

EXECUTIVE ORDER

Number 10 of 2020

Local Emergency Order No. 10

DONNA M. GAYDEN, City Manager of the City of Long Beach, County of Nassau, State of New York, pursuant to the power vested in her by Section 20 of the Charter of the City of Long Beach and the laws of the State of New York do hereby order and declare as follows:

WHEREAS, Section 24 of the New York State Executive Law authorizes the chief executive officer of a city, pursuant to a declaration of a local state of emergency, to issue orders to preserve the public safety, well-being and health of such city in times of emergency; and

WHEREAS, the City of Long Beach declared a local state of emergency on March 14, 2020; and

WHEREAS, on April 13 and May 13, 2020, I extended the local state of emergency in accordance with Executive Law; and

WHEREAS, New York on PAUSE, a series of Governor Cuomo's executive orders which regulate the gathering of individuals and sets forth certain safety and social distancing protocols for New York State, has been extended through May 28, 2020; and

WHEREAS, Governor Cuomo recently announced that state beaches will be permitted to open on Memorial Day weekend and will be limited to, inter alia, 50% in-person capacity; and

WHEREAS, Governor Cuomo, through the New York State Department of Health, has promulgated Interim Guidance for Lake and Ocean Beaches dated May 19, 2020 which set forth minimum State standards for the operation of all beaches ("State Standards"); and

WHEREAS, Mayor DeBlasio of New York City announced that New York City beaches will not be open for the Memorial Day holiday weekend; and

WHEREAS, Nassau County Executive Laura Curran has expressed concerns that Mayor DeBlasio's decision will result in the flooding of Nassau County beaches with NYC residents seeking open beaches; and

WHEREAS, the City is in accord and agrees with the Nassau County Executive's concerns regarding overcrowding as it relates to the Ocean Beach Park; and

WHEREAS, the City intends to re-open the Ocean Beach Park in accordance with the State Standards; and

WHEREAS, City resources and personnel are such that we cannot open the beach and ensure the health and safety of the City's residents during this pandemic without limiting access to the beach; and

WHEREAS, pursuant to Executive Law § 24, I intend to suspend/modify the Charter and Code of Ordinances of the City of Long Beach as it relates the Ocean Beach Park, exclusive of the Boardwalk, in order to mitigate/prevent any potential overcrowding; and

NOW, THEREFORE, I, Donna M. Gayden, City Manager of the City of Long Beach, by virtue of the authority vested in me by Section 24 of Article 2-B of the Executive Law to temporarily suspend or modify any local law, ordinance or regulation of the City of Long Beach which may prevent, hinder, or delay necessary action in coping with recovery from a disaster, I hereby suspend and/or modify for the period of May 22, 2020 through May 27, 2020 the following:

ORDERED, Section 18-30 of the Code of Ordinances is suspended to limit access to the Ocean Beach Park during the Ocean Beach Park season, excluding the boardwalk, only to authorized City personnel, resident pass holders, and current non-resident pass holders who have procured said passes on or before May 19, 2020; and

ORDERED, Sections 18-35 and 18-36 of the Code of Ordinances are suspended to prohibit organized picnics, outings and sports on the Ocean Beach Park; and

ORDERED, that the City shall promulgate and implement a site safety plan in accordance with the State Standards; and

ORDERED, that this local emergency order shall be effective May 23, 2020 and shall remain in effect for five (5) days unless extended, rescinded or modified in accordance with Executive Law § 24.

Dated: May 22, 2020

DONNA M. GAYDEN
CITY MANAGER