



**FOURTH AMENDED DECLARATION OF STATE OF EMERGENCY BY
THE MAYOR OF THE TOWN OF SURF CITY**

WHEREAS, on Tuesday, March 10, 2020, Governor Cooper declared a State of Emergency to ensure that North Carolina was prepared and responding to the COVID-19 Virus; and

WHEREAS, on Friday, March 13, 2020, President Trump declared a National State of Emergency to address the COVID-19 Global Pandemic; and

WHEREAS, in response to the global spread of the virus and the disease it causes, the World Health Organization has declared COVID-19 a Public Health Emergency; the Centers for Disease Control and Prevention (CDC) has warned of the high public health threat posed by COVID-19 globally; and the North Carolina Department of Health and Human Services ("NCDHHS") confirmed cases of COVID-19 in North Carolina as of March 10, 2020.

WHEREAS, the Town Council of the Town of Surf City has duly adopted ordinances pursuant to the provisions of N.C. G.S. 166A Article IA to determine and declare the existence of a State of Emergency and to impose certain prohibitions and restrictions appropriate to meet the emergency; and

WHEREAS, on Tuesday, March 17, 2020, I, Mayor Douglas C. Medlin declared a State of Emergency for the Town of Surf City to address the COVID-19 Global Pandemic; and

WHEREAS, on Friday, March 20, 2020, I, Mayor Douglas C. Medlin amended the State of Emergency for the Town of Surf City (First Amendment) to address the COVID-19 Global Pandemic; and

WHEREAS, on Monday, March 23, 2020, I, Mayor Douglas C. Medlin amended the State of Emergency for the Town of Surf City (Second Amendment) to address the COVID-19 Global Pandemic; and

WHEREAS, on Thursday, March 26, 2020, I, Mayor Douglas C. Medlin amended the State of Emergency for the Town of Surf City (Third Amendment) to address the COVID-19 Global Pandemic; and

WHEREAS, in consultation with the Town Council, I have determined that the State of Emergency for the Town of Surf City should be again amended to modify the restrictions contained therein.

NOW, THEREFORE, I, Douglas C. Medlin, Mayor of the Town of Surf City do hereby amend the Declaration of State of Emergency as follows:

Section 1. A State of Emergency continues to exist within the municipal limits of the Town of Surf City due to the expected impacts of COVID-19.

Section 2. Effective Saturday, April 17 at 7:00 AM, the existing prohibitions and restrictions are hereby modified as follows:

- **Soundside Park:** All “green space” areas and the boardwalk of the park will open. The playground, bathrooms, and pavilions located within the park shall remain closed at this time. There will be no parking available or allowed for park usage, it will only be open for foot traffic at this time.
- **Surf City Boat Ramp:** The boat ramp at Soundside Park is reopened. Boat trailers are limited to the NC State Wildlife designated parking area only.
- **Surf City Disc Golf Course:** The Surf City Disc Golf Course is reopened to include the parking areas within the park. Park users are admonished to not through discs to one another.
- **All Other Public Parks:** All public parks with the exception of the Surf City Disc Golf Course shall remain closed at this time.
- **Public Beach Accesses.** Public beach accesses will be reopened as follows:
 - 1) Public Access #18 (Roland Ave) will be open, but the shelter area will be blocked off for use.
 - 2) Handicap parking will be available at the Welcome Center for placard handicap parking only.
 - 3) All other parking areas for public beach accesses shall remain closed.
 - 4) Any non-beach access related public parking must comply with the Town’s existing parking ordinances and the restrictions contained in this Fifth Amended Declaration of State of Emergency.

The Town Council reminds the public that all persons must continue to practice social distancing and avoid mass gatherings (defined as a group of more than 10 people).

Note: Violation of these restrictions may lead re-closings and the imposition of additional restrictions.

Section 3. I further proclaim the continuation of the previous imposition of the following orders, prohibitions, and restrictions:

- 1) Discontinuance of All Short-term Rental Operations: All rental agencies and property owners that rent properties within the Town of Surf City are instructed to have all current renters, with a rental period of less than 3 months' duration, and their invitees vacate the premises and leave the Town no later than 2:00 p.m. on Wednesday, March 25, 2020. Effective immediately, there will be no new rental occupancies of a duration less than 90 days allowed within the Town. Individuals and entities renting within the Town for purposes directly related to the COVID-19 pandemic or related to the provision of other essential public services are exempted from the prohibition contained in Section 3(1). This provision shall remain in effect through May 15, 2020.
- 2) The Town urges that all travel be limited to essential travel for property owners and residents, business owners and their respective employees and contractors, and municipal employees and contractors.
- 3) Town Operations: The Town Manager or his designee is hereby authorized to take all lawful actions necessary to manage the Town during this State of Emergency, including, without limitation, procuring goods and services necessary to manage this emergency including but not limited to the adjustment of hours, access, and operation of all government operations, Town-owned facilities, roads, rights-of way, and parks, as deemed reasonably necessary to restrict the spread of COVID- 19 and protect Town residents, the public and municipal employees .
- 4) I and the Town Council continue to strongly encourage everyone to comply with all CDC and State guidelines, including limiting groups to no more than 10 people, limiting activities in public and maintaining at least six feet of distance from other people as well as comply with the Executive Orders issued by the Governor.

Section 4. In addition to the parking restrictions contained in this Declaration of State of Emergency, all other Surf City parking ordinances remain in effect and will be enforced. These ordinances include but are not limited to the following sections of the Sur City Code of Ordinances:

- **SC Code Sec. 17-103. Parking prohibited on certain streets at certain times.**
 - (a) No motor vehicle shall be parked and left unattended in those areas designated as a "no parking zone" by the town council and upon which there have been erected or placed "no parking" signs by the town.
 - (b) Any unattended vehicle parked in a "no parking zone" of the town may be impounded and towed by the town (or any towing service at the request of the town) and cost thereof, including and storage fees, shall be paid by the owner of such vehicle before it is released from impoundment.
 - (c) This section shall not apply to any federal, state, county, or municipal employees performing their duties and to emergency personnel in the performance of their official duties.

(d) A violation of this section shall be an infraction and shall be punishable by a penalty of not more than fifty dollars (\$50.00) as set forth in section 17-115. Each separate offense shall constitute a separate infraction hereunder.

(e) The following streets are designated as "no parking zones" between 7:00 p.m. and 7:00 a.m.:

Both sides of 1st Street from N. New River Drive to Canal Street.

Both sides of 2nd Street from N. New River Drive to Canal Street.

Both sides of N. New River Drive from 1st Street to 3rd Street.

- **SC Code Sec. 17-106. Parking on plaza.**

It shall be unlawful for any person to park any vehicle upon any portion of any street in the town known or designated as a plaza.

- **SC Code Sec. 17-107. Parking on sidewalk, etc.**

It shall be unlawful for any person to park any vehicle at any time on the sidewalk or on that portion of any street in the town lying between the curb line and the sidewalk.

- **SC Code Sec. 17-108. Parking in street intersection or in front of alley.**

It shall be unlawful for any person to park any vehicle in any street intersection or in front of any alley.

- **SC Code Sec. 17-109. Parking upon pedestrian crosswalks.**

It shall be unlawful for any person to park any vehicle upon any crosswalk designated and set apart for use by pedestrians.

- **SC Code Sec. 17-110. Parking with left side to curb.**

It shall be unlawful for any person to park any vehicle with its left side to the curb, except when permitted on one-way streets.

- **SC Code Sec. 17-111. Parking within twenty-five feet of street intersection.**

It shall be unlawful for any person to park any vehicle nearer than twenty-five (25) feet to any intersecting street.

- **SC Code Sec. 17-112. Parking in front of private driveway or so as to prevent use thereof.**

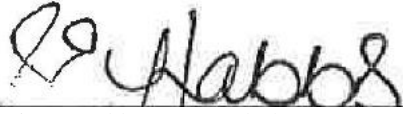
No person shall park a vehicle or permit it to stand upon any town street in front of a private driveway or park such vehicle so as to prevent entrance to or the use of such private driveway.

Section 5. Any person who violates any provision of this Declaration shall be guilty of a Class 2 misdemeanor in accordance with the provisions G.S. 14-288.20A.

Section 6. This Declaration of a State of Emergency shall be effective immediately and shall remain in effect until May 15, 2020 unless otherwise rescinded or modified by the Mayor and/or the Town Council. All previous restrictions shall remain in place unless otherwise modified as described in this Fourth Amended Declaration of State of Emergency.

[Signatures on Following Page]

Attest:

Handwritten signature of Stephanie E. Hobbs in black ink, written over a horizontal line.

Stephanie E. Hobbs, Town Clerk

Handwritten signature of Douglas C. Medlin in black ink, written over a horizontal line.

Douglas C. Medlin
Mayor