

**TOWNSHIP OF TOMS RIVER
OFFICE OF EMERGENCY MANAGEMENT**

***SIXTH AMENDED PROCLAMATION OF
LOCAL DISASTER EMERGENCY***

WHEREAS, by Executive Order No. 103, issued on March 9, 2020, Governor Murphy declared both a public health emergency and a state of emergency as a result of the global outbreak of COVID-19; and

WHEREAS, in a series of subsequent executive orders, the Governor, pursuant to his statutory emergency powers, imposed various prohibitions, restrictions, and closures on the interactions of individuals and the activities of non-essential businesses in order to stem the outbreak; and

WHEREAS, on March 25, 2020, President Trump issued a federal disaster declaration for the State of New Jersey due to the global outbreak of COVID-19; and

WHEREAS, pursuant to N.J.S.A. App. 9:40.5, municipal emergency management coordinators are empowered to proclaim a local disaster emergency and to enforce such orders as may be necessary to implement and carry out emergency management operations and to protect the health, safety, and resources of the general public; and

WHEREAS, pursuant to that authority and consistent with the declarations issued by the federal and state governments, the Toms River Office of Emergency Management declared a local state of emergency in the Township of Toms River effective March 31, 2020, to combat the COVID-19 pandemic; and

WHEREAS, on May 8, 2020, the Toms River Office of Emergency Management issued an amended local emergency declaration; and

WHEREAS, the state of emergency declared pursuant to Executive Order No. 103 remains in full force and effect; and

WHEREAS, the public health emergency initially declared pursuant to Executive Order No. 103, has been repeatedly extended, most recently pursuant to Executive Order 235; and

WHEREAS, both the state of emergency declared pursuant to Executive Order No. 103 and the public health emergency remain in effect; and

WHEREAS, the local emergency declarations issued on March 31, 2020, and May 8, 2020, remain in full force and effect; and

WHEREAS, the various executive orders issued by the Governor since March 2020 to combat the COVID-19 pandemic require individuals to limit social interactions, maintain proper social distancing, and to wear face coverings in prescribed circumstances; and

WHEREAS, there is evidence of a resurgence in coronavirus cases resulting from a failure to observe these protocols, particular among younger individuals; and

WHEREAS, between early June and early July, 2020, the Toms River Police Department documented a nearly sevenfold increase in juvenile complaints in the North Beach area of the Township over the same period in 2019; and

WHEREAS, over the same period, residents of the North Beach area reported to the police increasing problems with throngs of unruly juveniles congregating nightly in violation of the social distancing and face mask restrictions imposed by executive order, and also committing acts of vandalism and criminal mischief; and

WHEREAS, such acts threaten the public health, safety, and welfare of the affected the communities and, if uncontrolled, can exacerbate the spread of COVID-19; and

WHEREAS, in consultation with the Police Department and other Township officials, the Toms River Office of Emergency Management determined that these

incidents warranted the imposition of a limited curfew in the North Beach area upon juveniles unaccompanied by an adult; and

WHEREAS, on July 9, 2020, such a curfew was implemented pursuant to N.J.S.A. App. 9:40.5 and the various pandemic-related Executive Orders issued by the Governor; and

WHEREAS, the curfew was successful in mitigating the problems associated with uncontrolled gatherings of juveniles; and

WHEREAS, the original curfew order expired on September 7, 2020, and was subsequently extended through September 30, 2020; and

WHEREAS, it was determined to be in the public interest to resume the curfew to avoid any recurrences of the problems that precipitated the imposition of the curfew during the 2020 summer season; and

WHEREAS, on May 6, 2021, a Fourth Amended Proclamation of Local Disaster Emergency was issued reinstating the 9:00 pm to 5:00 am curfew; and

WHEREAS, on June 3, 2021, a Fifth Amended Proclamation of Local Disaster Emergency was issued amending the curfew start time to 10:00 pm; and

WHEREAS, the prior curfew expired on September 30, 2021; and

WHEREAS, although the public health emergency was rescinded pursuant to Executive Order No. 244, the original state of emergency declared pursuant to Executive Order No. 103 remains in effect; and

WHEREAS, the problems that originally precipitated the imposition of the curfew—including a recent spate of “pop up” parties organized on social media—continue to persist; and

WHEREAS, it has been determined to be in the public interest to resume the curfew, with modifications, to combat these problems:

NOW, THEREFORE, PURSUANT TO the statutory powers conferred upon me as the duly-appointed Emergency Management Coordinator of the Township of Toms River, I hereby declare as follows:

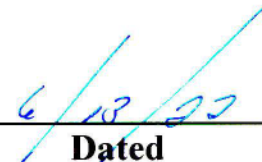
1. The curfew implemented, extended, and reinstated pursuant to the Second, Third, Fourth, and Fifth Amended Proclamations of Local Disaster Emergency, is hereby reinstated with the following modifications:

- a. The curfew shall be in effect from 11:00 pm through 5:00 am.
- b. The curfew shall take effect immediately and remain in effect through and including September 30, 2022.
- c. In addition to the “North Beach Area” defined in the previous proclamations, the curfew area shall also include the Ortley Beach section of the Township, defined as the area north of the Township’s border with the Borough of Seaside Heights (beginning at Dewey Ave.), south of the Township’s border with the Borough of Lavallette (ending at Brinley Ave. on the western side and Dover Ave. on the eastern side), east of the Barnegat Bay, and west of the Atlantic Ocean.
- d. The curfew shall apply to all persons 17 years of age and under, unaccompanied by a parent or legal guardian, except when the following circumstances are present:
 1. Medical emergencies or errands or legitimate business directed by the juvenile’s parent or guardian.
 2. Attendance at, or travel to and from, gainful employment that overlaps with curfew hours.
 3. Attendance at, or travel to and from, an event or function sponsored by a religious or educational organization.
 4. Attendance at, or travel to and from, evening school of instruction.
 5. Attendance at, or travel to and from, a private gathering.

2. Except as modified herein, all other provisions of the Second, Third, Fourth, and Fifth Amended Proclamations of Local Disaster Emergency are hereby remain in effect through September 30, 2022.



MITCHELL A. LITTLE
CHIEF OF POLICE AND
EMERGENCY MANAGEMENT COORDINATOR



Dated