



AMENDED DECLARATION OF A STATE OF EMERGENCY
Town of Kure Beach, North Carolina

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 for the COVID-19 Pandemic; and

WHEREAS, as a result of the above-described COVID-19 Pandemic, we have determined that there is an imminent threat of, or existing conditions have caused or could cause, widespread or severe danger for the safety of the public and the Town of Kure Beach is taking preemptive measures to reduce the impacts of the virus; and

WHEREAS, the Town of Kure Beach is taking preemptive measures in light of the worldwide outbreak of COVID-19; and

WHEREAS, as a result of the above-described pandemic, Town Council has determined that there is an imminent threat of, or existing conditions have caused or will cause, widespread or severe dangers for the safety of the public, and that authorities will be unable to maintain public order or afford adequate protection for lives; 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.

NOW, THEREFORE, pursuant to the authority vested in me as the Mayor of the Town of Kure Beach, NC under Article 1A of Chapter 166A of the North Carolina General Statutes.

Section 1. A State of Emergency is hereby declared within the corporate jurisdiction of the Town of Kure Beach.

Section 2. The beach strand of Kure Beach is closed to the public and all restroom facilities of the Town will be closed. Residents and visitors are encouraged to follow the advice of public health officials with regard to social distancing and proper sanitation techniques.

Section 3. Public parking areas at all beach accesses will be closed. Public parking in the downtown district will be limited to 30 minutes for pickup from local restaurants that are remaining open. Other public parking spaces on I Ave, E Ave, N Ave, and Atlantic Ave will be closed for parking.

Section 4. The emergency area covered by this State of Emergency shall be the Town's entire corporate jurisdiction.

Section 5. I hereby order all Town of Kure Beach 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 Town of Kure Beach Emergency Operations Plan.

Section 6. This declaration shall take effect at 8:00 a.m. on Saturday, March 21st, 2020, and shall remain in effect until modified or rescinded.

Section 7. Discontinuance of All Short-term Rental Operations: All rental agencies and property owners that rent properties within the Town of Kure Beach are instructed to have all current renters, whom have a rental term less of than 90 days, to vacate the premises by end of rental contract or no later than Saturday, March 28, 2020 at noon, with the exception of military, emergency personnel, or as designated by the Kure Beach Town Council to respond during the emergency. Furthermore, effective immediately there will be no new rental occupancies with rental terms of less than 90 days allowed within the Town of Kure Beach, until April 22nd or until this order has been rescinded. Individuals renting within the Town for purposes directly related to the COVID-19 pandemic or related to providing essential services are exempted from this order.

Section 8. This Second Amendment to the Declaration of a State of Emergency by the Town of Kure Beach hereby incorporates the restrictions of Executive Order No. 121 for the State of North Carolina (attached hereto as Exhibit A) signed by Governor Roy Cooper on Friday, March 27, 2020 to become effective at 5:00 p.m. on Monday, March 30, 2020 and to remain in effect for thirty (30) days from that date unless repealed, replaced or rescinded by another applicable Executive Order.

Section 9. This Second Amendment to the Declaration of a State of Emergency by the Town of Kure Beach also hereby consents to, adopts, and incorporates herein by reference the restrictions in the New Hanover County Declaration of State of Emergency – First Amendment (attached hereto as Exhibit B) signed by Julia Olson-Boseman, Chair of the Board of County Commissioners on Saturday, March 28, 2020 to become effective at 5:00 p.m. on Monday, March 30, 2020 and to remain in effect until 5:00 p.m. April 13, 2020 unless rescinded earlier or extended.

Section 10. This Third Amendment to the Declaration of a State of Emergency by the Town of Kure Beach hereby incorporates the restrictions of Executive Order No. 131 for the State of North Carolina (attached hereto as Exhibit C) signed by Governor Roy Cooper on Thursday, April 09, 2020 and to remain in effect for sixty (60) days from that date unless repealed, replaced or rescinded by another applicable Executive Order.

Section 11. This Third Amendment to the Declaration of a State of Emergency by the Town of Kure Beach also hereby consents to, adopts, and incorporates herein by reference the restrictions in the New Hanover County Restated Declaration of State of Emergency (attached hereto as

Exhibit D) signed by Julia Olson-Boseman, Chair of the Board of County Commissioners on Monday, April 13, 2020 to become effective at 5:00 p.m. on Monday, April 13, 2020 and to remain in effect until 5:00 p.m. April 29, 2020 unless rescinded earlier or extended.

Section 12. Discontinuance of All Short-term Rental Operations: All rental agencies and property owners that rent properties within the Town of Kure Beach are instructed to have all current renters, whom have a rental term less of than 90 days, to vacate the premises by end of rental contract or no later than Saturday, March 28, 2020 at noon, with the exception of military, emergency personnel, or as designated by the Kure Beach Town Council to respond during the emergency. Furthermore, effective immediately there will be no new rental occupancies with rental terms of less than 90 days allowed within the Town of Kure Beach, until April 29th or until this order has been rescinded. Individuals renting within the Town for purposes directly related to the COVID-19 pandemic or related to providing essential services are exempted from this order.

Section 13. This fifth Amendment to the Declaration of a State of Emergency by the Town of Kure Beach incorporates all Executive Orders signed by the Governor related to the Covid-19 pandemic.

Section 14. With the exception of Section 7 of the New Hanover County Restated Declaration of State of Emergency signed April 13, 2020 this Fifth Amendment to the Declaration of a State of Emergency by the Town of Kure Beach hereby consents to, adopts, and incorporates herein by reference the restrictions in the New Hanover County Restated Declaration of State of Emergency signed by Julia Olson-Boseman, Chair of the Board of County Commissioners of April 13 to become effective at 5pm and to remain in effect until 5pm on April 29, 2020 unless rescinded earlier or extended.

Section 15. The Town of Kure Beach will open ocean beach access points and beaches at 12:00 PM on Monday, April 27, 2020, subject to the following mandatory restrictions:

- All access points and beaches will be opened for individual, non-stationary exercise activities to include only walking, jogging, biking, swimming, and surfing/water sports.
- Individuals participating in such exercise activities must follow strict social distancing measures.
- No group shall have more than 10 people (In accordance with Governor Cooper's guidance on social distancing)
- Lifeguards will not be on duty.
- Sunbathing, sitting, fishing, games, and all other activities will not be permitted on the beaches at this time.
- All beach equipment such as towels, blankets, chairs, tents, coolers, and umbrellas will not be allowed on the beaches at this time.
- Public restroom facilities will remain closed.
- All public, on-street parking spaces, and all Town owned parking lots are now closed to the public for any use except where allowed as part of this State of Emergency Declaration. This includes all on-street parking spaces that are not obstructed by cones, or barricades. Towing will be strictly enforced.

- Town of Kure Beach residents, with a current re-entry decal, will be permitted to utilize public on-street parking and open Town parking areas but must follow timed parking restrictions in designated areas.
- There will be limited public parking available for business-use. This parking will be located adjacent to those essential businesses only that are open for business. This parking must strictly be used to access those essential businesses only and not to access the beaches. Parking enforcement will be active in these locations.
- Handicap parking will be available at the Kure Beach pier for placard handicap parking.
- Private parking lots may only be used in conjunction with parking for access to essential businesses that are open for business. In no event shall a private parking lot be used to park to access the beach.

VIOLATORS OF THESE RESTRICTIONS ARE SUBJECT TO BEING CHARGED WITH A CLASS 2 MISDEMEANOR, A \$500 CIVIL FINE FOR EACH VIOLATION, AND THE TOWING OF NONCOMPLIANT VEHICLES.

VIOLATION OF THESE RESTRICTIONS MAY LEAD TO THE RE-CLOSING OF THE BEACH.

ALL TOWN BEACH ORDINANCES REMAIN IN EFFECT. (NO DOGS, GLASS, ALCOHOL, ETC.)

Section 16. This sixth Amendment to the Declaration of a State of Emergency by the Town of Kure Beach extends the date of **Section 12.** Discontinuance of All Short-term Rental Operations from April 29, 2020 to May 08, 2020.

Section 17. This sixth Amendment to the Declaration of a State of Emergency by the Town of Kure Beach adds restrictions to **Section 15.** to open parking on Atlantic Ave North of K Ave. to essential businesses only that are open for business. This parking must strictly be used to access essential businesses only. Parking enforcement will be active in these locations.

Section 18. This seventh Amendment to the Declaration of a State of Emergency by the Town of Kure Beach add restrictions to **Section 15.** to open Town owned Parking on K Avenue, west of Fort Fisher Blvd to allow for Town residents with a current re-entry decal and Town issued passes for overflow parking for conducting business at open businesses in the Town.

Section 19. This eighth Amendment to the Declaration of a State of Emergency by the Town of Kure Beach amends the restrictions to **Section 15.** to restrict parking on Atlantic Avenue to only handicapped spaces. Town owned parking on K Avenue, west of Fort Fisher Blvd and K Avenue, east of Fort Fisher Blvd will remain open for Town residents with a current re-entry decal and Town issued passes for overflow parking. Parking will be open to the public in marked spaces on Ft. Fisher Blvd only.

Section 20. This eighth Amendment to the Declaration of a State of Emergency by the Town of Kure Beach amends the restrictions to **Section 2.** The beach strand of Kure Beach is now open to the public, but all restroom facilities of the Town will remain closed. Residents and visitors are

encouraged to follow the advice of public health officials with regard to social distancing and proper sanitation techniques.

Section 21. This eighth Amendment to the Declaration of a State of Emergency by the Town of Kure Beach extends the date of **Section 12.** Discontinuance of All Short-term Rental Operations from May 08, 2020 to May 22, 2020.

Section 22. This eighth Amendment to the Declaration of State of Emergency by the Town of Kure Beach authorizes Town Committees, Boards and Commissions to hold regularly scheduled meetings and conduct business via telephone, Microsoft Teams, or other electronic means. The Clerk to the Board will provide proper public notice of said meeting, and will provide a mechanism for the public to listen to the meeting via electronic means, and legal counsel will be available at the meeting.

Section 23. This ninth Amendment to the Declaration of State of Emergency by the Town of Kure Beach amends **Section 21.** to amend the restrictions to lift the ban on all Short-term Rental Operations effective 12:00pm on May 15, 2020.

Section 24. This ninth Amendment to the Declaration of State of Emergency by the Town of Kure Beach amends **Section 19.** to restrict parking in the following areas. Town owned parking on K Avenue, west of Fort Fisher Blvd. and K Avenue, east of Fort Fisher Blvd. is opened to the public. Marked spaces in front of the businesses is limited to 30-minute parking to support curbside operations of open restaurants and shops. Each Public Beach Access parking lot will be opened at 50% capacity east of Fort Fisher Blvd. Overnight parking is NOT ALLOWED at Beach Access Parking. Public Parking West of Fort Fisher Blvd. (with the exception of K Avenue) will remain closed. This section is effective 12:00pm on May 15, 2020.


Section 25. This ninth Amendment to the Declaration of State of Emergency by the Town of Kure Beach amends **Section 2.** opening Public Restrooms. The Town will follow CDC guidance on disinfection of restroom facilities, however any person who has symptoms of COVID-19 is discouraged from using public restroom facilities for Public Health. This section is effective 12:00pm on May 15, 2020.

Section 26. This tenth Amendment to the Declaration of State of Emergency by the Town of Kure Beach amends **Section 19.** to restrict parking in the following areas. Town owned bumper and marked parking spaces will be open to the public. Marked spaces in front of the businesses is limited to 30-minute parking to support curbside operations of open restaurants and shops. Each Public Beach Access parking lot will be opened at 100% capacity east of Fort Fisher Blvd. Overnight parking is NOT ALLOWED at Beach Access Parking. This section is effective 12:00 pm on May 22, 2020.

Section 27. This eleventh Amendment to the Declaration of State of Emergency by the Town of Kure Beach also hereby consents to, adopts, and incorporates herein by reference the restrictions in the New Hanover County Declaration of State of Emergency (attached hereto) signed by Julia Olson-Boseman, Chair of the Board of County Commissioners on Tuesday, June 2, 2020 to become effective at 9:00 p.m. on Tuesday, June 2, 2020. A curfew will be in effect between the

hours of 9:00 p.m. and 5:00 a.m. specific to gatherings of more than ten (10) persons, except at business establishments authorized by Gubernatorial Executive Order 141 for a specific business' commercial purpose and any emergency or law enforcement response. This eleventh amendment will be in effect until the New Hanover County order regarding the 9:00 p.m. to 5:00 a.m. curfew is rescinded.

AMENDED AND DECLARED this the 2nd day of June at 8:30 p.m.

ATTEST: 
Mandy Sanders, Town Clerk


Craig Bloszinsky, Mayor