



Commonwealth of Virginia  
Office of the Governor

## Executive Order

**NUMBER TWENTY SEVEN (2023)**

***AMENDED***

### **DECLARATION OF A STATE OF EMERGENCY DUE TO SEVERE FLOODING AND TROPICAL STORM IMPACTS ACROSS THE COMMONWEALTH**

#### **Importance of the Issue**

The Virginia Emergency Operations Center has been actively monitoring the movement of severe weather heading toward Virginia, with anticipated arrival on the evening of Friday, September 22, 2023. The National Weather Service forecasts are predicting tropical storm force winds, heavy rain, coastal flooding, and high surf to portions of the Chesapeake Bay and Atlantic Ocean coastlines. Strengthening is expected throughout the day and into Saturday, and the system is forecasted to become a Tropical Storm as it approaches the coast of North Carolina. The system is expected to bring tropical-storm conditions to portions of the southeast and mid-Atlantic coast to include large swaths of the Commonwealth. This is an unusual storm, which has been difficult to accurately forecast, approaching large population centers with many at-risk communities. Accordingly, the pre-positioning of response assets and supplies will be necessary to assist our local and state partners. The Virginia Emergency Support Team will activate for this incident.

The anticipated effects of this situation constitute a disaster as described in § 44-146.16 of the Code of Virginia (Code). Therefore, by virtue of the authority vested in me by Article V, Section 7 of the Constitution of Virginia, by §§ 44-146.17 and 44-75.1 of the Code, as Governor and Director of Emergency Management and Commander-in-Chief of the Commonwealth's Armed Forces, I proclaim a state of emergency. Accordingly, I direct state and local governments to render appropriate assistance to prepare for this event, to alleviate any conditions resulting from the situation, and to implement recovery and mitigation operations and activities so as to return impacted areas to pre-event conditions as much as possible. Emergency services shall be conducted in accordance with § 44-146.13 et seq. of the Code.

Following a declaration of a local emergency pursuant to § 44-146.21 of the Code of Virginia, if a local governing body determines that evacuation is deemed necessary for the preservation of life or other emergency mitigation, response or recovery, pursuant to § 44-146.17A (1) of the Code of Virginia, I direct the evacuation of all or part of the populace therein from such areas and upon such timetable as the local governing body, in coordination with the Virginia Emergency Operations Center (VEOC), acting on behalf of the State Coordinator of Emergency Management, shall determine. Notwithstanding the foregoing, I reserve the right to direct and compel evacuation from the same and different areas and determine a different timetable both where local governing bodies have made such a determination and where local governing bodies have not made such a

determination. Violations of any order to citizens to evacuate shall constitute a violation of this Executive Order and are punishable as a Class 1 misdemeanor.

This Executive Order also covers preparatory actions for this event that began on September 21, 2023.

### **Directive**

In order to marshal all public resources and appropriate preparedness, response, and recovery measures, I order the following actions:

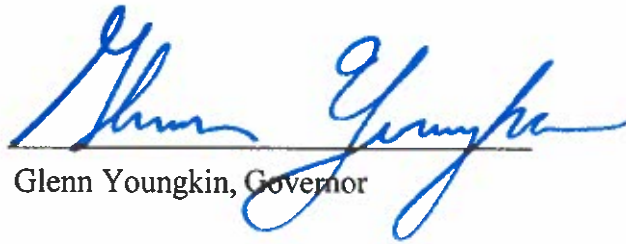
1. Implementation by state agencies of the Commonwealth of Virginia Emergency Operations Plan, as amended, along with other appropriate state plans.
2. Activation of the Virginia Emergency Operations Center and the Virginia Emergency Support Team, as directed by the State Coordinator of Emergency Management, to coordinate the provision of assistance to state, local, and tribal governments and to facilitate emergency services assignments to other agencies.
3. Authorization for the heads of executive branch agencies, on behalf of their regulatory boards as appropriate, and with the concurrence of their Cabinet Secretary, to waive any state requirement or regulation, and enter into contracts without regard to normal procedures or formalities, and without regard to application or permit fees or royalties. All waivers issued by agencies shall be posted on their websites.
4. Activation of § 59.1-525 et seq. of the Code related to price gouging.
5. Authorization of a maximum of \$1,000,000.00 in state sum sufficient funds for state and local government mission assignments and state response and recovery operations authorized and coordinated through the Virginia Department of Emergency Management allowable by The Stafford Act, 42 U.S.C. § 5121 et seq. Included in this authorization is \$500,000.00 for the Department of Military Affairs.
6. Activation of the Virginia National Guard to State Active Duty.

### **Effective Date of this Executive Order**

This Amended Executive Order shall be effective September 22, 2023, and shall remain in full force and effect for 30 days pursuant to § 44-146.17, unless sooner amended or rescinded by further executive order. Termination of this Executive Order is not intended to terminate any federal type benefits granted or to be granted due to injury or death as a result of service under this Executive Order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 28th day of September 2023.



  
Glenn Youngkin, Governor

Attest:



Kelly Gee, Secretary of the Commonwealth