



TOWN OF OAK ISLAND FIFTH AMENDED DECLARATION OF STATE OF EMERGENCY (Tropical Storm/Hurricane Isaias)

WHEREAS, N.C.G.S Chapters 166A, 160A and 14 authorize municipalities to declare a State of Emergency; and

WHEREAS, by ordinance, the Town of Oak Island has authorized the Mayor to proclaim the existence of a State of Emergency and to impose restrictions.

WHEREAS, on August 1, 2020 I Declared a State of Emergency with the Town of Oak Island due to the imminent public safety threat posed by Tropical Storm/Hurricane Isaias; and

WHEREAS, on the evening of August 3, 2020 and morning of August 4, 2020 Tropical Storm/Hurricane Isaias passed through eastern North Carolina and caused significant damage within the Town of Oak Island, including but not limited to damage to property and infrastructure.

NOW THEREFORE, PURSUANT TO THE AUTHORITY VESTED IN ME as the Mayor of the Town of Oak Island, I hereby amend the Declaration of a State of Emergency, dated August 1, 2020, and amended on August 5, 2020 and include the following restrictions:

- The **MANDATORY EVACUATION** remains in place for all non-residents (renters, vacationers and guests) until further notice in the following areas: All areas west of SE 40th Street on Beach Drive, Dolphin Drive, Pelican Drive, Kings Lynn Drive and the side streets connecting to them (hereinafter referred to as the “Restricted Area”);
- Residents and property owners within the Restricted Area may enter into the Restricted Area upon proof of residency/ownership and presentation of a photo ID to the appropriate Town Officials manning the checkpoints located at Middleton Avenue and/or SE 40th Street;
- Effectively immediately, a **CURFEW** is hereby imposed within the Restricted Area between the hours of 8:00 PM and 6:00 AM until further notice;
- Residents and property owners may resume occupancy in the following area: Pelican Drive and Dolphin Drive between Middleton Avenue and SE 58th Street and all side streets connecting to them. Utility services are not guaranteed in this area;
- In limited, pre-approved circumstances, property managers that manage property within the Restricted Area may access said properties. Any property manager desiring to enter the Restricted Area must obtain prior written approval from the Town’s Development Services Department located at 4601 East Oak Island Drive, Oak Island, North Carolina.

- Contractors desiring to enter into the Restricted Area must obtain prior written approval from the Town's Development Services Department located at 4601 East Oak Island Drive, Oak Island, North Carolina.
- The beach remains CLOSED from SE 40th Street to the west end of the island.
- All Short-term Rental Operations within the Restricted Area shall be discontinued until further notice. All rental agencies/property managers (including but not limited to Airbnb, VRBO and any other similar entity) and property owners that rent properties within the Restricted Area (including hotels and motels) are instructed to have all current renters, with a rental period of less than 90 days' duration, and their invitees vacate the premises immediately. Effective immediately, there will be **no short-term rental occupancies of any kind or duration** allowed within the Restricted Area until further notice. These prohibitions and restrictions apply to vacation rentals, short term rentals, bed and breakfast establishments, Airbnb, VRBO, hotels, motels, inns and similar businesses and establishments.
- Due to the lack of utility services, all short-term rentals for properties which abut Beach Drive (properties on the north side and the south side of Beach Drive) from SE 40th Street to SE 58th Street shall be discontinued until further notice. All rental agencies/property managers (including but not limited to Airbnb, VRBO and any other similar entity) and property owners (including hotels and motels) are instructed to have all current renters, with a rental period of less than 90 days' duration, and their invitees vacate the premises immediately. Effective immediately, there will be **no short-term rental occupancies of any kind or duration** allowed for properties which abut Beach Drive (properties on the north side and the south side of Beach Drive) from NE 40th Street to SE 58th Street. These prohibitions and restrictions apply to vacation rentals, short term rentals, bed and breakfast establishments, Airbnb, VRBO, hotels, motels, inns and similar businesses and establishments.
- Recent sand moving activities have hindered the recovery process. Pursuant to 15A NCAC 07K.0103(c), individuals seeking to redistribute or otherwise move sand from storm overwash around buildings, pools, roads, parking areas and associated structures are required to consult with a CAMA representative prior to engaging in sand-moving activities. All sand-moving activities must cease immediately until further notice. **This restriction applies until it is rescinded irrespective of whether proposed sand-moving activity is permitted or otherwise exempted.** This restriction to properties, north and south of East and West Beach Drive.

This Fifth Amended Declaration may be further amended to add additional restrictions if necessary. This Fifth Amended Declaration of a State of Emergency is in effect until further notice. This Declaration is independent of, and in addition to, the Ninth Amended State of Emergency Declaration, dated July 16, 2020, in place for the COVID-19 pandemic the same of which remains in full effect.

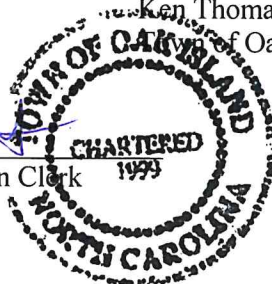
This the 8th day of August, 2020.



Ken Thomas, Mayor
Mayor of Oak Island, North Carolina

ATTESTED:


Lisa P. Stites, MMC, Town Clerk



(SEAL)