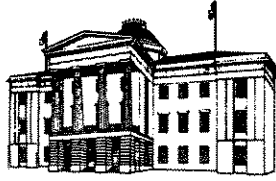


# State of North Carolina



MICHAEL F. EASLEY  
GOVERNOR

## EXECUTIVE ORDER NO. 130 PROCLAMATION OF STATE DISASTER FOR THE TOWN OF SPRUCE PINE

**WHEREAS**, I have determined that a State of Disaster, as defined in N.C.G.S. § 166A-4(1), exists in the State of North Carolina, specifically in the Town of Spruce Pine, Mitchell County, as a result of a fire which destroyed or damaged numerous businesses, residences, and a church in the downtown area on August 4-5, 2007.

**WHEREAS**, on August 5, 2007, the Town of Spruce Pine proclaimed a local State of Emergency; and

**WHEREAS**, pursuant to N.C.G.S. § 166A-6, the criteria for a Type I disaster are met including the following: (1) receipt of the preliminary damage assessment from the Secretary of Crime Control and Public Safety; (2) the Town of Spruce Pine, Mitchell County, declared a local state of emergency pursuant to N.C.G.S. § 166A-8 and forwarded a written copy of the declaration to the Governor; (3) the preliminary damage assessment meets or exceeds the criteria established for the Small Business Disaster Loan Program pursuant to 13 C.F.R. Part 123 or meets or exceeds the State infrastructure criteria set out in N.C.G.S. § 166A-6.01(b)(2)a; and (4) a major disaster declaration by the President of the United States pursuant to the Stafford Act has not been declared; and

**NOW, THEREFORE**, pursuant to the authority vested in me as Governor by the Constitution and laws of the State of North Carolina, **IT IS ORDERED:**

Section 1. Pursuant to N.C.G.S. § 166A-6, a State of Disaster is hereby declared for the Town of Spruce Pine.

Section 2. All state and local government entities and agencies are hereby ordered to cooperate in the implementation of the provisions of this proclamation and the provisions of the North Carolina Emergency Operations Plan.

Section 3. Bryan E. Beatty, Secretary of Crime Control and Public Safety, and/or his designee, is hereby delegated all power and authority granted to me and required of me by Chapter 166A of the General Statutes for the purpose of implementing the said Emergency

Operations Plan and to take such further action as is necessary to promote and secure the safety and protection of the populace in the above-referenced town.

Section 4. Further, Bryan E. Beatty, Secretary of Crime Control and Public Safety, as chief coordinating officer for the State of North Carolina, shall exercise the powers prescribed in N.C.G.S. § 143B-476.

Section 5. I authorize this proclamation: (a) to be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) unless the circumstances of the state of disaster prevent or impede, to be promptly filed with the Secretary of Crime Control and Public Safety, the Secretary of State, and the clerks of superior court in the counties to which it applies; and, (c) to be distributed to others as necessary to assure proper implementation of this proclamation.

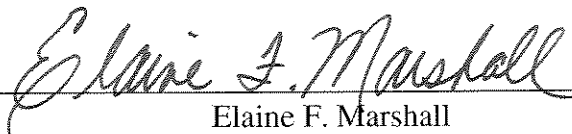
Section 6. The Type I disaster declaration shall expire 30 days after the issuance of the state of disaster and Type I disaster proclamation for the Town of Spruce Pine unless renewed by the Governor or the General Assembly. Such renewals may be made in increments of 30 days each, not to exceed a total of 120 days from the date for first issuance. The Joint Legislative Commission on Governmental Operations shall be notified prior to the issuance of any renewal of a Type I disaster declaration.

**IN WITNESS WHEREOF**, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this twenty-fifth day of September in the year of our Lord two thousand and seven, and of the Independence of the United States of America the two hundred and thirty-second.



  
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Michael F. Easley  
Governor

**ATTEST:**

  
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Elaine F. Marshall  
Secretary of State