



# State of North Carolina

**ROY COOPER**  
GOVERNOR

**December 17, 2021**

## **EXECUTIVE ORDER NO. 241**

### **DELEGATION OF AUTHORITY FROM THE GOVERNOR TO THE SECRETARY OF PUBLIC SAFETY AND PROMULGATION AND IMPLEMENTATION OF THE NORTH CAROLINA EMERGENCY OPERATIONS PLAN**

**WHEREAS**, the North Carolina Emergency Management Act (“Emergency Management Act”), Chapter 166A of North Carolina General Statutes, sets forth the authority and responsibility of the undersigned, state agencies, and local governments in prevention of, preparation for, response to, and recovery from natural or man-made emergencies or hostile military or paramilitary actions; and

**WHEREAS**, N.C. Gen. Stat. § 166A-19.1 provides that it is the responsibility of the undersigned, state agencies, and local governments to reduce vulnerability of people and property to damage, injury, and loss of life or property; to prepare for the prompt and efficient rescue, care, and treatment of threatened or affected persons; to provide for the rapid and orderly rehabilitation of persons and restoration of property; to cooperate and coordinate activities relating to emergency mitigation, preparedness, response, and recovery among agencies and officials of this state and with similar agencies and officials of other states and with other private and quasi-official organizations; and

**WHEREAS**, N.C. Gen. Stat. § 166A-19.10(b)(1) authorizes and empowers the undersigned to exercise general direction and control of the State Emergency Management Program and the Emergency Management Act, other than those provisions that confer powers and duties exclusively on local governments; and

**WHEREAS**, N.C. Gen. Stat. § 166A-19.10(b)(3) authorizes and empowers the undersigned to delegate any Gubernatorial authority under the Emergency Management Act and to provide for the subdelegation of any such authority; and

**WHEREAS**, N.C. Gen. Stat. § 166A-19.10(b)(7) authorizes and empowers the undersigned to utilize the services, equipment, supplies, and facilities of existing departments, offices, and agencies of the state in planning for and responding to emergencies and requires the officers and personnel of all such departments, offices, and agencies to cooperate with and extend such services and facilities upon request; and

**WHEREAS**, N.C. Gen. Stat. § 143B-601(8) requires the North Carolina Department of Public Safety (“NCDPS” or “Department”) to ensure the preparation, coordination, and currency

of preparedness plans and effective conduct of emergency operations by all participating agencies resulting from emergencies and disasters due to natural or man-made causes; and

**WHEREAS**, N.C. Gen. Stat. § 143B-600 provides the authority of the Secretary of NCDPS (“Secretary”) to direct and control the powers and duties of the deputy secretaries, commissioners, directors, and divisions of the Department; and

**WHEREAS**, N.C. Gen. Stat. § 166A-19.11 provides that the Secretary is responsible to the undersigned for state emergency management activities and allows for the subdelegation of authority to the appropriate member of the Department; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.12(2) the North Carolina Division of Emergency Management (“NCEM”) shall prepare and maintain state plans for emergencies and those plans, or any parts thereof may be incorporated into department regulations and into executive orders issued by the undersigned; and

**WHEREAS**, this Executive Order is executed to facilitate a coordinated, effective relief and recovery effort among State and local government entities and agencies.

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

**Section 1.** All State and local government entities are directed to cooperate in the implementation of the provisions of the North Carolina Emergency Operations Plan (the “Plan”).

**Section 2.** I hereby delegate to the Secretary, or the Secretary’s designee, all power and authority granted to me and required of me by Chapter 166A of the General Statutes for the purposes of promulgating and implementing the Plan.

**Section 3.** The Secretary shall make necessary changes to the Plan with appropriate coordination and shall similarly promulgate additional annexes and appendices as required.

**Section 4.** The Secretary, as Chief Coordinating Officer for the State of North Carolina, shall exercise the powers prescribed in N.C. Gen. Stat. § 143B-602.

**Section 5.** This Executive Order supersedes Executive Order No. 37 (January 26, 2018). This Executive Order is effective immediately and shall remain in effect until rescinded or superseded.

**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 17<sup>th</sup> of December in the year of our Lord two thousand and twenty-one.

  
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Roy Cooper  
Governor

**ATTEST:**

  
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Elaine F. Marshall  
Secretary of State

