



**JAY SCHNEIDERMAN**  
*Supervisor*

**TOWN OF**  
**SOUTHAMPTON**  
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**EMERGENCY ORDER # 1.9 of 2021**

**DECLARATION OF STATE OF EMERGENCY**

The undersigned, as Supervisor of the Town of Southampton, pursuant to the authority by Article 2-B, Section 24 of the Executive Law of the State of New York, has the authority to declare a state of emergency in the event of imminent danger to residents of the Town; and

WHEREAS, on January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak a Public Health Emergency of International Concern (PHEIC); and

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, on March 7, 2020, by Executive Order No. 202, New York State Governor Andrew Cuomo declared a Public Health Emergency as a result of the COVID-19, and has continued to further extend said Emergency by subsequent Executive Orders; and

WHEREAS, on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic; and

WHEREAS, on March 12, 2020, the Suffolk County Executive, Steven Bellone, declared a State of Emergency to address the threat to the health and welfare of Suffolk County residents and visitors posed by COVID-19 and to perform such emergency measures as deemed necessary; and

WHEREAS, the Town of Southampton is taking appropriate actions to minimize the threat from COVID-19 to the public health, safety, and welfare of its residents, guests, and employees; and

WHEREAS, the Supervisor, in consultation with the Town Code Compliance and Emergency Management Administrator, the Southampton Town Police Chief, and the Director of Parks and Recreation, hereby finds that public safety is imperiled and an imminent danger exists; now therefore be it

RESOLVED, that pursuant to the powers vested in me by New York State Executive Law §24(1)(g) to suspend any local law, ordinance, or regulation, or parts thereof, where compliance with said local law, ordinance, or regulation may prevent, hinder, or delay necessary action in coping with a disaster or recovery therefrom, and where said suspension is in furtherance of safeguarding the health and welfare of the public, I hereby temporarily suspend or modify, for the period from **February 16, 2021, at 12:00 a.m.**, through **February 20, 2021, at 11:59 p.m.**, the following:

- Southampton Town Code §250-2(B)(3) to the extent that the sidewalk dining area may extend more than six feet beyond the exterior wall of the building, subject to the approval of the Fire Marshal's Office, but in no event shall it extend past the roadway curbing;
- Southampton Town Code §250-2(B)(6) to the extent that outdoor umbrellas shall be a permitted covering, subject to any additional criteria set forth by the Fire Marshal's Office;
- Southampton Town Code §250-2(B)(8) to the extent that the number of outdoor dining seats within the sidewalk dining area may exceed 20%, or four seats, of the number of indoor dining seats, subject to any additional criteria set forth, and approved by, the Fire Marshal's Office;
- Southampton Town Code §250-2(B)(9) to the extent that the term of an outdoor dining license shall extend past November 1<sup>st</sup>, subject to the approval of the Fire Marshal's Office.

This Order shall be issued in quadruplicate and shall be filed within 72 hours, or as soon thereafter as practical, in the Office of the Suffolk County Clerk, the Southampton Town Clerk, the Office of the Secretary of State, and the Office of Homeland Security and Emergency Management; in addition, a copy of this Order shall be published in the Southampton Press.

Dated: February 15, 2021

Time: 11:00 a.m.



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Jay Schneiderman  
Supervisor, Town of Southampton