



State of North Carolina

PAT McCRORY

GOVERNOR

March 12, 2013

EXECUTIVE ORDER NO. 6

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

WHEREAS, heavy rains in western North Carolina created conditions that caused flooding and mudslides to commence on January 14, 2013 and end on January 18, 2013; and

WHEREAS, due to the flooding and mudslides in western North Carolina, this State sustained severe damage to its road systems, which include both State and Federal-Aid highways, bridges and other facilities; and

WHEREAS, damage to the road systems throughout western North Carolina has been of such an extent that immediate repairs have been necessary, which conditions constitute an emergency as is contemplated in 23 U.S.C. §§ 120(e) and 125; and

WHEREAS, the immediate repair and reconstruction of the damaged highways is vital to the security, well-being, and health of the citizens of the State of North Carolina, and the Federal Highway Division Administrator is hereby requested to concur in the declaration of this emergency.

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) exists in the State of North Carolina as a result of the flooding and mudslides that produced severe damage to its road systems, which include both State and Federal-Aid highways, bridges and other facilities.

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 counties: Buncombe, Cherokee, Clay, Graham, Haywood, Jackson, Macon, Madison, McDowell, Mitchell, Swain and Yancey.

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 Kieran J. Shanahan, 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 Shanahan, 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 Shanahan 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.

Pursuant to N.C.G.S. § 166A-19.23, this declaration triggers the prohibition against excessive pricing as provided in N.C.G.S. § 75-37 and 75-38 in the declared emergency area.

Section 10.

This declaration is effective Tuesday, March 12, 2013 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 March in the year of our Lord two thousand thirteen, and of the Independence of the United States of America the two hundred and thirty-seventh.




Governor
Pat McCrory

ATTEST:

Secretary of State *Rodney S. Medlock*
Chris Deputy Secretary of State
Elaine Marshall