



October 20, 2020

Dear Municipal Leaders:

Thank you for participating in the recent calls Secretary Cohen convened with the help of the NC Association of County Commissioners and the NC League of Municipalities. Along with those groups, we ask for your continued help in the fight against COVID-19. As discussed, we are seeing concerning trends in case counts and hospitalizations in our state and nationally, and we need your help to reduce the transmission of this virus. You are receiving this follow-up request because your community meets the following metrics: you are in a county that has had 300 or more new cases in the last 14 days and has been identified by the White House Task Force as a county of concern; your case rate is greater than 50 cases per 10,000 people; or your county is one of the top three most populous counties in the state.

As discussed on the calls, our first and best approach to continuing to slow the spread of COVID-19 is to win the hearts and minds of North Carolinians. NCDHHS has created a wide array of resources you can use, including the *Three W's* (*Wear a face covering, Wait six feet apart and Wash your hands*) campaign materials, the *Whatever the Reason: Get Behind the Mask* campaign materials, a faith leaders toolkit and more that can all be found [here](#). Thank you for all you are doing as leaders to support these efforts – serving as exemplars in your community is very powerful. We hope you will consider doing or continuing what has taken place already across the state: creating local signs, flags, and banners to promote compliance; promoting the Three W's when speaking to the press and community groups; partnering with local media on radio and television spots; and promoting similar messaging on social media and web-pages.

We also ask you to consider additional local actions to improve compliance to best position our health systems and first responders to respond to the challenges that can accompany rising cases of COVID-19. Some examples are:

- Adopt an ordinance that imposes a civil penalty or fine (separate from issuing a Class 2 misdemeanor) for violating the provisions of a local ordinance or issue a local Emergency Proclamation addressing the COVID-19 pandemic.
  - The general statutory authority for implementing and enforcing ordinances consistent with the general police powers of local governments is found in Article 6 of Chapter 153A of the General Statutes for counties or Article 8 of Chapter 160A of the General Statutes for cities. Specifically, enforcement authority for imposing a civil fine or penalty is found at N.C. Gen. Stat. § 153A-123 and § 160A-175 respectively, and we have attached sample language for your consideration.
  - Actions to consider could include restrictions imposing a higher State of Emergency standard than those included in the Governor's most recent Executive Order, as allowed by Section 7.3 of Executive Order No. 169: (1) imposing fines for businesses that do not enforce the mask requirements; (2) establishing lower mass gathering limits; (3) curtailing the sale of alcohol earlier than 11 pm; (4) closing high risk venues such as bars and night spots; and (5) limiting restaurant service.

- Support your Local Health Director in the utilization of their authority, pursuant to N.C. Gen. Stat. § 130A-20, to issue and enforce an Imminent Hazard Abatement Order against entities whose actions, including failure to comply with the Governor's Executive Order, present an imminent hazard to your community.

To help inform local decision-making, NCDHHS recently added new county-level data to the NC COVID-19 Dashboard on the County Map by Cases section of the [Summary dashboard](#) page which allows you to view county-level case data by date ranges, including: the number of total cases, the number of cases from the prior day, the number of cases over the last seven days, and the number of cases over the last 14 days.

The incredible work of our local partners has allowed North Carolina to avoid the first and second waves of rapid spikes in COVID-19 positives that devastated so many other states. To protect our communities, we must continue working together in this fight against COVID-19.

Thank you for considering these additional measures to slow the spread of the virus. We appreciate all the work you are doing to preserve and protect the welfare of your communities every day.

Sincerely,



Mandy K. Cohen, MD, MPH  
Secretary  
NC Department of Health and Human Services



Erik A. Hooks  
Secretary  
NC Department of Public Safety

cc: County Health Director  
Rose Williams, NCLM