

**BOARD OF CHOSEN FREEHOLDERS
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION**

No. 317-20

**RESOLUTION SUPPORTING THE PROPOSAL FOR THE SAFE,
THOUGHTFUL AND PROGRESSIVE REOPENING OF THE COUNTY OF CAPE
MAY IN THE TIME OF COVID-19
AND AMENDING COUNTY RESOLUTION 250-20**

WHEREAS, on January 31, 2020, the United States Department of Health declared the 2019 novel coronavirus (COVID-19) to be a public health emergency in the United States, under section 319 of the Public Health Service Act (42 U.S.C. 247d) ; and

WHEREAS, on March 9, 2020, due to the danger to public health caused by COVID-19 and its rapid spread through New Jersey, Pennsylvania, Delaware and New York, New Jersey Governor Philip D. Murphy declared COVID-19 to be a public health emergency and state of emergency under N.J.S.A. 26:13-1, *et seq.* and N.J.S.A. App. 9-30, *et seq.*, respectively; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic, which means it is an epidemic that has spread over several countries or continents and affects a large percent of the population; and

WHEREAS, on March 13, 2020, as the rates of infection continued to rise in many locations around the world and across the United States, President Donald J. Trump declared that COVID-19 outbreak constituted a national emergency in accordance with the National Emergencies Act, 50 U.S.C., *et seq.*; and

WHEREAS, the Cape May County Board of Chosen Freeholders issued Resolution 215-20 declaring COVID-19 to be a public health emergency to the residents of Cape May County; and

WHEREAS, Governor Murphy issued Executive Order 107 further enacting “social distancing” regulations, including but not limited to, directing all New Jersey residents to remain in their home or place of residence with specific limited exceptions, prohibited gatherings of any size, closed all non-essential retail businesses and identified essential businesses permitted to continue to operate subject to specific limitations, and reiterated and strengthened social distancing requirements when in public; and

WHEREAS, Administrative Orders 2020-05, 220-06 and 2020-10 expanded and/or amended the list of essential retail businesses permitted to continue operating during the COVID-19 pandemic; and

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WHEREAS, Governor Murphy also issued Executive Order 108 which specifically voided and precluded county and municipalities from imposing or enforcing any restrictions/regulations that in any way would or might conflict with any of the provisions of Executive Order 107, with the exception of regulating online marketplaces for arranging or offering lodging, municipal or county parks, and beaches and boardwalks; and

WHEREAS, Colonel Patrick J. Callahan, State Director of Emergency Management, amended paragraph 3 of Executive Order No. 108 to allow municipalities and counties to impose additional restrictions in response to COVID-19 on the ability of hotels, motels, guest houses, or private residences, or parts thereof, to accept new transient guests or seasonal tenants; and

WHEREAS, the Cape May County Board of Chosen Freeholders issued Resolution 250-20 prohibiting the lodging of transient guests or seasonal tenants within Cape May County until further notice, and requesting municipalities within the Cape May County to further restrict the use of beaches and boardwalks; and

WHEREAS, despite efforts to combat the spread of COVID-19 through Executive and Administrative Orders as well as the County Resolutions, there has been a continual influx of second homeowners and visitors to Cape May County; and

WHEREAS, in light of the arrival of second homeowners and visitors that Cape May County has experienced to date, and the overwhelming indication that large numbers of non-residents will continue to come to Cape May County, it is necessary to develop a clear and comprehensive plan to begin reopening the County; and

WHEREAS, Resolution 256-20 of the Board of Chosen Freeholders established the Cape May County Business Recovery Task Force and appointed thirteen (13) business sector representatives to assist the Board of Chosen Freeholders with implementing thoughtful and meaningful policies and programs to assist the business community in Cape May County; and

WHEREAS, the Cape May County Business Recovery Task Force quickly evolved into the Cape May County-Wide Recovery Initiative, which engaged and included Cape Regional Health System, the Cape May County Health Department and the Mayors of each of Cape May County's municipalities, in an effort to work toward a consensus on a unified reopening plan; and

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WHEREAS, the Recovery Initiative considered data and input from Cape Regional Health System and the Cape May County Department of Health, and incorporates effective mechanisms for maximizing compliance with social distancing, personal protective equipment use, testing, sanitation and disinfection to ensure the smart, safe and methodical reopening of Cape May County; and

WHEREAS, the Board of Chosen Freeholders finds it in the best interests of residents and visitors for the County of Cape May, municipal governments, healthcare representatives and business sector leaders to work together now to advance a reopening plan with the guidance, support and approval of the State of New Jersey; and

WHEREAS, the Board of Chosen Freeholders recognize and laud the efforts, input and assistance of the Mayors of Cape May County, Business Task Force Members, healthcare representatives and Recovery Initiative Support Staff towards the Proposal for the Safe, Thoughtful and Progressive Reopening of the County of Cape May in the Time of COVID-19, which was advanced to Governor Philip D. Murphy on May 5, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Chosen Freeholders finds as follows:

1. The recitals set forth above in the preamble are incorporated herein as if fully set forth verbatim;
2. The County of Cape May, with the support and consensus of its municipalities and healthcare representatives, respectfully requests Governor Philip D. Murphy to relax and/or modify provisions of any Executive and Administrative Orders that are necessary for the County to implement the Proposal for the Safe, Thoughtful and Progressive Reopening of the County of Cape May in the Time of COVID-19 that was advanced to him on May 5, 2020, which is attached hereto as Exhibit "A"; and
3. Resolution 250-20 prohibiting the lodging of transient guests or seasonal tenants within Cape May County is hereby amended consistent with the Proposal for the Safe, Thoughtful and Progressive Reopening of the County of Cape May in the Time of COVID-19; specifically, as follows:
 - a. Rentals for a duration of greater than thirty (30) days shall be permitted effective 12:01 a.m., Monday, May 11, 2020;

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- b. Rentals for a duration of less than thirty (30) days shall be permitted effective 12:01 a.m., Monday, June 1, 2020;
- c. Hotels and motels may operate at a capacity of 60% of its full capacity effective 12:01 a.m., Monday, June 1, 2020; and
- d. Hotels and motels may operate at full capacity effective 12:01 a.m., Monday, June 22, 2020.

STATEMENT

This Resolution respectfully requests Governor Philip D. Murphy to endorse the Proposal for the Safe, Thoughtful and Progressive Reopening of the County of Cape May in the Time of COVID-19 and amends County Resolution 250-20.

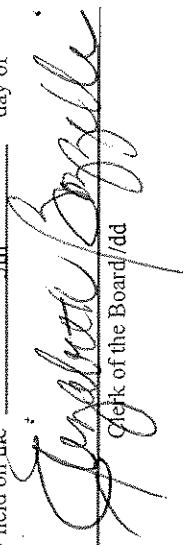
STATE OF NEW JERSEY } ss:
COUNTY OF CAPE MAY }

I, Elizabeth Bozzelli, Clerk of the Board of Chosen Freeholders of the County of Cape May, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 5th day of

May _____, 2020.

Freeholders	RECORD OF VOTE			
	Ayes	Nays	Abstain	Moved Second
Mr. Desiderio	✓			✓
Ms. Hayes	✓			
Mr. Morey	✓			
Mr. Pierson	✓			
Mr. Thornton	✓			✓
✓ - Indicates Vote Moved-Resolution Offered . Second-Resolution Seconded				

Signed,


Clerk of the Board/dd