



DECLARATION OF A LOCAL STATE OF EMERGENCY

WHEREAS, on Friday, March 13th, 2020, a National State of Emergency was issued for the COVID-19 Pandemic. Rockingham County expects to receive impacts from the COVID-19 pandemic. COVID-19 is a respiratory illness that can lead to serious illness or death. Impacts from COVID-19 could be inclusive of, but not limited to, high volumes of “Suspected Coronavirus” patients, great demands placed on the overall Emergency Services through the continued need for Personal Protective Equipment, Decontamination Solutions, workforce exposure to “Suspected Coronavirus” patients, and great demands placed on all medical providers within the county which could result in extended work hours for all staff. These medical providers are inclusive of Communicable Disease Nurses and other personnel employed by the Rockingham County Division of Health and Human Services, Rockingham County Emergency Services and Law Enforcement Agencies having any jurisdiction within the boundaries of Rockingham County. These overall impacts will be countywide.

WHEREAS, as a result of the above-described emergency, I have determined that there is a threat of widespread or severe illness, and in extreme cases, the loss of life.

WHEREAS, as of Tuesday, March 24, 2020, this State of Emergency, is amended per Executive Order 120 provided by the Governor of North Carolina.

WHEREAS, as of Monday, March 30, 2020, this State of Emergency, is amended per Executive Order 121, provided by the Governor of North Carolina.

WHEREAS, as of Thursday, April 02, 2020, this State of Emergency, is amended per Executive Order 121, Section 3, A, 3.

WHEREAS, as of Monday, April 13, 2020, this State of Emergency is amended per Executive Order 131, Sections 1, Required Policies for Retail Establishments, Section 2, Recommended Policies for Retail Establishments, and Section 3, Long Term Care and Risk Mitigation Measures. As Executive Order 131 is written for the State of North Carolina, the abovementioned sections are specific to this Declaration of a Local State of Emergency as it relates “Residents and Retailers” residing, or operating, within the boundaries of Rockingham County as defined in Section 2 of this Declaration of a Local State of Emergency.

WHEREAS, as of Friday, May 8, 2020, this State of Emergency, is amended per Executive Order 138, provided by the Governor of North Carolina for Easing Restrictions on Travel, Business Operations, and Mass Gatherings: Phase 1.

WHEREAS, Executive Orders 116-122, 124-125, 129-131 and 133-136 have been issued for the purposes protecting the health, safety and welfare of the people of North Carolina. For this Declaration of a Local State of Emergency, all restrictions, regulations and guidance in these previously issued Executive Orders specifically relate to the “Residents and Retailers” residing, or operating, within the boundaries of Rockingham County as defined in Section 2 of this Declaration of a Local State of Emergency. All signed and executed Executive Orders can be accessed through: <https://www.ncdhhs.gov/divisions/public-health/covid19/executive-orders>

WHEREAS, declaring a State of Emergency and the including the Amendments as described herein, and imposing the control measures ordered herein is necessary to maintain order and to protect public health, safety, and welfare.

NOW, THEREFORE, pursuant to the authority vested in me as Chairman of the Board of County Commissioners of Rockingham County under Article 1A of Chapter 166A of the North Carolina General Statutes (GS 166A-19.3(19))

Section 1. A State of Emergency is hereby declared within the total geographic area of Rockingham County

Section 2. The emergency area covered by this declaration shall be:

Total geographic area of Rockingham County inclusive of all areas and townships inside the geographic borders of Caswell County to the East, Guilford County to the South, Stokes County to the West and The Virginia State Line to the North.

Section 3. The following conditions are immediately allowed:

- The Emergency Operations Plan adopted by Rockingham County and all applicable mutual aid compacts and agreements are to be placed in full force and effect and shall remain in effect until this Emergency Declaration is rescinded.
- Control Measures are currently in effect and further Control Measures could be placed in effect immediately to implement plans for the prevention of, preparation for, response to and recovery from any and all emergency situations that may result from the impacts of the COVID-19 Pandemic. These Control Measures are, will continue to be, in coordination with federal, state and local agencies for the orderly protection, treatment and rehabilitation of affected persons. Social Distancing Requirements" as used in this State of Emergency means:
 - Maintaining at least six (6) feet distancing from other individuals;
 - Wear a face covering when leaving home and wear it inside all public settings such as grocery stores, pharmacies, or other retail or public-serving businesses.
 - Carry hand sanitizer when leaving home, and use it frequently.
 - Wash hands using soap and water for at least twenty (20) seconds as frequently as possible or the use of hand sanitizer;
 - Regularly clean high-touch surfaces such as steering wheels, wallets and phones;
 - Stay home if sick
 - Abiding by all retail establishment regulations that relate to customers and as defined in Sections 2 and 3 of Executive Order 138.

A. All individuals currently in the State of North Carolina, specifically for the purposes of this declaration, Rockingham County residents, may undertake Allowable Activities permitted by Executive Order 138 and this Declaration of Local State of Emergency. People may leave their residence for the following Allowable Activities. When engaged in activities outside the home, individuals should adhere to the Social Distancing precautions listed above.

- **For health and safety.** People may leave their homes to engage in activities or perform tasks for the health and safety of themselves, their family or household members, or those who are unable to or should not leave their home (including, but not limited to, pets). For example, and without limitation, people may leave their homes to seek emergency services, obtain medical supplies or medication, or visit a health care professional or veterinarian.
- **To look for, and obtain goods and services.** People may leave their homes to look for or obtain goods and services from a business or operation that is not closed by a current Executive Order. This authorization does not include attendance as a spectator at a sporting event, concert, or other performance.
- **To engage in outdoor activity.** People may leave their homes to engage in outdoor activities unless prohibited by this Declaration.
- **For work.** People may leave their homes to perform work at any business, nonprofit, government, or other organization that is not closed by this Declaration. For example, and without limitation, people can leave the house for employment, or to serve as a contractor at a for-profit business, a nonprofit organization, a part of government, a single person business, a sole proprietorship, or any other kind of entity or operation.
- **To look for work.** People may leave their homes to seek employment.
- **To take care of others.** People may leave their homes to care for or assist a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by this Declaration. This includes attending weddings and funerals.
- **To worship or exercise First Amendment rights.** People may leave their homes to travel to and from a place of worship or exercise any other rights protected under the First Amendment to the U.S. Constitution and its North Carolina counterparts. Places of worship may hold services that exceed the mass gathering limit of 10 people if those services are held outdoors in an unenclosed space and if attendees follow social distancing requirements.
- **To travel between places of residence.** People may leave their homes to return to or to travel between one's place or places of residence. This includes, but is not limited to, child custody or visitation arrangements.
- **To volunteer.** People may leave their homes to volunteer with organizations that provide charitable and social services.
- **To attend small outdoor get-togethers.** People may travel to another person's home for social purposes, so long as no more than ten (10) people gather and the activity occurs outside.
- **11.To provide or receive government services.** People may leave their homes for governmental services. Nothing in this Declaration shall prohibit anyone from performing actions for, or receiving services from, the state or any of its political subdivisions, boards, commissions, or agencies. This Declaration does not apply to the United States government.

B. Specific Situations.

- **High-Risk Individuals:** People who are at high risk of severe illness from COVID-19 continue to be strongly encouraged to stay home and travel only for absolutely essential purposes. The Centers for Disease Control and Prevention ("CDC") defines high-risk individuals as people 65 years or older, **and people of any age who have serious underlying medical conditions** including people who are immunocompromised, or with chronic lung disease, moderate-to-severe asthma, serious heart conditions, severe obesity, diabetes, with chronic kidney disease undergoing dialysis, or liver disease.
- **Homelessness.** Individuals experiencing homelessness are exempt from the order to stay at home, but they are strongly urged to obtain shelter and services that allow them to meet the Recommendations to Promote Social Distancing and Reduce Transmission.
- **Travel permitted for unsafe homes.** Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location.
- **Public transit.** People riding on public transit must comply with the Social Distancing Requirements listed above.

Section 4. Orders for Businesses and Parks.

Most Businesses and Organizations Can Be Open. All businesses that are not closed under Section 7 may operate. Some businesses must operate under restrictions, as stated as defined in Executive Order 138 and this Declaration of Local State of Emergency.

Requirements Specific to Retail Businesses.

Retail Businesses that operate during the effective period of this Declaration must:

- Limit customer occupancy to not more than 50% of stated fire capacity. Retail Businesses that do not have a stated fire capacity must limit customer occupancy to twelve (12) customers for every one thousand (1000) square feet of the location's total square footage, including the parts of the location that are not accessible to customers.
- Limit customer occupancy so that customers can stay six (6) feet apart, even if this requires reducing occupancy beneath the 50% limit stated above.
- Direct customers to stay at least six (6) feet apart from one another and from workers, except at point of sale if applicable.
- Mark six (6) feet of spacing in lines at point of sale and in other high-traffic areas for customers, such as at deli counters and near high-volume products.
- Perform frequent and routine environmental cleaning and disinfection of high-touch areas with an EPA-approved disinfectant for SARS-Co V-2 (the virus that causes COVID-19).
- Provide, whenever available, hand sanitizer (at least 60% alcohol); systematically and frequently check and refill hand sanitizer stations; and provide soap and hand drying materials at sinks.
- Conduct daily symptom screening of workers, using a standard interview questionnaire of symptoms, before workers enter the workplace.

- Immediately send symptomatic workers home.
- Have a plan in place for immediately isolating workers from the workplace if symptoms develop.
- Post signage at the main entrances that reminds people to stay six (6) feet apart for social distancing, requests people who are or who have recently been symptomatic not to enter, and notifies customers of the Retail Business's reduced capacity.

The North Carolina Department of Health and Human Services ("NCDHHS") will make available on its website a sample screening checklist questionnaire and sample signs that may be used to meet the requirements above.

Additional Recommendations Specific to Retail Businesses.

- Retail Businesses that operate during the effective period of this Declaration are strongly encouraged to do the following:
 1. Direct workers to stay at least six (6) feet apart from one another and from customers, to the greatest extent possible.
 2. Provide designated times for seniors and other high-risk populations to access services.
 3. Develop and use systems that allow for online, email, or telephone ordering, no-contact curbside or drive-through pickup or home delivery, and contact-free checkout.
 4. High-volume Retail Businesses, such as grocery stores and pharmacies, are strongly encouraged to take the following additional measures to reduce transmission:
 - Use acrylic or plastic shields at cash registers.
 - Clearly mark designated entry and exit points.
 - Provide assistance with routing through aisles in the store.

Recommendations for All Businesses (Retail or Other).

All businesses that operate during the effective period of this Declaration are strongly encouraged to:

- Continue to promote telework and limit non-essential travel whenever possible.
- Promote social distancing by reducing the number of people coming to the office, by providing six (6) feet of distance between desks, and/or by staggering shifts.
- Limit face-to-face meetings to no more than ten (10) workers.
- Promote hygiene, including frequent hand-washing and use of hand sanitizer.
- Recommend workers wear cloth Face Coverings; provide workers with Face Coverings; and provide information on proper use, removal, and washing of cloth Face Coverings. A Face Covering functions to protect other people more than the wearer.

- Make accommodations for workers who are at high risk of severe illness from COVID-19, for example, by having high-risk workers work in positions that are not public-facing or by allowing teleworking where possible.
- Encourage sick workers to stay home and provide support to do so with a sick leave policy.
- Follow the CDC guidance if a worker has been diagnosed with COVID-19.
- Provide workers with education about COVID-19 prevention strategies, using methods like videos, webinars, or FAQs.
- Promote information on helplines for workers such as 211 and the Hope4NC Helpline.

Parks and Trails.

- All people in North Carolina are encouraged to engage in outdoor activities, so long as they do not form prohibited Mass Gatherings and are engaged in Allowable Activities under this Executive Order. State parks and trails may reopen upon the general Effective Date of this Executive Order. However, because public playground equipment may increase spread of COVID-19, public playgrounds remain closed during the effective phase of this Declaration, including public playground equipment located in parks.
- Park operators shall follow the requirements for Retail Businesses listed above, and they are strongly encouraged to follow the recommendations for Retail Businesses and the recommendations for all businesses listed above.

Section 5. Orders for Restricted Business Types.

- **Restaurants may remain open if consumption occurs off-premises.** Restaurants may do business only to the extent that consumption of food and beverages occurs off-premises through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Schools and other entities that provide free food services to students or members of the public may continue to do so under this Declaration when the food is provided for carry-out, drive-through, or delivery.
- **Restaurants should follow social distancing and transmission reduction recommendations.** Restaurants are encouraged to comply with the Social Distancing Requirements including use of Face Coverings, when providing carry-out, drive-through, and delivery services. These coverings function to protect other people, more than the wearer.
- **Further orders.** The Governor, in consultation with and at the recommendation of the Secretary of Health and Human Services, the State Emergency Management Director, and the State Health Director, orders the following limitations on the sale of food and beverages to carry-out, drive-through, and delivery only:
 - The Secretary of Health and Human Services, pursuant to N.C. Gen. Stat. § 130A-20(a), has determined that the seating areas of restaurants and bars constitute an imminent hazard for the spread of COVID-19 and that, to abate the imminent hazard, restaurants must be restricted to

carry-out, drive-through, and delivery only and bars must close, and has issued an order of abatement dated May 4, 2020.

- This Declaration does not direct the closure of retail beverage venues that provide for the sale of beer, wine, and liquor for off-site consumption only. It also does not require the closure of production operations at breweries, wineries, or distilleries.
- If the Alcoholic Beverage Control Commission (the "ABC Commission") identifies other state laws, regulations, and policies that may affect bars, restaurants, and other dining establishments identified in Subsections 6(A)-(B) of this Declaration, it is directed to inform the Office of the Governor in writing. Upon written authorization from the Office of the Governor, the ABC Commission may interpret flexibly, modify, or waive those state laws, regulations and policies, as appropriate, and to the maximum extent permitted under applicable state and federal law, to effectuate the purposes of this Declaration.

Child Care.

- Must operate in compliance with NCDHHS guidelines. Child care facilities may be open only if they operate in full compliance with Executive Order No. 130 and all guidelines issued by NCDHHS.
- Expanding children that may be served. The relevant language in Subsection 2(C) of Executive Order No. 130 is amended and replaced by the following:

Children that may be served. Child Care Facilities approved by NCDHHS to operate under the Emergency Facility Guidelines shall provide child care only to the following persons:

- Children of anyone who performs work on behalf of a business or operation that is not closed by an Executive Order; or
 - Children of anyone who is leaving the home to seek employment; or
 - Children who are receiving child welfare services; or
 - Children who are homeless or who are living in unstable or unsafe living arrangements.
- Term. Section 2 of Executive Order No. 130 shall remain in effect through 5:00 pm on May 22, 2020.

Day Camps and Programs for Children and Teens.

- Must operate in compliance with NCDHHS guidelines. Day camps and programs may operate only if they are in full compliance with the Interim Coronavirus Disease 2019 (COVID-19) Guidance for Day Camp or Program Settings Serving Children and Teens. Day programs and camps for adults are not covered by this section.
- No sports or other activities without social distancing. Day camps and programs may not allow sports except for sports where close contact is not required, and day camps may not allow activities where campers would not maintain at least six (6) feet social distancing from one another.

- Day camps within another business or operation. Day camps and programs operating within a business, facility, or location closed by Subsection 7(B) of this Declaration or at a school may open for the purpose of the day camp or program, but must otherwise remain closed to the general public. To the extent day camps permit swimming by camp attendees, local health departments may permit the pool's usage for attendees of the day camp, but not for the general public.
- No overnight camps. Overnight camps and programs for children or adults may not operate.

Schools.

- School facilities remain closed for in-person instruction. Consistent with Executive Orders No. 117 and 120, public school facilities are to remain closed as in-person instructional settings for students for the remainder of the 2019-2020 school year.
- School and health officials to continue efforts. NCDHHS, the North Carolina Department of Public Instruction ("NCDPI"), and the North Carolina State Board of Education are directed to continue to work together to maintain and implement measures to provide for the health, nutrition, safety, educational needs, and well-being of children during the school closure period.
- Graduation and other year-end ceremonies. Local school boards and superintendents will determine whether to conduct graduation and/or other year-end ceremonies. If local school leaders elect to hold graduation ceremonies or similar events, then those gatherings must operate in compliance with Executive Orders and NCDPI/NCDHHS guidelines in effect at the time of the event. Local school leaders are encouraged to engage with students and families to identify the best solutions for their communities. Local plans should include consultation with local public health officials and, where appropriate, local law enforcement.

Section 6. Orders for Businesses to Remain Closed.

Personal Care and Grooming Businesses.

The ability to practice the social distancing necessary to reasonably protect against COVID-19 is significantly reduced in certain establishments where individuals are in extended close proximity or where service personnel are in direct contact with clients. Therefore, personal care and grooming businesses, including but not limited to the following, are ordered to remain closed:

- Barber Shops
- Beauty Salons (including but not limited to waxing and hair removal centers)
- Hair Salons
- Nail Salons/Manicure/Pedicure Providers
- Tattoo Parlors
- Tanning Salons
- Massage Therapists (except that massage therapists may provide medical massage therapy services upon the specific referral of a medical or naturopathic healthcare provider).

Entertainment Facilities Without a Retail or Dining Component.

- In addition to the restrictions on Mass Gatherings identified in Section 8 of this Declaration, entertainment facilities that operate within a confined indoor or outdoor space and do not offer a

retail or dining component are ordered to close. Any retail or dining component within an entertainment facility may operate solely for retail or dining, but those components must comply with the restrictions set out in Subsection 6(A) of this Declaration.

- Entertainment facilities restricted by this Subsection include, but are not limited to, the following types of business:
 - Bingo Parlors, including bingo sites operated by charitable organizations
 - Bowling Alleys
 - Indoor Exercise Facilities (e.g., gyms, yoga studios, martial arts facilities, indoor trampoline and rock climbing facilities)
 - Health Clubs, Fitness Centers, and Gyms
 - Indoor/Outdoor Pools
 - Live Performance Venues
 - Movie Theaters
 - Skating Rinks
 - Spas, including health spas
 - Gaming and business establishments which allow gaming activities (e.g., video poker, gaming, sweepstakes, video games, arcade games, pinball machines or other computer, electronic or mechanical devices played for amusement).

Section 7. Mass Gatherings Prohibited.

Prohibition. Mass Gatherings are prohibited. "Mass Gathering" means an event or convening that brings together more than ten (10) persons at the same time in a single space, such as an auditorium, stadium, arena, conference room, meeting hall, or any other confined indoor or outdoor space. This includes parades, fairs, and festivals.

Mass Gatherings do not include gatherings for health and safety, to look for and obtain goods and services, for work, for worship, or exercise of First Amendment rights, or for receiving governmental services. A Mass Gathering does not include normal operations at airports, bus and train stations or stops, medical facilities, shopping malls, and shopping centers. However, in these settings, people must follow the Recommendations to Promote Social Distancing and Reduce Transmission as much as possible, and they should circulate within the space so that there is no sustained contact between people.

Dividing one event or convening into multiple sessions. Nothing in this Declaration prohibits holding several events or convenings instead of one so that at any time, no more than ten (10) people are gathered in the same space. Organizations that need to hold events or convenings in a single space are encouraged to hold multiple sessions so that no more than ten (10) people are present at a time. In addition, nothing in this Declaration prohibits holding meetings remotely, and all people in North Carolina are encouraged to hold gatherings electronically so that large groups can meet.

Outdoor meetings if possible. Because the risk of COVID-19 spread is much greater in an indoor setting, any gatherings of more than ten (10) people that are allowed under Subsection 6(A) shall take place outdoors unless impossible.

Funerals. Notwithstanding the above, and in an effort to promote human dignity and limit suffering, Mass Gatherings at funerals are permitted for up to fifty (50) people. People meeting at a funeral should observe the Recommendations to Promote Social Distancing and Reduce Transmission to the extent practicable.

Drive-ins. Events are not prohibited Mass Gatherings if the participants all stay within their cars, such as at a drive-in movie theater.

Households. A household where more than ten (10) people reside is not a Mass Gathering.

Section 8. Long Term Care.

Long Term Care Visitation Limitations.

- Long term care facilities shall restrict visitation of all visitors and non-essential health care personnel, except for certain compassionate care situations, for example, an end-of-life situation.
- This restriction does not include essential health care personnel.
- For purposes of this Subsection 9(A) only, long term care facilities include all of the following:
 - Skilled nursing facilities;
 - Adult care homes;
 - Family care homes;
 - Mental health group homes; and
 - Intermediate care facilities for individuals with intellectual disabilities.

Long Term Care Risk Mitigation Measures.

This section of this Declaration places mandatory requirements on skilled nursing facilities. This Subsection strongly encourages the same measures, to the extent possible given constraints on the availability of personal protective equipment, for other kinds of long term care facilities, including adult care homes, family care homes, mental health group homes, and intermediate care facilities for individuals with intellectual disabilities.

Mitigation measures. Skilled nursing facilities shall:

- Remind workers to stay home when they are ill and prevent any workers who are ill from coming to work and/or staying at work.
- Screen all workers at the beginning of their shift for fever and respiratory symptoms. This shall include:
 - Actively taking that worker's temperature.
 - Documenting an absence of any shortness of breath, any new cough or changes in cough, and any sore throat. If the worker is ill, the facility must have the worker put on a facemask and leave the workplace.
 - Canceling communal dining and all group activities, including internal and external activities.
 - Implementing universal use of a facemask for all workers while in the facility, assuming supplies are available.

- Actively monitor all residents upon admission, and at least daily, for fever and respiratory symptoms (shortness of breath, new cough or change in cough, and sore throat), and shall continue to monitor residents.
- Notify the local health department immediately about either of the following:
 - Any resident with new, confirmed, or suspected COVID-19.
 - A cluster of residents or workers with symptoms of respiratory illness. A "cluster" of residents or workers means three (3) or more people (residents or workers) with new-onset respiratory symptoms in a period of 72 hours.
 - Other kinds of long term care facilities. Adult care homes, family care homes, mental health group homes, and intermediate care facilities for individuals with intellectual disabilities are strongly encouraged to follow the mitigation measures listed in Subsections 7(B)(2)(b)(i) through (vi) above, assuming supplies are available.
 - **Section 9.** I hereby order all Rockingham County Law Enforcement Officers, Emergency Services Personnel, Department of Health and Human Services Personnel and any other applicable Rockingham County Employees subject to our control to cooperate in the enforcement and implementation of the provisions of this Declaration, all applicable federal, state and local laws/ordinances and the Rockingham County Emergency Operations Plan.A. Effect on local emergency management orders.
 - **Section 10.** 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 filed with the Clerk to the Rockingham County Board of Commissioners and (c) to be distributed to others as necessary to ensure proper implementation of this declaration.
 - **Section 11.** This declaration shall take effect on Friday, March 13th, 2020, at 1800 hours and shall remain in effect until modified or rescinded.
 - **Section 12.** All Amendments to this declaration shall take effect on the date and time listed below and shall remain in effect until modified or rescinded.

DECLARED this the 13^h Day of March 2020 at 1800 hours.
AMENDED this the 24th Day of March 2020 at 1300 hours.
AMENDED this the 30th Day of March 2020 at 1700 hours.
AMEMDED this the 02nd Day of April, 2020 at 1300 Hrs.
AMENDED this the 13th Day of April 2020 at 1700 Hrs.
AMENDED this the 8th Day of May 2020 at 1700 Hrs.

Mark F. Richardson

Mark Richardson, Chairman of the
Rockingham County Board of County Commissioners

Attest:

Jennifer H. Woods

Jennifer H. Woods, Clerk to the Board of Commissioners