

**BOROUGH OF DUMONT
EXECUTIVE ORDER #1**

WHEREAS, on January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak 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 the Coronavirus (COVID-19); and

WHEREAS, the spread of COVID-19 within New Jersey, and specifically within the Borough of Dumont, constitutes an imminent public health hazard that threatens and presently endangers the health, safety, and welfare of the residents of the Borough; 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 10, 2020, in response to the health emergency posed by COVID-19, the County of Bergen issued Executive Order No. 2020-01, which declared a State of Emergency in Bergen County and established mandates to combat COVID-19; and

WHEREAS, on March 13, 2020, the County of Bergen issued Executive Order 2020-1A, which expanded the mandates to combat COVID-19 to include the closing of all public theatres, movie theatres and performance halls; 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. 2020-01 and 2020-1A and the declaration of a national emergency, the number of cases in New Jersey has risen to at least 69¹, both travel-related cases and community contact transmission of COVID-19, with at least 31 confirmed cases in Bergen County, including the Borough of Dumont; 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 and slow the transmission of the virus so as to allow our hospitals and care givers to serve those requiring hospitalization; and

WHEREAS, on March 16, 2020, the Governor of the State of New Jersey, Philip Murphy, has ordered the closure of all restaurants, casinos, racetracks, bars, movie theaters and gyms to shut at 8 p.m. today, and remain closed until further notice. Thereafter restaurants

¹ At the time of this drafting

may be open from 5 a.m. until 8 p.m. for takeout and delivery only, all schools, pre-K through college/university have been ordered closed by the Governor. Further, the Governor has Ordered that all non-essential retail, recreation and entertainment businesses are closed as of 8 p.m., and if they open, can serve no more than 50 persons and must adhere to social distancing guidelines: and

WHEREAS, in consultation with the County of Bergen, Health Officer Hansel Asmar, who serves as the Borough of Dumont's Health Officer through a shared services agreement, and

WHEREAS, N.J.S.A. 40A:60-5 empowers the Mayor to maintain peace and good order; and

WHEREAS, N.J.S.A. 40A:60-7 permits the delegation of authority to the Borough Administrator and the Borough Code has through Ordinance 52-10 delegated to the Borough Administrator all powers not explicitly reserved to the Council or others.

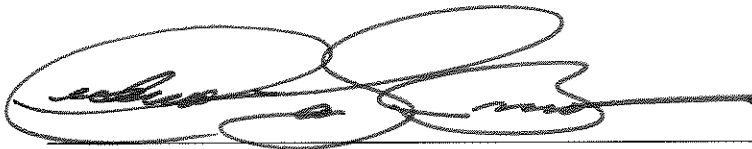
NOW THEREFORE, We, Andrew LaBruno, as Mayor of the Borough of Dumont, and Michael Conner, Officer of Emergency Management, and Christopher Tully, Borough Administrator do hereby order and direct that:

- 1) The above recitals are incorporated herein as if more fully set forth at length.
- 2) Because of the escalation of the health emergency within The Borough of Dumont, County of Bergen and the State of New Jersey regarding the Coronavirus (COVID-19), the following places of public gathering, in addition to those set forth by County of Bergen Executive Order 2020-1A, are **ordered** to cease operations to limit the transmission of COVID-19 and due to the inability to provide appropriate "social distancing" in accordance with CDC guidelines as follows:
 - a) All bars, taverns, clubs or other locations with plenary retail consumption licenses are closed until further notice;
 - b) All gymnasiums or health clubs closed until further notice;
 - c) All day care centers are to abide by directives issued by the Department of Children and Families as they are issued;
 - d) All barber shops, hair salons or nails salons are strongly urged to close until the emergency passes;
 - e) All private recreational sports programs which involve close physical contact including, but not limited to dance, gymnastics, boxing, karate, tae kwon do, basketball, soccer are closed until further notice; and
 - f) All places of public gathering, including funeral homes, shall limit attendance at any event or gathering in order to comply with CDC guidelines related to "social distancing," and limit such gatherings to no more the 50 persons if they can accommodate and enforce social distancing.
- 3) All restaurants are ordered to limit their service to take out or delivery orders only between 5 a.m. and 8 p.m. as directed by the Governor and in accordance with this Order.

- 4) All Borough parks, playgrounds, basketball and tennis courts along with recreational fields, are closed to the public until such time as it is determined by that an emergency no longer exists.
- 5) Food markets located in the Borough of Dumont, are **STRONGLY URGED** to restrict entry to only one member of an individual family and to limit the total number of customers on premises at one time to no more than fifty patrons who shall maintain a distance of at least 6 feet from each other while rapidly collecting food and necessary supplies prior to completing their purchases.
- 6) All houses of worship are strongly encouraged to temporarily suspend all services or other communal activities.
- 7) All banking and other financial institutions are directed to practice social distancing, sanitize high touch surfaces often (e.g. touch screens, ATM keypads, doorknobs, etc.) and make every attempt to limit the number of customers present.
- 8) As to those restrictions set forth above, all appropriate Borough Departments shall immediately disseminate this information in order to effectuate and encourage the terms of this Executive Order and shall immediately report any willful non-compliance to the Borough Administrator, Christopher Tully who shall transmit same as appropriate.
- 9) All workplaces are strongly encouraged to implement and observe CDC workplace social distancing measures, such as replacing in-person meetings with teleworking, modifying, postponing, or cancelling mass gatherings. Gatherings of 50 should not take place according to CDC guidance issued on March 15, 2020.
- 10) We recommend that all places of public gatherings be limited to the greatest extent possible and hosts use their best efforts to record the name, address, phone or other appropriate contact information of all employees, patrons, visitors, vendors or any other persons within their facilities in order to aid health officials in the event contact tracing activities should become necessary in connection with their operations.
- 11) All Borough Parking Restrictions are lifted until such time as it is determined that an emergency no longer exists.
- 12) All parks in the Borough are closed until this order is lifted.
- 13) This Order shall take effect immediately and shall remain in effect until such time as it is determined that an emergency no longer exists.
- 14) This Executive Order may be supplemented or amended as the COVID-19 health emergency continues in order to effectuate its purpose and terms set forth herein.

15) All Borough Employees, residents and those within the Borough are directed to comply with this Order and the Orders of the Governor and the County only to the extent required by law.

16) A copy of this Executive Order shall be immediately transmitted to the Council of the Borough of Dumont for ratification at an emergent telephonic meeting to be held on March 16, 2020 at 7:00PM provided that the Council confirms, at said meeting, by an affirmative vote of at least three quarters of its membership, that said meeting is required to deal with a matter of such urgency and importance that a delay for the purpose of providing adequate notice would be likely to result in substantial harm to the public interest and such meeting shall be for the limited purpose of ratifying this Executive Order and notice of said meeting shall be transmitted to two newspapers used for the publication of meetings in the Borough of Dumont, with a statement that the Council could not have reasonably foreseen the need for the meeting at a time when adequate notice could have been provided. N.J. Stat. Ann. § 10:4-9



Andrew LaBruno, Mayor, Borough of Dumont



Michael Conner

Office of Emergency Management



Christopher Tully, Borough Administrator

Dated: March 16, 2020