

STATE OF NORTH CAROLINA

COUNTY OF LEE

**DECLARATION OF A STATE OF EMERGENCY
JANUARY 2026 WINTER STORM GIANNA**

This Declaration is issued by the following elected bodies as represented by the lead elected official or designee for the following jurisdictions:

- Chair of the Lee County Board of Commissioners
- Mayor of the City of Sanford
- Mayor of the Town of Broadway

WHEREAS, information obtained from the office of the National Weather Service indicates that a hazardous situation known as Winter Storm Gianna is suspected of impacting the State starting on or about January 30, 2026 including eastern and central North Carolina, and including the population within our County, City and Town; and

WHEREAS, this hazardous event is capable of causing widespread and severe damage by bringing ice, snow, sleet, and freezing rain, and is capable of causing widespread power outages, vegetative damage, access obstacles for emergency responders, public health threats, and displaced residents; and,

WHEREAS, as a result of the above-described emergency, I have determined that there is an imminent threat of widespread or severe damage, injury, or loss of life or property; and,

WHEREAS, I have determined that declaring a State of Emergency and imposing the restrictions and prohibitions ordered herein is necessary to maintain order and protect public health, safety, and welfare, and to secure property; and

WHEREAS, to protect the residents of Lee County, City of Sanford, and Town of Broadway from further harm and maintain order during the State of Emergency, it is necessary to protect the public from the imposition or demand of excessive and/or exorbitant prices for consumer goods, services, gasoline and lodging, essential for their health, safety and welfare during said natural disaster and the recovery therefrom; and

WHEREAS, in order to protect the health, safety and welfare of the residents of the County, City, and Town from unscrupulous vendors or merchants taking advantage of the scarcity of consumer goods, including the provision of services, gasoline, or lodging during a period of emergency; and

WHEREAS, pursuant to NCGS §166A-19.23 and in order to protect the health, safety and welfare of residents and visitors and to maintain order the County, City and Town are invoking the prohibitions against price gouging during states of disaster pursuant to NCGS §75-37 and 38.

NOW, THEREFORE, pursuant to the authority vested in the Chairman of the Lee County Board of Commissioners, Mayor of the City of Sanford, Mayor of the Town of Broadway under Article 1A of Chapter 166A of the North Carolina General Statutes and Chapter 10, Article IV of the Lee County Code of Ordinances, Chapter 14 of the Sanford Code of Ordinances, and Chapter 6 of the Town of Broadway Ordinances, and any and all applicable local plans, regulations, mutual assistance compacts and agreements, I hereby declare:

Section 1. That a State of Emergency exists within the County of Lee, City of Sanford and Town of Broadway.

Section 2. The following restrictions and prohibitions are imposed in order to maintain an acceptable level of public order, services, and protection of life, safety, and property during this emergency, and that the same shall be in effect within the County of Lee, City of Sanford and Town of Broadway until the State of Emergency expires or is rescinded;

Residents are encouraged to stay off the roadways if reasonably possible, and to limit travel so as not to interfere with efforts of emergency responders and repair crews.

Section 3. I hereby order all County of Lee, City of Sanford, and Town of Broadway law enforcement officers and employees and all other emergency management personnel subject to our control to cooperate in the enforcement and implementation of the provisions of this Declaration, all applicable local ordinances, state and federal laws, and the Lee County Emergency Operations Plan.

Section 4. The County of Lee, City of Sanford, and Town of Broadway Managers are hereby authorized to take all necessary actions in order to maintain the public order or afford adequate protection for lives, safety or property as needed.

Section 5. I hereby invoke the prohibitions on excessive pricing contained within NCGS §75-38 during the State of Emergency.

PURSUANT to this declaration, it is a violation of NCGS §75-1.1 for any person to sell, rent or offer to sell or rent any goods or services which are consumed or used as a direct result of an emergency or which are consumed or used to preserve, protect or sustain life, health, safety or economic well-being of persons or their property with the knowledge and intent to charge a price that is unreasonably excessive under the circumstances. This prohibition shall apply to all parties in the chain of distribution, including, but not limited to, a manufacturer, supplier, wholesaler, distributor or retail seller of goods or services. This shall apply within the County of Lee, City of Sanford and Town of Broadway.

According to NCGS §75-38, to determine whether a price is unreasonably excessive, it shall be considered whether:

1. The price charged by the seller is attributable to additional costs imposed by the seller's supplier or other costs of providing the good or service during the triggering event.

2. The price charged by the seller exceeds the seller's average price in the preceding 60 days before the triggering event.
3. If the seller did not sell or rent or offer to sell or rent the goods or service in question prior to the time of the triggering event, the price at which the goods or service was generally available in the trade area shall be used as a factor in determining if the seller is charging an unreasonably excessive price.
4. The price charged by the seller is attributable to fluctuations in applicable commodity markets; fluctuations in applicable regional, national or international market trends; or to reasonable expenses and charges for attendant business risk incurred in procuring or selling the goods or services.

Complaints of price gouging shall be forwarded to the Attorney General of the State of North Carolina for determination and enforcement.

Section 6. Pursuant to Chapter 10, Article IV of the Lee County Code of Ordinances titled "Emergency Management," Chapter 14, Article II, of the Sanford Code of Ordinances, and Chapter 6 of the Town of Broadway Ordinances, the Chairman of the Board of County Commissioners, Mayor of the City of Sanford, and Mayor of the Town of Broadway are authorized to issue this Declaration of a state of emergency and can place any and all restrictions as set forth through Chapter 10, Chapter 14, Chapter 6 and the North Carolina General Statutes and therefore also has the authority to amend this declaration by means of a superseding declaration with the procedures as set forth in Chapter 10 the Lee County Code of Ordinances, Chapter 14 of the Sanford Code of Ordinances and Chapter 6 of the Town of Broadway Ordinances,. Chairman of the Board of County Commissioners, Mayor of the City of Sanford, and Mayor of the Town of Broadway will take reasonable steps to give notice of the terms of the superseding declaration and shall post a copy at the county courthouse, Sanford Municipal Building and Broadway Town Hall.

Section 7. I hereby order this declaration: (a) to be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) to be filed with the Clerks of the County of Lee, City of Sanford, and Town of Broadway and (c) to be distributed to others as necessary to ensure proper implementation of this declaration.

Section 8. This declaration shall take effect upon execution and shall expire when rescinded.

DECLARED this the 30 day of January 2026 at 11:00 a.m./p.m.



For the County:


Kirk D. Smith, Chairman
Lee County Board of Commissioners

Attest:

Hailey Hall
Hailey Hall, Clerk

For the City Sanford:

Rebecca Wyhof Salmon
Rebecca Wyhof Salmon, Mayor
City of Sanford

Attest:

Bonnie Bryant
, Clerk

For the Town of Broadway:

Donald Andrews
Donald Andrews, Mayor
Town of Broadway