

## **EXECUTIVE ORDER # 12**

Pursuant to Executive Order # 2 Establishing a State of Emergency in the Town of Dover, Morris County and Pursuant to the State of New Jersey Office of Emergency Management Directive No. 61 as it relates to Coronavirus (COVID-19)

**WHEREAS**, In light of the dangers posed by COVID-19, the Town of Dover established a State of Emergency in the Town of Dover pursuant to Executive Order # 2 issued on March 16, 2020; and

**WHEREAS**, Pursuant to applicable law, as recited in Executive Order # 2, which authorizes the promulgation of Orders, Rules, and Regulations, and such Regulations are necessary to meet the various problems, which have or may occur due to such emergency; and

**WHEREAS**, Pursuant to the powers vested by Chapter 251 of the Laws of 1942, as amended and supplemented, J.J.S.A. APP. A: 9-30 et seq.; N.J.S.A. 40:48-1(6); N.J.S.A. 2C:33-1 et seq.; whichever law or laws exist apply, including, the Code of the Town of Dover, a local disaster emergency is declared to exist within the boundaries of the Town of Dover; and

**WHEREAS**, Executive Order # 2 was approved by the Morris County Office of Emergency Management (OEM); and

**WHEREAS**, COVID-19 is a contagious, and at times fatal, respiratory disease caused by the SARS CoV-2 Virus and was declared to be a global pandemic by the World Health Organization on March 11, 2020; and

**WHEREAS**, The conditions under which a State of Emergency continues to exist with respect to COVID-19 in the Town of Dover Executive Order # 2 continues to exist, the facts and circumstances thereof are adopted herein; and

**WHEREAS**, the Town has issued Executive Orders 3, 4, 5, 6, 7, 8, & subsequent orders to support the health, safety, and welfare of the residents of the Municipality, the facts and circumstances of which are adopted herein; and

**WHEREAS**, As of December 30, 2021 the State of New Jersey reports there are 1.5 million confirmed positive cases of COVID-19 and 28,967 cases of death; and

**WHEREAS**, As of December 30, 2021, the County of Morris reported 76,077 cases of COVID-19 and 1,262 deaths; and

**WHEREAS**, As of December 24, 2021 the Town of Dover has 3,305 confirmed COVID-19 cases and 76 deaths; and

**WHEREAS**, the death of each and every person is a profound tragedy to us all, but especially when Dover has lost 76 of our own to this worldwide pandemic; and

**WHEREAS**, the Town of Dover took proactive measures to help curb the spread of COVID-19 during the early stages of the virus by implementing a comprehensive plan for education and enforcement; and

**WHEREAS**, the Town of Dover took additional proactive measures to curb the spread of COVID-19 implementing a face mask requirement for indoor places of public accommodation in 2020; and

**WHEREAS**, if bars and restaurants in Dover have to close due to COVID-19 outbreaks among staff, this will contribute to the loss of revenue for business owners and earnings for employees; and

**WHEREAS**, the rate of positive cases has surged in Dover; and

**WHEREAS**, creating additional safeguards in local public businesses and commercial establishments will lead to a safer environment for staff and members of the public, which will encourage more individuals to patronize Dover businesses; and

**WHEREAS**, public officials have a moral obligation to create a safer environment for those vulnerable members of our community, such as the immunocompromised and the elderly who are at greater risk for hospitalization if they contract COVID-19; and

**WHEREAS**, given the greater transmissibility of the Omicron variant, governments should consider extra, temporary precautions to curb the spread of the virus, especially in locations where members of the public are in close contact; and

**WHEREAS**, temporary measures to curb the spread of the Omicron variant will create safer places of public accommodations, as opposed to any lockdowns that would severely impact local businesses and jeopardize our local economy; and

**WHEREAS**, recently, the State has experienced significant upticks in critical COVID-19 metrics, including a 204% increase in COVID-19 positive cases compared to two weeks ago, the rate of transmission, spot positivity, and new hospitalizations, that warrant additional precautions in certain settings, especially those with a substantial number of unvaccinated individuals; and

**WHEREAS**, while over 204 million people in the State have been fully vaccinated against COVID-19, additional steps are necessary to ensure continued vaccinations of individuals in certain settings of concern to protect against spread of COVID-19; and

**WHEREAS**, it is critical that individuals continue to follow social distancing, masking, and other infection control protocols while vaccine administration is ongoing in the State; and

**NOW THEREFORE**, Based upon the foregoing, the OEM Coordinator and the Mayor believe it is necessary for the health, safety, and welfare of the Town to amend or augment existing Executive Orders in the following manner:

1. All Executive Orders of Governor Phil Murphy issued to date that are still in effect are hereby incorporated into this Order and shall have full force and effect; and
2. All orders of the Town of Dover Executive Order # 2 and all subsequent Orders, hereby remain in full force and effect unless expressly rescinded or modified in this Order, another Municipal Order, or superseded by the laws of the federal government or State of New Jersey including, but not limited to N.J.S.A. App. A:9 40, or by an Order of the Governor; and
3. All Dover residents, visitors, and staff, regardless of vaccination status, must wear a mask while in any indoor facility of public accommodation including, but not limited to, restaurants, bars, gymnasiums, dance studios, recreation facilities, retail stores, cafes, supermarkets, places of worship, commercial establishments, salons, barbershops, banks, healthcare facilities, and hotels.
4. Residents, visitors, and patrons of the above public facilities must wear a face mask at all times except when actively eating or drinking, or when socially distanced at least six feet apart from all others for an extended period of time such as at a desk in an office setting.
5. The Town Administrator is expressly authorized to develop and implement procedures for COVID-19 safety for employees and the public conducting business in public buildings, which shall be based on local conditions and consistent with

recommendations of the Centers for Disease Control and in consultation with the Dover Department of Health or Public Health Nurse.

6. It shall be the duty of every person or entity in this Municipality or doing business in this Municipality and of the members of the governing body and every official, employee or agent of every body, agency, department, and authority in this Municipality to cooperate fully in all matters concerning this Executive Order and cooperate fully with Administrative Orders issued pursuant to this Executive Order; and

7. The Town Administrator is hereby expressly authorized and empowered to develop and implement procedures to enforce the aforementioned Orders including all previous Orders, which are incorporated herein; and

8. This Executive Order will have immediate effect and shall remain in effect until revoked or modified by the OEM and the Mayor in a subsequent Order. All provisions of any previously issued Order not expressly rescinded or modified by this Order remain in full force and effect. Any provision of this document deemed unenforceable by a court of competent jurisdiction shall apply to that specific provision and all other provisions shall remain in effect.

Hereby ordered by:

  
Emergency Management Coordinator

12-31-2021  
Date

  
Carolyn Blackman, Mayor, Town of Dover

12-31-2021  
Date