



Type: CRP
Recorded: 11/17/2020 at 10:02:24 AM
Fee Amt: \$0.00 Page 1 of 2
Gaston, NC
Susan S. Lockridge Register of Deeds
BK **5174** PG **993-994**

RESOLUTION TITLE: TO AMEND THE GASTON COUNTY CODE OF ORDINANCES, CHAPTER 5 – EMERGENCY MANAGEMENT, SECTION 5-4 – EMERGENCY POWERS AND DUTIES – TO MODIFY THE GASTON COUNTY CODE OF ORDINANCES TO REQUIRE BOARD RATIFICATION OF A STATE OF EMERGENCY DECLARED BY THE CHAIRMAN OF THE BOARD OF COMMISSIONERS

WHEREAS, Chapter 5 of the Gaston County Code of Ordinances concerns emergency management; and,

WHEREAS, there is currently no provision in the Code of Ordinances that deals directly with the ratification of a state of emergency declared by the Chairman of the Board of Commissioners; and,

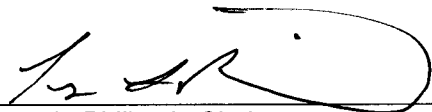
WHEREAS, Gaston County wishes to modify this section to require the Board of Commissioners to vote to ratify a state of emergency declared by the Chairman of the Board.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners hereby modifies Chapter 5, Section 5-4 of the Gaston County Code of Ordinances and add language at the end of the Section as follows:

While the chairman has authority to declare a state of emergency in accordance with G.S. 166A-19.31, the Board of Commissioners, at the next regularly scheduled public meeting, shall vote to ratify the chairman's actions. Should the vote to ratify the chairman's declaration fail, the state of emergency shall expire effective immediately.

This Ordinance amendment shall be effective immediately upon its adoption.

Adopted the 10th day of November, 2020.



Tracy L. Philbeck, Chairman
Gaston County Board of Commissioners

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	JBrown	AFraley	BHovis	TKelgher	TPhilbeck	RWorley	Vote
2020-314	11/10/2020	TP	CB	A	A	A	A	A	A	A	U

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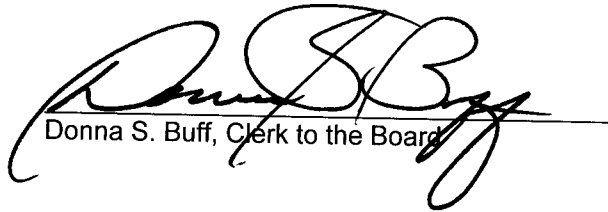
A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

To Amend the Gaston County Code of Ordinances, Chapter 5 – Emergency Management, Section 5-4 –
Emergency Powers and Duties – To Modify the Gaston County Code of Ordinances to Require Board
Ratification of a State of Emergency Declared by the Chairman of the Board of Commissioners
Page 2

Certification

I, Donna S. Buff, Clerk to the Gaston County Board of Commissioners, do hereby certify that the above, as filed with the Clerk to the Board, is a true and accurate copy of the ordinance amendment entitled *To Amend the Gaston County Code of Ordinances, Chapter 5 – Emergency Management, Section 5-4 – Emergency Powers and Duties – To Modify the Gaston County Code of Ordinances to Require Board Ratification of a State of Emergency Declared by the Chairman of the Board of Commissioners*, as adopted by the Board of Commissioners on November 10, 2020 and to be set forth in the Gaston County Code of Ordinances upon adoption.




Donna S. Buff, Clerk to the Board



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

County Attorney

Board Action

File #: 20-527

Commissioner Philbeck - County Attorney - To Amend the Gaston County Code of Ordinances, Chapter 5 - Emergency Management, Section 5-4 - Emergency Powers and Duties - to Require Board Ratification of a State of Emergency Declared by the Chairman of the Board of Commissioners

STAFF CONTACT

Jonathan Sink - County Attorney - 704-866-3400

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

The attached Resolution would add a provision that would require the Board of Commissioners to vote to ratify the declaration of a state of emergency by the Chairman of the Board. Should the vote to ratify the chairman's declaration fail, the state of emergency shall expire effective immediately.

POLICY IMPACT

Modifies Chapter 5, Section 5-4 of the Gaston County Code of Ordinances.

ATTACHMENTS

Resolution

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NO.	DATE	M1	M2	CBrown	JBrown	AFrley	BHovis	TKelgher	TPhilbeck	RWorley	Vote
2020-314	11/10/2020	TP	CB	A	A	A	A	A	A	A	U

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