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MEETING ID 7345702437

Present:

Absent:

AGENDA
CITY OF BRIGANTINE
SPECIAL COUNCIL MEETING
APRIL 9, 2020
11:00 A.M. – Public Portion

1. Flag Salute
2. Opening Prayer
3. Open Public Meetings Act Announcement
4. Resolution 2020-69 Re: Rental Property Restrictions

M:

S:

RC:

MC:

5. Public Comments
6. Adjourn _____ P.M.

City Council will discuss Administrative Order 2020-8 issued by the NJ Office of Emergency Management which provides for municipalities to impose restrictions in response to COVID-19 on the ability of hotels, motels, guest houses, private residences or parts thereof to accept new transient guests or seasonal tenants after April 5, 2020.

The City Council of the City of Brigantine reserves the right to consider, discuss and/or take any formal action upon resolutions or ordinances not appearing on the printed agenda.

CITY OF BRIGANTINE
RESOLUTION NO. 2020-69

Rental Property Restrictions

WHEREAS, The New Jersey Office of Emergency Management has issued Administrative Order 2020-8, a copy of which is attached hereto and made apart hereof; and

WHEREAS, AO 2020-8 provides for municipalities to impose 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 after April 5, 2020; and

WHEREAS, the City of Brigantine wishes to impose such restrictions and provide for procedures to effectuate such restrictions; and

WHEREAS, the Mayor and City Council support such restrictions and believe that such restrictions when properly applied shall benefit the City.

NOW THEREFORE, BE IT RESOLVED that the City of Brigantine, in response to COVID-19, authorizes restrictions on the ability of hotels, motels, guest houses or private residences, or parts thereof, to accept new transient guests or seasonal tenants; and

BE IT FURTHER RESOLVED, that the City's Emergency Management Coordinator in consultation with the City Manager shall establish and coordinate such programs as are necessary to effectuate such restrictions; and

BE IT FURTHER RESOLVED that the Emergency Management Coordinator and the City Manager shall provide period reports to City Council as the results and effectiveness of the program implemented

This is to certify that the above is a true and lawful copy of a resolution adopted by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey at its meeting of April 9, 2020.

Lynn Sweeney, RMC
City Clerk

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Simpson					
Riordan					
Sera					
Bew					
Lettieri					
Haney					
DeLucry					

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF NEW JERSEY STATE POLICE
OFFICE OF EMERGENCY MANAGEMENT

ADMINISTRATIVE ORDER

HOTELS, MOTELS, GUEST HOMES

No. 2020-8

WHEREAS, on March 9, 2020, through Executive Order No. 103, the facts and circumstances of which are adopted by reference herein, the Governor declared both a Public Health Emergency and a State of Emergency throughout the State due to the public health hazard posed by Coronavirus disease 2019 (COVID-19); and

WHEREAS, to further protect the health, safety, and welfare of New Jersey residents by, among other things, reducing the rate of community spread of COVID-19, the Governor issued Executive Order No. 107 (2020) on March 21, 2020, the facts and circumstances of which are adopted by reference herein, which established enhanced social mitigation strategies for combatting COVID-19; and

WHEREAS, the Governor issued Executive Order No. 108 (2020) on March 21, 2020, the facts and circumstances of which are adopted by reference herein, finding that unitary management is essential for coordination needed during an emergency, and invalidating any county or municipal restriction imposed in response to COVID-19 that in any way will or might conflict with any of the provisions of Executive Order No. 107, or that in any way will or might in any way interfere with or impede its achievement or the achievement of Administrative Orders issued as authorized by the Governor's Executive Orders; and

WHEREAS, Executive Order No. 108 recognized that there are certain limited circumstances in which it may be beneficial for localities to be able to impose additional restrictions, and specifically identified that certain municipalities may have legitimate concerns about an influx of new visitors, which may cause public health concerns as the State imposes social distancing measures and aims to avoid unnecessary increases in density of individuals; and

WHEREAS, substantial influxes of new visitors may overtax the health care facilities and public safety and emergency services in a particular locality as COVID-19 spreads through the increased population; and

WHEREAS, Executive Order No. 108 permitted municipalities or counties to impose additional restrictions in response to COVID-19 on online marketplaces for arranging or offering lodging and further authorized the State Director of Emergency Management to make additions, amendments, clarifications, exceptions, and exclusions to this list;

NOW, THEREFORE, I, Patrick J. Callahan, State Director of Emergency Management, hereby ORDER as follows:

1. Paragraph 3 of Executive Order No. 108 (2020) is hereby amended 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 after the effective date of this order.
2. As used in this Order, the term “transient guest or seasonal tenant” described in paragraph 1 shall not include: (i) individuals housed as a part of State-directed non-congregate shelter initiative, (ii) individuals taking temporary residence supported by Federal, State, or local emergency and/or other housing assistance, or (iii) healthcare workers taking temporary residence. Municipalities or counties may not impose restrictions in response to COVID-19 on the ability of hotels, motels, guest houses, or private residences, or parts thereof, to accept any such individuals. The State Director of Emergency Management reserves the right to amend this paragraph as needed to address the ongoing public health emergency.
3. When determining whether any hotel, motel, guest house, or private residence is permissibly operating by housing individuals who are listed in the categories in paragraph 2, the municipality or county shall defer to the determination made by the County Office of Emergency Management, which shall consult with the New Jersey Office of Emergency Management in making that determination.
4. Nothing in this Order shall be construed to conflict with the directive in Executive Order No. 106 (2020) that prohibited the removal of an individual from a residential property as the result of an eviction proceeding.
5. This Order shall take effect at 8:00 p.m. on Sunday, April 5, 2020.

April 4, 2020



Colonel Patrick J. Callahan
State Director of Emergency Management