

**TOWNSHIP OF TOMS RIVER
OFFICE OF EMERGENCY MANAGEMENT**

***SECOND AMENDED PROCLAMATION OF
LOCAL DISASTER EMERGENCY***

WHEREAS, by Executive Order No. 103, issued on March 9, 2020, Governor Murphy declared both a public health emergency and a state of emergency as a result of the global outbreak of COVID-19; and

WHEREAS, in a series of subsequent executive orders, the Governor, pursuant to his statutory emergency powers, imposed various prohibitions, restrictions, and closures on the interactions of individuals and the activities of non-essential businesses in order to stem the outbreak; and

WHEREAS, on March 25, 2020, President Trump issued a federal disaster declaration for the State of New Jersey due to the global outbreak of COVID-19; and

WHEREAS, pursuant to N.J.S.A. App. 9:40.5, municipal emergency management coordinators are empowered to proclaim a local disaster emergency and to enforce such orders as may be necessary to implement and carry out emergency management operations and to protect the health, safety, and resources of the general public; and

WHEREAS, pursuant to that authority and consistent with the declarations issued by the federal and state governments, the Toms River Office of Emergency Management declared a local state of emergency in the Township of Toms River effective March 31, 2020, to combat the COVID-19 pandemic; and

WHEREAS, on May 8, 2020, the Toms River Office of Emergency Management issued an amended local emergency declaration; and

WHEREAS, the state of emergency declared pursuant to Executive Order No. 103 remains in full force and effect; and

WHEREAS, on July 2, 2020, Governor Murphy issued Executive Order No. 162, extending the public health emergency initially declared pursuant to Executive Order No. 103, and any subsequent orders issued in accordance therewith, for an additional 30 days; and

WHEREAS, the local emergency declarations issued on March 31, 2020, and May 8, 2020, remain in full force and effect; and

WHEREAS, the various executive orders issued by the Governor to combat the COVID-19 pandemic require individuals to limit social interactions, maintain proper social distancing, and to wear face coverings in prescribed circumstances; and

WHEREAS, there is evidence of a nationwide resurgence in coronavirus cases resulting from a failure to observe these protocols, particular among younger individuals; and

WHEREAS, between early June and early July, 2020, the Toms River Police Department has documented a nearly sevenfold increase in juvenile complaints in the North Beach area of the Township over the same period in 2019; and

WHEREAS, over the same period, residents of the North Beach area have reported to the police increasing problems with throngs of unruly juveniles congregating nightly in violation of the social distancing and face mask restrictions imposed by executive order, and also committing acts of vandalism and criminal mischief; and

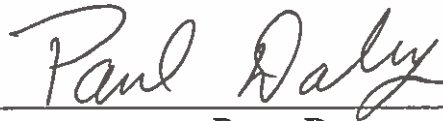
WHEREAS, such acts threaten the public health, safety, and welfare of the affected the communities and, if uncontrolled, can exacerbate the spread of COVID-19; and

WHEREAS, in consultation with the Police Department and other Township officials, the Toms River Office of Emergency Management has determined that these incidents warrant the imposition of a limited curfew in the North Beach area upon juveniles unaccompanied by an adult:

NOW, THEREFORE, PURSUANT TO the statutory powers conferred upon me as the duly-appointed Emergency Management Coordinator of the Township of Toms River, I hereby declare as follows:

1. Effective immediately, all persons 17 years of age and under are prohibited to be upon a public street, avenue, boulevard, place, walkway, alley, park, or any public area or unimproved private property located in the North Beach area of the Township between 9:00 p.m. and 5:00 a.m., unless accompanied by a parent or legal guardian.
2. For the purposes of this order, “North Beach,” is defined as that area of the Township north of the Township’s border with the Borough of Lavallette (beginning with West Shore Way on Route 35 North and at West Bay Way on Route 35 South), south of the Township’s border with the Township of Brick (beginning Fifth Avenue), east of the Barnegat Bay, and west of the Atlantic Ocean.
3. The Toms River Police Department is charged with enforcement of this order.
4. Penalties for violations of this order may be imposed pursuant to N.J.S.A. App. A:9-49 and N.J.S.A. App. A: 9-50.
5. The curfew imposed pursuant to this order shall remain in effect through September 7, 2020.

6. All provisions of the prior local emergency declarations not inconsistent herewith remain in full force and effect.



PAUL DALEY
EMERGENCY MANAGEMENT COORDINATOR

7-9-2020

Dated