County of Onondaga
Office of the County Executive
John H. Mulroy Civic Center, 14th Floor
421 Montgomery Street, Syracuse, New York 13202
Phone: 315.435.3516 Fax: 315.435.8582
www.ongov.net

J. Ryan McMahon II
County Executive

Ann Rooney
Deputy County Executive, Human Services

Brian J. Donnelly
Deputy County Executive

Mary Beth Primo
Deputy County Executive, Physical Services

LOCAL EMERGENCY ORDER OF THE ONONDAGA COUNTY EXECUTIVE ISSUED PURSUANT TO PROCLAMATION OF EMERGENCY ORDER NO. 9-MM ISSUED OCTOBER 16, 2020 PERTAINING TO CRIMINAL ENFORCEMENT AND BUSINESS VIOLATIONS

WHEREAS, on March 14, 2020, I, J. Ryan McMahon, II, Onondaga County Executive, by the authority vested in me by the Onondaga County Charter, the Onondaga County Administrative Code, and the laws of the State of New York, declared, pursuant to Section 24 of Article 2-B of the New York State Executive Law, that the public safety was sufficiently imperiled such that a Proclamation of Emergency was declared within the territorial limits of Onondaga County; and

WHEREAS, confirmed COVID-19 cases continue, with travel related cases and contact cases reported and expected to continue, making it imperative for local government and local law enforcement to have all available measures to enforce limitations upon the operation of facilities and the number of persons who may occupy any space; and

WHEREAS, New York State Executive Order 202.45, 202.47, 202.53, 202.57 and by extension 202.69 provide that the reductions and restrictions on the in-person workforce at non-essential businesses or other entities no longer apply to Phase Four industries within Onondaga County, provided that such businesses or entities must be operated subject to the guidance promulgated by the New York State Department of Health, and it is necessary to amend this Local Order to encompass this provision; and

NOW, THEREFORE, in accordance with the authority vested in me by the Onondaga County Charter and Administrative Code, local home rule powers, and New York State Executive Law Section 24, effective immediately, I hereby extend and renew Local Emergency Order No. 9 to provide as follows:

1. Consistent with New York State Executive Orders 202.3, 202.4, 202.5, 202.6, 202.7, 202.8, 202.10, 202.11, 202.13, 202.14, 202.28, 202.31, 202.34, 202.35, 202.36, 202.41, 202.42, 202.45, 202.47, 202.53, 202.57 and 202.69, as extended and modified, which each closed or otherwise restricted public or private businesses or places of public accommodation, and required postponement, cancellation, or restriction on size of all non-essential gatherings of no more than fifty individuals for any lawful purpose or reason, so long as any such gatherings occurring indoors do not exceed 50% of the maximum occupancy for a particular indoor area for Phase 4 of the State's reopening, and provided further social distancing, face coverings, and cleaning and disinfection protocols required by the Department of Health are adhered to; and

2. Operation of such a facility in violation of such Executive Orders, or occupancy of any such space by more than the number of persons allowed by said Executive Orders, 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.

3. 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.

4. 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.

5. 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.

6. Additionally, pursuant to New York State Executive Law Section 24(5), any person who knowingly violates an Executive Order and/or this Local Emergency Order limiting operation of a type of facility or limiting the number of persons who may occupy any space shall be guilty of a class B misdemeanor and subject to additional civil action.

7. Individuals seeking to file a complaint regarding purported business violations pertaining to Covid-19 related restrictions are directed to contact the Onondaga County Office of Economic Development at edcomplaint@ongov.net. Individuals seeking information regarding business openings under the COVID-19 pandemic are directed to contact the Onondaga County Office of Economic Development at (315) 435-2210. This is a dedicated link and number for providing those services.

This Local Emergency Order is necessary to provide for social distancing to safeguard the public health and welfare, and necessary to assist in controlling the disaster effort. This Order is intended to comply with all laws and regulations, state and federal, and shall be read and interpreted in such manner.

As the law requires a Local Emergency Order not to exceed 5 days, this Order shall remain in effect for 5 days through October 21, 2020, and will be formally renewed by the issuance of successive 5-day Orders.

COUNTY OF ONONDAGA

By:

J. Ryan McMahon, II
County Executive