



Village of Bald Head Island

Proclamation of State of Emergency – Fourth Amendment

WHEREAS, in response to the COVID-19 (novel coronavirus) pandemic, the Village of Bald Head Island, North Carolina proclaimed a State of Emergency on March 19, 2020, which proclamation set out certain restrictions to reduce the impact of COVID-19 within the Village corporate jurisdiction that would expire on April 20, 2020; and

WHEREAS, the Village issued a First Amendment to its State of Emergency Proclamation on March 30, 2020 which restricted certain construction activities as set forth in Section 2 of the First Amendment (the “Construction Restrictions”); and

WHEREAS, the Village issued a Second Amendment to its State of Emergency Proclamation on April 17, 2020 which ratified, reaffirmed and continued the restrictions in the original proclamation and extended the expiration of the Construction Restrictions to April 20, 2020, which Construction Restrictions have now expired; and

WHEREAS, the Village issued a Third Amendment to its State of Emergency Proclamation on April 28, 2020 which extended the state of emergency through and until May 29, 2020, unless otherwise amended or rescinded; and

WHEREAS, the Village Council duly met and conducted its monthly meeting on May 15, 2020 and considered the Governor’s Executive Order No. 138 of May 5, 2020 easing certain restrictions regarding COVID-19, public comments received, input from Bald Head Island Transportation, LLC concerning ferry and transport operations and other matters and considerations; and

WHEREAS, after due deliberation and consideration of public health and safety, the Village Council wishes to amend its State of Emergency Proclamation.

NOW, THEREFORE, pursuant to Chapters 160A, 166A and 14 of the North Carolina General Statutes, as well as Chapter 8 of the Village Code of Ordinances, the Village of Bald Head Island, North Carolina, does hereby proclaim and impose the following orders, prohibitions and restrictions:

- 1) **Prior Proclamation:** The Village’s Proclamation of State of Emergency of March 19, 2020 is ratified, reaffirmed and shall expire at 12:01 AM on Wednesday, May 27, 2020, unless otherwise amended or rescinded.

- 2) **Emergency Area:** The emergency area covered by this State of Emergency shall be the Village's entire corporate jurisdiction.

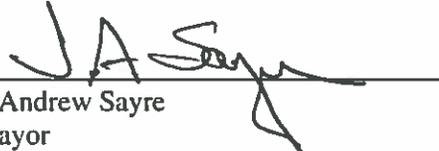
- 3) **No Private Right of Action:** Neither this Fourth Amendment nor any prior Proclamation or Amendment thereto is intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the Village, its officers, employees, or agents thereof, or any emergency management worker (as defined in N.C. Gen. Stat. § 166A-19.60) or any other person.

This Proclamation is effective upon signature.

This the 15th day of May, 2020.

ATTEST:


Daralyn Spivey
Village Clerk


J. Andrew Sayre
Mayor

