

Proclamation of Local State of Emergency

To all citizens and persons within the municipality of the Borough of Bay Head, County of Ocean, State of New Jersey, and to all departments, divisions and bureaus of the municipal government of the Borough of Bay Head.

WHEREAS, on January 30, 2020, the World Health Organization designated the novel coronavirus outbreak, COVID-19, as a Public Health Emergency of International Concern; and

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, the spread of COVID-19 within New Jersey, and the potential spread of COVID-19 specifically within the Borough of Bay Head, constitutes an imminent public health hazard that threatens and presently endangers the health, safety, and welfare of the residents of the Borough; and

WHEREAS, the spread of COVID-19 in New Jersey at a rate comparable to the rate of spread in other affected areas, would greatly strain the resources and capabilities of county and municipal governments, including public health agencies, which provide essential services for containing and mitigating the spread of contagious diseases, such as COVID-19; and

WHEREAS, on March 9, 2020, the Governor of the State of New Jersey declared the concurrent invocation of both a State of Emergency pursuant to N.J.S.A. App.A.:9-33 *et seq.* and a Public Health Emergency as contemplated by N.J.S.A. 26:13-1 *et seq.*, which invoked the authority and powers contemplated by N.J.S.A. 26:13-3, the Emergency Health Powers Act, and remains in effect; and

WHEREAS, on March 13, 2020, the President of the United States declared COVID-19 a national emergency; and

WHEREAS, since the declaration of the State of Emergency, issuance of Executive Orders No. 2020-103 and 104, and the President's declaration of a national emergency, the number of cases in New Jersey has risen to 267, including 3 cases in Ocean County, with 3 confirmed deaths; and

WHEREAS, the Borough is working with federal, state and local officials and authorities on a daily basis on prevention and mitigation activities that include providing critical information to the public about COVID-19 to provide facts and avoid unnecessary fear; training emergency responders; and modifying municipal operations in response to the pandemic; and

WHEREAS, the Borough may be required to acquire goods and services that may not be currently available in the Borough's product inventory or from vendors with whom the Borough currently has a contractual relationship in order to protect and maintain the health, safety, and welfare of Borough residents and visitors, and successfully combat the impact of the virus; and

WHEREAS, due to the ongoing COVID-19 health emergency, it is necessary to use every means at our disposal to implement additional measures, including but not limited to those directed at places of public gathering, in order to flatten the curve of the spread of COVID-19.

WHEREAS, on March 21, 2020, Governor Phil Murphy issued Executive Orders 107 and 108, cancelling social gatherings, directing New Jersey residents to remain home or at their place of residence, and requiring the closure of all non-essential retail businesses; and

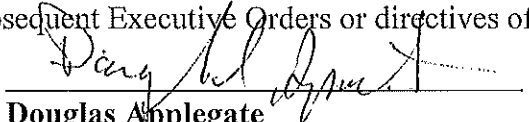
WHEREAS, Governor Murphy also urged all second homeowners at the New Jersey Shore to stay in their principal residences, as the local infrastructure, particularly the healthcare infrastructure, is not prepared for the influx of part-time residents; and

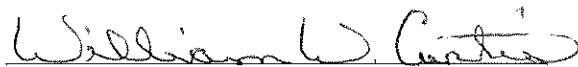
WHEREAS, in furtherance of this directive and as authorized by Executive Order 108, the Borough of Bay Head wishes to temporarily prohibit the rental of homes and other residential units within the Borough of Bay Head via Airbnb and other online marketplaces for the rental of homes, until the State of Emergency is lifted by the Governor of the State of New Jersey.

Now, therefore, in accordance with the power vested in me pursuant to N.J.S.A. App. A:9-40.5, I, Douglas Applegate, Emergency Management Coordinator for the Borough of Bay Head do hereby declare that a State of Emergency currently exists within the Borough of Bay Head and that the State of Emergency shall exist until the Governor lifts the State of Emergency for the State of New Jersey. This Local Emergency Declaration is retroactive to March 1, 2020.

I do hereby promulgate and declare the following regulations shall be in addition to all other laws of the State of New Jersey and Borough of Bay Head:

1. The Borough Administrator, CFO, Chief of Police, Director of Public Works and Purchasing Agent shall be permitted whenever necessary to procure the necessary goods or services, which are not available under contracts currently in existence with the Borough, without complying with the New Jersey Public Contracts Law (N.J.S.A. 40A:11-6 et. seq.), including but not limited to the following: to award emergency contracts, including but not limited to emergency contracts or leases for relocation and support of Borough operations; for professional services; for purchases of commodities, services, and technology; for food, supplies, services, and equipment; and to procure any supplies or equipment required to ensure adequate sanitization, cleaning or sterilization of any facility or locations.
2. The Borough Administrator and Chief of Police, where applicable, are authorized to amend and/or establish personnel policies in response to ongoing COVID-19 emergency, including, but not limited to, modified work schedules and leave provisions, in an effort to protect Borough employees and ensure the continuity of government in the Borough of Bay Head.
3. The rental of homes, apartments or any residential rental units through AirBnB, VRBO or other online marketplaces for the rental of homes is hereby prohibited within the Borough of Bay Head until further notice.
4. The Chief of Police shall have the authority, in consultation with the Mayor and Emergency Management Coordinator, to close Municipal parks and/or beach areas and/or public streets as needed to facilitate such closure or enforcement of social distancing requirements as set in place by Executive Order 107 or any subsequent Executive Orders or directives of the State Emergency Management Coordinator.


Douglas Applegate
Emergency Management Coordinator


Countersigned and acknowledged by:
William W. Curtis, Mayor