructure has been so great that the response is beyond the capabilities of the State and as such now requires that a State of Emergency be declared in the impacted areas.

NOW, THEREFORE, pursuant to the authority vested in me as Governor by the Constitution of the State of North Carolina and N.C.G.S. §166A-19.20, **IT IS ORDERED:**

Section 1.

I hereby declare that a state of emergency as defined in N.C.G.S. §§ 166A-19.3(6) and 166A-19.3(18) existed in the State of North Carolina as a result of the severe storms, landslides, and flooding during the month of July 2013.

Section 2.

The emergency area as defined in N.C.G.S. §§ 166A-19.3(7) and N.C.G.S. 166A-19.20(b) includes the following area: Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Catawba, Cleveland, Jackson, Lincoln, Macon, Madison, Mitchell, Polk, Rutherford, Transylvania, Watauga, Wilkes, Yancey counties and also the Qualla Boundary of the Eastern Band of Cherokee.

Section 3.

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.

Section 4.

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

Section 5.

Further, Secretary Perry, as chief coordinating officer for the State of North Carolina, shall exercise the powers prescribed in G. S. § 143B-602.

Section 6.

I further direct Secretary Perry 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.

Section 7.

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) unless the circumstances of the state of emergency prevent or impede, 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 assure proper implementation of this declaration.

Section 8.

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.G.S. § 166A-19.30(c).

Section 9.

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 10.

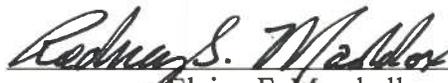
This declaration is effective immediately and shall remain in effect until rescinded.

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 twelfth day of September in the year of our Lord two thousand and thirteen, and of the Independence of the United States of America the two hundred and thirty-eight.


Pat McCrory
Governor



ATTEST:


Elaine F. Marshall
Chief Deputy Secretary of State