

**TOWNSHIP OF TOMS RIVER**  
**OFFICE OF EMERGENCY MANAGEMENT**  
  
***SEVENTH 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 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**, the curfew was reinstated pursuant to the Sixth Amended Declaration of Local Disaster Emergency, issued on June 21, 2022; and

**WHEREAS**, it has been determined to be in the public interest to modify the curfew start time to 10:00 pm, to comport with surrounding municipalities:


**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, Fifth, and Sixth Amended Proclamations of Local Disaster Emergency, is hereby reinstated with the following modifications:

- a. The curfew shall be in effect from 10:00 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 Ortlely 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, unaccompanied by a parent or legal guardian, who are engaged in disorderly conduct as proscribed under N.J.S.A. 2C:33-1 to -32 and Article II of Chapter 388 of the Township Code.

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

  
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MITCHELL A. LITTLE  
CHIEF OF POLICE AND  
EMERGENCY MANAGEMENT COORDINATOR

  
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Dated