



JIM WEATHERUP

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COUNTY OF OSWEGO, NEW YORK - EMERGENCY ORDER 2020-4

STATE OF NEW YORK)
COUNTY OF OSWEGO) ss.:

I, James Weatherup, as Chairman of the Legislature and Chief Executive of the County of Oswego, in accordance with a declaration of a State of Emergency issued by me on Sunday, March 15, 2020, concerning the COVID-19 pandemic, and pursuant to the authority vested in me under New York State Executive Law § 24, DO HEREBY ORDER for the duration of this Emergency Order and any renewal(s) thereof:

- (1) In furtherance of New York State Executive Order 202.11, and to provide local enforcement powers regarding same, and during the period when Executive Order 202.11 is limiting operation of a type of facility or limiting the number of persons who may occupy any space is in effect, any operation of such a facility or occupancy of any such space by more than the number of persons allowed by said Executive Order shall be deemed to be a violation of law and in particular, but not by way of limitation, shall be deemed to be a violation of the Uniform Code or other local building code in effect in the jurisdiction in which the facility or space is located. In the event of any such violation, any state, county, or local police officer authorized to enforce laws within the jurisdiction in which the space or facility is located is authorized to remove persons from such space or facility. In addition, in the event of such violation, any state, county, or local code enforcement official or fire marshal authorized to enforce the Uniform Code or other local building code within the jurisdiction in which the facility or space is located is authorized to issue an appearance ticket, a Notice of Violation, an Order to Remedy such violation, which shall require immediate compliance, and/or a Do Not Occupy Order to any owner, operator, or occupant of any such facility or space. Nothing in this provision shall limit the authority of any governmental unit or agency to take such other and/or additional enforcement actions to the extent necessary to ensure compliance with such occupancy-related directives or facility operation-related directives.
- (2) In furtherance of New York State Executive Order 202.3, and to provide local enforcement powers regarding same, no bar or restaurant shall serve patrons for on-premises consumption of food or beverage and shall only serve food or beverage for off-premises consumption which shall include either take-out or delivery subject to any further, limitations, regulations or restrictions imposed by the state.
- (3) In furtherance of New York State Executive Order 202.8, and to provide local enforcement powers regarding same, all non-essential businesses and not-for-profit entities shall reduce the in-person workforce at any work locations by 100%. Any essential business or entity providing essential services or functions shall not be subject to the in-person restrictions, but shall abide by all social distancing and disinfection procedures as required by the Guidance for Executive Order 202.6 for businesses issued by the ESDC. See: <https://esd.ny.gov/guidance-executive-order-2026>. An entity providing essential services or functions whether to an essential business or a non-essential business shall not be subjected to the in-person work restriction, but may operate at the level necessary to provide such service or function. Any business

violating the above order shall be subject to enforcement as if this were a violation of an order pursuant to section 12 of the Public Health Law in addition to any other remedies available at law. A person whom willfully violates or refuses or omits to comply with any lawful order or regulation prescribed by any local board of health or local health officer, is guilty of a misdemeanor and may also subject to a civil penalty under Public Health Law §12-b.

- (4) In furtherance of Executive Order 202.10, and to provide local enforcement powers regarding same, all non-essential gatherings of individuals of any size for any reason (e.g. parties, celebrations or other social events) within the county are prohibited and shall be canceled or postponed until further notice.

I further find and determine the COVID-19 pandemic is an urgent, imminent or impending threat qualifying as a "disaster" as that term is defined under New York State Executive Law §20(2) and that the public health and safety of the citizens of the County of Oswego is imperiled thereby and that this emergency order is necessary and proper for the continuation of governmental operations and the provision of essential governmental services by the County of Oswego

This ORDER shall take effect immediately and shall remain in effect until expired or rescinded by me as the Chief Executive of the County of Oswego. This order may also be renewed in five (5) day increments.

Nothing herein shall be viewed as a limitation on the authority of the Oswego County Health Officer or the Oswego County Department of Health to issue orders under the New York State Public Health Law for isolation, quarantine or any other public health related matter as may be necessary. A willful violation of any subdivision of this Emergency Order is a misdemeanor punishable by law under New York State Executive Law §24(5) in addition to any other rights and remedies the County of Oswego may seek at law.

I continue to direct that all officers, departments and agencies of the County of Oswego take whatever steps necessary to protect life and property, public infrastructure and provide whatever emergency assistance deemed necessary.

Signed this 30th day of March, 2020 at 12:00 p.m. in Oswego County, New York.

IT IS SO ORDERED.



Signature

Hon. James Weatherup, Chairman
Oswego County Legislature

March 30, 2020

Date



Attest

March 30, 2020

Date



Attest

March 30, 2020

Date