

\*\*\*\*\***TABLED**\*\*\*\*\*

March 24, 2020

**BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY**

**RESOLUTION NO. 2020-80**

**RESOLUTION TEMPORARILY SUSPENDING THE BOROUGH'S ENFORCEMENT OF CHAPTER 358: "REUSABLE BAGS" & SECTION 8: "USE OF POLYSTYRENE" OF CHAPTER 357: "RECYCLING" DURING DECLARED STATE OF EMERGENCY**

---

**Mayor Engelstad** offered the following Resolution and moved its adoption:

**WHEREAS**, the Governor of the State of New Jersey has issued Executive Order No. 104 imposing restrictions upon the operation of businesses, and particularly, restaurant and retail food establishments, within the entire State of New Jersey during the COVID-19 pandemic crisis; and

**WHEREAS**, the Mayor and Emergency Management Coordinator of the Borough of Bradley Beach (the "Borough") have proclaimed that a local state of emergency likewise exists within the Borough in response to the COVID-19 pandemic crisis; and

**WHEREAS**, Chapter 358: "Reusable Bags" of the Borough's Revised General Ordinances provides, *inter alia*, that "no operator of any store shall provide any single-use plastic carryout bag to any customer for the purpose of enabling a customer to transport products or goods out of the store"; and

**WHEREAS**, Section 8: "Use of Polystyrene" of Chapter 357: "Recycling" of the Borough's Revised General Ordinances provides, *inter alia*, that "no retail establishment shall sell, convey, give or provide any product in polystyrene foam packaging, individually or in bulk, to any ultimate consumer if such packaging is composed, in any part, of polystyrene foam"; and

**WHEREAS**, in order to promote the goals and objectives of the Governor's Executive Order No. 104, the Borough's Mayor & Council find it prudent to suspend the enforcement of Chapter 358: "Reusable Bags" and Section 8: "Use of Polystyrene" of Chapter 357: "Recycling" of the Borough's Revised General Ordinances;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor & Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey immediately suspend enforcement of

Chapter 358: “Reusable Bags” and Section 8: “Use of Polystyrene” of Chapter 357: “Recycling” of the Borough’s Revised General Ordinances within the Borough; and

**BE IT FURTHER RESOLVED** that the suspension of enforcement of Chapter 358: “Reusable Bags” and Section 8: “Use of Polystyrene” of Chapter 357: “Recycling” of the Borough’s Revised General Ordinances within the Borough of Bradley Beach shall remain in effect until the termination of the local state of emergency within the Borough; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be forwarded to the Administrator, Police Department, Code Enforcement Department, and any business organizations representing or otherwise affiliated with the business community of the Borough of Bradley Beach.

Seconded by \_\_\_\_\_ and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Bonnell				
Mr. Gubitosi				
Mr. Sexsmith				
Mr. Weber				
Mayor Engelstad				

**CERTIFICATION**

I, Erica Kostyz, Deputy Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the March 24, 2020 meeting.

\_\_\_\_\_  
ERICA KOSTYZ, RMC,CMR  
Deputy Municipal Clerk