

March 9, 2021

**BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY**

**RESOLUTION 2020-91**

**RESOLUTION CONTINUING TEMPORARY RELAXATION OF ENFORCEMENT OF PROVISIONS OF THE BOROUGH CODE TO PROVIDE LOCAL BUSINESSES WITHIN THE BOROUGH WITH EXPANDED CAPACITY AND ADDITIONAL SPACE TO PRACTICE PROPER SOCIAL DISTANCING DURING THE COVID-19 CRISIS THROUGH NOVEMBER 30, 2022, OR WHEN INDOOR DINING RESUMES WITHOUT CAPACITY RESTRICTIONS BY EXECUTIVE ORDER OF THE GOVERNOR OF THE STATE OF NEW JERSEY, WHICHEVER IS LATER**

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**WHEREAS**, the Governor of the State of New Jersey has issued Executive Orders imposing restrictions upon the operation of businesses 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 have proclaimed that a local state of emergency, as thereafter amended, exists within the Borough of Bradley Beach (the “Borough”) in response to the COVID-19 crisis; and

**WHEREAS**, although the COVID-19 pandemic crisis and state of emergency continues at present, Federal, State, County and other authorities have lifted certain restrictions; and

**WHEREAS**, with the re-opening of businesses within the State of New Jersey, the Borough’s Mayor and Council believed it prudent to assist Borough businesses in re-opening and to provide maximum opportunities for social distancing as said businesses do so for the safety and general welfare of Borough residents; and

**WHEREAS**, by Resolution No. 2020-146, dated June 9, 2020, the Borough temporarily relaxed and modified certain regulations within the Borough, simultaneously and in accordance with the Governor’s lifting of state-wide restrictions and the guidelines arising therefrom, to provide businesses with expanded space to operate for the protection of business owners, employees, customers, and Borough residents; and

**WHEREAS**, by Resolution No. 2020-221, dated September 8, 2020, the Borough extended said temporary measures until November 30, 2020; and

**WHEREAS**, by Resolution No. 2020-275, dated November 24, 2020, the Borough extended said temporary measures until March 31, 2021; and

**WHEREAS**, the Mayor & Council believe it to be in the interest of public safety and to the benefit of Borough businesses to extend said temporary measures until November 30, 2022,

or the date on which indoor dining resumes without capacity limitations pursuant to an Executive Order issued by the Governor, whichever is later; and

**WHEREAS**, nothing herein shall be construed or interpreted inconsistently with or in violation of any Executive Order issued by the Governor of the State of New Jersey, or any other law, rule, regulation, guideline, directive, or notice from any authority to which the Borough is subject or would otherwise be bound or guided;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Bradley Beach that all terms, conditions, provisions, and administration of the mandates contained in Borough Resolution Nos. 2020-146 and 2020-221 and 2020-275 shall be continued until November 30, 2022, or the date on which indoor dining resumes without capacity limitations pursuant to an Executive Order issued by the Governor, whichever is later; and

**BE IT FURTHER RESOLVED** that the Borough Administrator, Zoning Officer, Construction Official, Fire Official, and Chief of Police are hereby authorized and empowered to the extent of their legal authority to carry out the objectives of this Resolution.


**BE IT FURTHER RESOLVED** that a copy of this Resolution be sent to the Borough Administrator, Zoning Officer, Construction Official, Fire Official, Chief of Police, and as many Bradley Beach businesses as is feasible for the Borough Administrator.

Seconded by Councilman Sexsmith and adopted upon the following vote:

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mr. Bonnell	X			
Mr. Gubitosi	X			
Mr. Sexsmith	X			
Mr. Weber	X			
Mayor Fox	X			

#### **CERTIFICATION**

I, Erica Kostyz, Municipal Clerk of the 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 9, 2021 meeting.

  
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Erica Kostyz, RMC, CMR  
Municipal Clerk