



***Declaration of a State of Emergency in Scotland County
and Requirements for Face Coverings in Public Spaces
By the Chairman of the County Commissioners***

WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-Co-V-2 virus which causes the disease COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization (WHO); and

WHEREAS, a State of Emergency was declared by the Governor of North Carolina on March 10, 2020 and as circumstances have changed over time, issued a number of modifications to the statewide emergency declaration; and

WHEREAS, the United States Center for Disease Control (CDC) has warned of the high public health threat posed by COVID-19 globally and in the United States; and

WHEREAS, COVID-19 variants, including and especially the Delta variant, continue to spread throughout the United States, North Carolina, and Scotland County; and

WHEREAS, while vaccinated persons are far less likely to contract COVID-19, the Delta variant is highly infectious, has infected even vaccinated persons, and can be transmitted from both vaccinated and unvaccinated people to others as determined by the CDC; and

WHEREAS, over the past month, the positive rate of infections in Scotland County has increased significantly, and the number of cases—including among those under the age of 18 is rising; and

WHEREAS, hospitalizations due to COVID-19 have increased substantially in Scotland County and are similar to the nationwide and statewide upward trend for hospitalizations; and

WHEREAS, this surge of hospitalizations has put a strain on our local health care system, specifically Scotland Healthcare System Hospital; and

WHEREAS, the CDC and the North Carolina Department of Health and Human Services (NCDHHS) have issued guidance calling for all people in areas where there is High or Substantial viral spread, including those who are vaccinated, to wear masks in public indoor spaces when they are around people they do not live with, in order to reduce the spread of COVID-19; and



WHEREAS, Scotland County is identified as a county with High levels of community viral transmission; and

WHEREAS, prompt action to slow the spread of COVID-19, taken in cooperation with the public, is highly likely to slow the spread of COVID-19, prevent the healthcare system from being overwhelmed, protect children and vulnerable persons from illness, prevent the need for further restrictions in the future, and protect public health and safety.

NOW, THEREFORE, pursuant to the authority contained in Article 1A of N.C. Gen. Stat. Chapter 166A, Article 36A of N.C. Gen. Stat. Chapter 14, and of the Scotland County Ordinance #16, I, Whit Gibson, Chairman of the Scotland County Board of Commissioners, do hereby proclaim that a **STATE OF EMERGENCY** exists and is declared within the County of Scotland and declare the following:

1. **Application.** This Declaration shall apply within the jurisdictional limits of Scotland County and any facility or buildings owned or managed by Scotland County government. The requirements set out in this Declaration apply to all people at least five (5) years old, unless an exception applies. These requirements are recommended for all people over the age of two (2) years old.
2. **Requirement for Face Coverings in all indoor public places, including public transportation facilities and public vehicles regardless of vaccination status.**
 - a. Individuals, regardless of vaccination status, must wear Face Coverings when indoors in all businesses, establishments, public places, and public transportation facilities and vehicles. By way of example only, this includes, but is not limited to, grocery stores, pharmacies, business offices, retail establishments, restaurants, gyms, and fitness centers.
 - b. All businesses, establishments, and public places must require that all persons wear Face Coverings when indoors on their premises.
 - c. Exceptions. Face Coverings are not required to be worn by someone who:
 - I. Should not wear a Face Covering due to any medical or behavioral condition or disability (including, but not limited to, any person who has trouble breathing, or is unconscious or incapacitated, or is otherwise unable to put on or remove the Face Covering without assistance); or



- II. Is a child under two (2) years of age; or
 - III. Is a child under five (5) years of age and his/her parent, guardian, or responsible person has been unable to safely place or maintain a face covering safely on the child's face; or
 - IV. Is actively eating or drinking; or
 - V. Is seeking to communicate with someone who is hearing-impaired in a way that requires the mouth to be visible; or
 - VI. Is giving a speech, performance, or broadcast to an audience, where they maintain a distance of at least 10 feet from the audience; or
 - VII. Is at home or is in a personal vehicle; or
 - VIII. Is temporarily removing their Face Covering to secure government, medical, or dental services or for identification purposes; or
 - IX. Would be at increased risk as a result of wearing a Face Covering at work, as determined by local, state, or federal regulations or workplace safety guidelines; or
 - X. Has found that their Face Covering is impeding visibility to operate equipment or a vehicle; or
 - XI. Is swimming; or
 - XII. Is being photographed by a professional photographer; or
 - XIII. Is alone in an enclosed space such as a room, office, or vehicle.
- d. Worship, religious, and spiritual gatherings, funeral ceremonies, and wedding ceremonies are exempt from all the requirements of Section 2.



- e. Any person who declines to wear a Face Covering or have a child wear a face covering for the reasons identified in Section 2c shall not be required to produce documentation or proof of a condition.
 - f. Every person should be truthful and should only cite these exceptions when they actually apply so that they do not put other people at risk of serious illness and/or death.
 - g. Businesses are encouraged to accommodate exceptions if someone states that an exception applies by choosing to offer curbside service, provide home delivery, or use some other reasonable measure to deliver goods or services that are regularly received indoors.
 - h. "Face Covering" means a covering of the nose and mouth that is secured to the head with ties, straps, or loops over the ears and fits snugly against the side of a person's face. A Face Covering can be made of a variety of synthetic and natural fibers, including cotton, silk, or linen. Ideally, a Face Covering has two or more layers. A Face Covering may be factory-made, sewn by hand, or improvised from household items such as scarfs, bandanas, t-shirts, sweatshirts, or towels. These Face Coverings are not necessarily intended for use by healthcare providers in the care of patients.
3. This Declaration shall not be interpreted or applied to conflict with any existing federal, state, or local law or either the federal or North Carolina Constitutions.
 4. I further declare that the Emergency Operations Plan adopted by the County of Scotland, and all applicable mutual assistance compacts and agreements are in effect and shall remain in effect until this Proclamation is rescinded. All emergency management personnel subject to my control are hereby ordered to cooperate in the implementation of the provisions of the County's Emergency Operations Plan and all applicable mutual assistance compacts and agreements, and to furnish assistance thereunder.
 5. I direct that copies of the Proclamation be disseminated to the mass communications media for publication and broadcast, and that a copy of the Proclamation be posted at the Scotland County Courthouse and other public buildings as appropriate.
 6. This Declaration shall become effective at 5:00 pm on Friday, August 27, 2021 and shall expire on Friday, September 10, 2021 unless extended by the Scotland County Board of Commissioners.



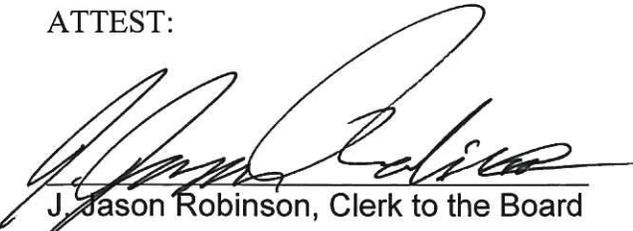
7. This Declaration will be regularly reviewed and evaluated for continued necessity and efficacy, and it may be rescinded, amended, and/or extended based on the impact of the COVID-19 pandemic, hospital capacity, the level of community spread of the virus, and recommendations by Federal, State, or local public health authorities.
8. All persons in Scotland County are encouraged to practice social distancing, to wear masks in private or residential settings when they are in contact with people who are not members of their own household, and to become fully vaccinated unless instructed otherwise by a qualified medical professional. These practices have been proven to save lives by reducing the spread and the impact of the COVID-19 virus.

DECLARED this the 24th day of August 2021.

C. Whitfield Gibson

Whit Gibson, Chairman
Scotland County Board of Commissioners

ATTEST:


J. Jason Robinson, Clerk to the Board

