

EMERGENCY PROCLAMATION 2020-02

AN EMERGENCY PROCLAMATION CLOSING ALL BEACHES LOCATED WITHIN THE TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

TO ALL RESIDENTS AND PERSONS WITHIN THE TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

WHEREAS, on March 9, 2020, Governor Philip Murphy issued Executive Order 103 (2020) which declared a Public Health Emergency and State of Emergency in New Jersey; and

WHEREAS, since the issuance of Executive Order 103 (2020) Governor Murphy has issued a series of Executive Orders the purpose of which is to protect the health, safety and welfare of New Jersey residents through efforts to reduce the rate of community spread of COVID-19; and

WHEREAS, on March 21, 2020, Governor Murphy issued Executive Order 108 (2020) which, *inter alia*, invalidated restrictions/regulations imposed by Municipal and County governments which conflicted in any way with the provisions of Executive Order 107 (2020), with limited exceptions permitting Municipal and County governments to regulate "Online marketplaces for arranging or offering lodging, [and] Municipal or county parks;" and

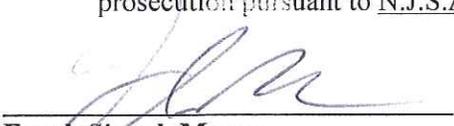
WHEREAS, Executive Order 108 (2020) further authorized the State Director of Emergency Management to make additions, amendments, clarifications, exceptions and exclusions to the restrictions which municipalities or counties have the ability to impose; and

WHEREAS, by Administrative Order No. 2020-5, the State Director of Emergency Management amended Executive Order 108 (2020), and specifically permits municipalities "to impose additional restrictions [on] local beaches and boardwalks in response to COVID-19 beyond the applicable provisions of Executive Order No. 107;" and

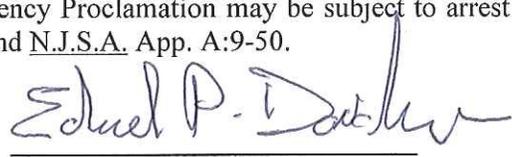
WHEREAS, the Township Council of the Township of Lower and the Emergency Management Coordinator of the Township of Lower find that in order to further protect the health, safety, and general welfare of all Township residents and visitors, it has become necessary and appropriate to temporarily close the beaches located within Township of Lower in an effort to further prevent the spread of Covid-19; and

NOW, THEREFORE, pursuant to N.J.S.A. App. A:9-40.5, and in accordance with the aforesaid Executive Order 108 (2020) and Administrative Order No. 2020-5, it is, on this 7th day of April 2020 promulgated and declared that the following regulations shall be in addition to all other laws of the State of New Jersey and the Township of Lower:

1. Effective immediately, and until further notice, all Township of Lower beaches are closed to the general public.
2. Persons found to be in violation of this Emergency Proclamation may be subject to arrest and prosecution pursuant to N.J.S.A. App. A:9-49 and N.J.S.A. App. A:9-50.



Frank Sippel, Mayor
Township of Lower, NJ



Edward P. Donohue
Emergency Management Coordinator
Township of Lower, NJ