



## COUNTY OF DUTCHESS

MARCUS J. MOLINARO  
COUNTY EXECUTIVE

### LOCAL EMERGENCY ORDER NO. 13 OF EXECUTIVE ORDER NO. 2 of 2020

WHEREAS, a State of Emergency was hereby declared in the County of Dutchess effective on March 13, 2020, by Executive Order No. 2 of 2020 due to a case of COVID-19 being confirmed in the County, which was thereafter extended on April 12, 2020, May 12, 2020, June 11, 2020, July 11, 2020, August 10, 2020, September 9, 2020, October 9, 2020, November 8, 2020, December 8, 2020, and January 7, 2021, and

WHEREAS, pursuant to the powers vested in me as County Executive by Article III of the Dutchess County Charter, Section 3.05(d) of the Administrative Code and pursuant to the provisions contained in New York Executive Law Section 24, which authorizes the Chief Executive to promulgate Local Emergency Orders upon a finding that the public safety is imperiled by the event of a public emergency or in the event of reasonable apprehension of immediate danger thereof, to protect life and property and to bring the emergency situation under control;

NOW, THEREFORE, by the power vested in me as Chief Executive of Dutchess County, it is hereby ordered:

#### SECTION 1: SUPPORTING FOOD SERVICE ESTABLISHMENTS BY CAPPING FEES ON THIRD-PARTY DELIVERY SERVICES

In order to bring the economic disaster caused by the Covid-19 pandemic under control, to promote social distancing and economic recovery, and to support Dutchess County food service establishments, and subject to Federal, State, and Constitutional statutory and regulatory limitations, I hereby order that third-party food delivery services shall not charge Dutchess County food service establishments any fees, commissions, costs, or delivery fees which exceed 15% of the purchase price of the food order, exclusive of taxes, gratuity, or other fees such as credit card fees. I further order that third-party food delivery services shall not falsely represent or increase the purchase price of any item, good, or service offered for sale at a food service establishment nor shall they make

any misleading representation or false advertisement as to the same. This Order is intended to be consistent with all laws and regulations at the State or Federal levels, shall be read and interpreted in such a manner, and shall be rendered ineffective if preempted by State or Federal law.

SECTION 2. PUNISHMENT:

Failure to obey this order is a criminal offense, punishable by law under New York State Executive Law § 24(5). In accordance with Executive Law Section 24(5), any person who knowingly violates the provisions of this order shall be guilty of a Class B Misdemeanor.

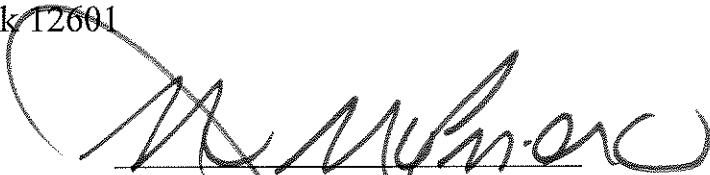
SECTION 3. EFFECTIVE

I, MARCUS J. MOLINARO, the County Executive of Dutchess County, in accordance with a declaration of a State of Emergency issued on March 13, 2020 and pursuant to Section 24(2) of the New York State Executive Law, do hereby order that this Local Emergency Order shall take effect on January 18, 2021, 12:00 AM through January 22, 2021 at 11:59 PM.

SECTION 4. DURATION

This Executive Order shall remain in effect until removed by the order of the County Executive and may also be renewed in five (5) day increments.

Dated: This 17<sup>th</sup> day of January, 2021  
Poughkeepsie, New York 12601



MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
DUTCHESS COUNTY  
COUNTY OFFICE BUILDING