

**SIXTH AMENDMENT TO  
CITY OF FAYETTEVILLE STATE OF EMERGENCY DECLARATION**

**A SIXTH AMENDMENT TO THE DECLARATION ISSUING A STATE OF EMERGENCY WITHIN THE CITY OF FAYETTEVILLE, NORTH CAROLINA, PURSUANT TO ARTICLE 1A, CHAPTER 166A, N.C.G.S.; N.C.G.S. § 166A-19.22; AND CHAPTER 9 OF THE CODE OF ORDINANCES, CITY OF FAYETTEVILLE**

**WHEREAS**, COVID-19 is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person; and

**WHEREAS**, the World Health Organization declared COVID-19 is a Public Health Emergency of International Concern on January 30, 2020; and

**WHEREAS**, the Centers for Disease Control and Prevention (the “CDC”) has warned of the high public health threat posed by COVID-19 globally and in the United States and has deemed it necessary to prohibit or restrict travel to areas designated by the CDC; and

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 391 of the Public Health Service Act; and

**WHEREAS**, on March 10, 2020, North Carolina Governor Roy Cooper declared a State of Emergency for the State of North Carolina based on the public health emergency posed by COVID-19; and

**WHEREAS**, on March 16, 2020, a State of Emergency was declared for the City of Fayetteville under the authority granted to the City under Chapter 166A of the North Carolina General Statutes; and

**WHEREAS**, the Governor issued Executive Order 215 on May 14, 2021, effective May 24, 2021, at 1:30 p.m., lifting the face covering requirements in most settings and lifting the capacity restrictions and social distancing requirements in all settings; and

**WHEREAS**, a Fifth Amendment to the State of Emergency for the City of Fayetteville was executed and imposed on the 18th day of August, 2021, requiring face coverings within the City limits of the City of Fayetteville as a result of an increase of COVID-19 cases within the City of Fayetteville and Cumberland County; and

**WHEREAS**, an Order was entered and imposed on August 27, 2021, by the Cumberland County Health Director and the Cumberland County Board of Commissioners requiring that face masks be worn within Cumberland County and the municipalities therein; and

**WHEREAS**, the City of Fayetteville hereby withdraws any consent, explicit or implied, to be included in Cumberland County’s August 27, 2021, Order; and

**WHEREAS**, the vaccination rate for fully vaccinated adults in North Carolina is 66 percent and booster shots for the vaccines are available for more North Carolinians; and

**WHEREAS**, adults fully vaccinated in Cumberland County has increased to 57 percent and the number of COVID-19 cases continues to decrease within the City limits and in the County.

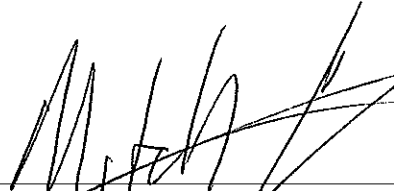
**NOW, THEREFORE**, pursuant to the authority vested in me as the Mayor of the City of Fayetteville, under Chapter 166A of the North Carolina General Statutes, and Chapter 9 of the Fayetteville City Code, I, Mitch Colvin, Mayor of the City of Fayetteville, North Carolina, hereby proclaim and declare the following:

1. The Fifth Amendment to the State of Emergency Declaration issued on August 18, 2021, is hereby rescinded within the corporate limits of the City of Fayetteville and shall expire at 12:00 a.m. on the 1st day of November, 2021, unless otherwise repealed, replaced or rescinded.
2. That all other provisions of the State of Emergency and any Amendments thereto remain the same and unchanged except as referenced herein.

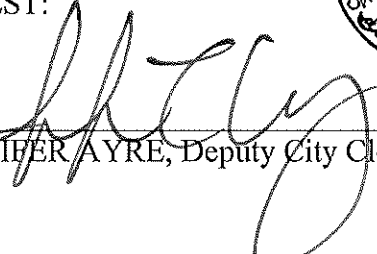
**THEREFORE, I, MAYOR, DO HEREBY DECLARE THIS SIXTH AMENDMENT TO THE STATE OF EMERGENCY DECLARATION.**

Executed this 29<sup>th</sup> day of October, 2021.



  
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MITCH COLVIN, Mayor

ATTEST:

  
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JENNIFER AYRE, Deputy City Clerk