

ORDER PURSUANT TO THE PROCLAMATION OF DISASTER AND EMERGENCY

**TO ALL RESIDENTS AND PERSONS WITHIN THE BOROUGH OF HARVEY
CEDARS IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY AND TO ALL
DEPARTMENTS OF THE MUNICIPAL GOVERNMENT OF THE BOROUGH OF
HARVEY CEDARS**

WHEREAS pursuant to the powers vested by Chapter 251 of the laws of 1942, as amended and supplemented, N.J.S.A. App. A: 9-30, *et seq.*, N.J.S.A. 40:48-1, *et seq.*, and all applicable statutory law and regulations, the Borough of Harvey Cedars declared on March 24, 2020, that a local disaster/emergency exists within by and through the required authorization of the Mayor and the Emergency Management Coordinator; and

WHEREAS it is evident that a substantial influx of non-residents in and visitors to Long Beach Island have and are using the beaches and failing to comply with Executive Order 107 and the CDC and Federal Guidelines that have been enacted; and

WHEREAS the State of New Jersey and New York Metropolitan areas have experienced the most significant impact of the Covid-19 pandemic and continued efforts to halt the spread of the virus and to flatten the curve are required to protect the public health, welfare, and safety; and

WHEREAS Executive Order 107 orders the public to remain in home isolation, except for certain, limited exceptions and the State has repeatedly expressed that all State residents should remain at their primary residences and not travel to the Jersey Shore in light of the region's limited healthcare and other infrastructure to protect the public during this pandemic; and

WHEREAS in order to protect the public health, welfare, and safety during this grave pandemic and aid in the enforcement of Executive Order 107, the beaches located in the Borough are hereby immediately closed, except as otherwise provided herein; and

WHEREAS the Borough issued property owners and residents "disaster re-entry" passes/placards ("Placard" or "Placards") following Superstorm Sandy, which are color coded and designated for Harvey Cedars in which the person issued the Placard is permitted entry and were required for access to the Borough during that and potential future emergency situations; and

WHEREAS the Borough recently reissued the Placards and no additional Placards shall be reissued until Executive Order 107 is rescinded; and

WHEREAS pursuant to the terms herein, the Township shall permit the property owners and residents to access the beach with the Placards issued to them.

NOW, THEREFORE, in accordance with the aforesaid laws and recitals, which are incorporated herein by reference, it is promulgated and declared that until further Order of the Borough or until the restrictions set forth in the Governor's Executive Order are rescinded, whichever is earlier, the following emergency restrictions and regulations are effective immediately.

A. Except as provided herein, the Harvey Cedars beach is closed to access to all persons and for any and all activities.

B. Property owners and residents who were issued a Placard may access and use the beach on foot only and shall not engage in beach-related activities, including, but not limited to, fishing, swimming, any land-based sports, vehicle use, the use of any beach chairs, beach blankets, or towels, or the congregating of any kind outside the scope of the requirements of Executive Order 107. Beach access and use are expressly limited to walking and jogging alone. Consistent with Executive Order 107, the Placards may only be used by the owners and their immediate family members, caretakers, household members, or romantic partners to walk and/or jog upon the beach and only two (2) adults and their minor children may use the Placard at any one (1) time. Those persons may also access the beach with their dog(s), provided that all applicable regulations relating to dogs on the beach shall continue to apply, including the requirement that dogs remain leashed at all times. All social distancing guidelines shall apply and the Placards shall be worn and/or prominently displayed by the persons at all times.

C. All persons shall be required to hold up and display their Placards to Borough police officers and personnel and Borough police vehicles and other Borough designated vehicles when in the vicinity of same to establish possession of the Placard.


D. Each separate access and use of the beach by each person shall be considered a separate violation and persons shall be subject to potential multiple violations during the course of each day.

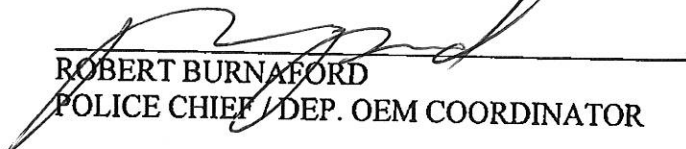
E. The Emergency Management Coordinator, the Borough Police Department and the Borough Beach Patrol shall be charged with the enforcement of the terms of this Order.

F. Penalties for violations of this Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

Dated: 4/7/20

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JONATHAN OLDHAM
MAYOR / OEM COORDINATOR


ROBERT BURNAFORD
POLICE CHIEF / DEP. OEM COORDINATOR