



## COUNTY OF DUTCHESS

MARCUS J. MOLINARO  
COUNTY EXECUTIVE

**EXTENSION OF**  
**DECLARATION OF LOCAL EMERGENCY**  
**ORDERS #3, #5, #6, #9, #12 and #13**

**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,

WHEREAS, since March 16, 2020, various Local Emergency Orders were declared pursuant to § 24 of the New York State Executive Law ordering:

**LOCAL EMERGENCY ORDERS:**

- Local Emergency Order # 3, Section 3; Employees of Dutchess County: Unit Heads of any department, division or functionally identifiable part of County government, as defined in the Dutchess County Charter, shall be empowered to direct employees under his/her supervision to exit the work site if they appear to be ill.
- Local Emergency Order #5 Emergency Homeless and Medical Shelters: Establish or designate emergency shelters, emergency medical shelters, and in consultation with the state commissioner of health, community based care centers pursuant to NY Executive Law Section 24(1)(f). After consulting with the NY State Commissioner of Health, designation is hereby made of the PODs located at the Dutchess County Justice and Transition Center as emergency homeless and medical shelters.

- Local Emergency Order #6 Coordination of Response to State of Emergency: This order shall permit the County Executive, upon consent of the chief executive officer of any other political subdivision within the County of Dutchess and upon such terms as may be mutually agreed to between them, to use of any and all facilities, equipment, supplies, personnel and other resources -- including but not limited to city, town, and village law enforcement, building code enforcement officers, and fire departments -- in order to effectuate the County Executive's Emergency Orders, to take whatever steps are necessary to protect life, property, and public infrastructure, and to provide such emergency assistance as deemed necessary.

- Local Emergency Order #9, Section 1. Local Procurement: To enact any and all emergency protective measures, and upon the request and consent of any political subdivision within the County of Dutchess, any internal policies and procedures governing procurement of goods and services which are not required to be made pursuant to competitive bidding requirements, or of any other general special, or local law, may be suspended, modified or amended by said political subdivision within the County of Dutchess so long as there is a finding by said political subdivision that such policies and procedures (1) prevent, hinder, or delay necessary action in coping with COVID-19, and (2) so long as such suspension furthers the interest of safeguarding the health and welfare of the public, and (3) so long as it is reasonably necessary to the emergency effort, and (4) so long as any suspension, modification or amendment shall provide for the minimum deviation deemed necessary.

- Local Emergency Order #12, Section 1, Support Reopening of Food Services Establishments. In order to support the reopening of food service establishments, and to cope with the emergency situation caused by the Covid-19 pandemic and the economic disaster which has followed it, and notwithstanding statutory and regulatory limitations but excepting State and County health and sanitary laws, I hereby order that all cities, towns, and villages within the territorial limits of the County of Dutchess may reopen food service establishments pursuant to the following conditions. Cities, towns, and villages within Dutchess County may reopen such establishments without regard to the strict adherence to local land use laws, rules, and

regulations, which are more particularly described in Exhibit A which is attached hereto and made a part hereof. Such suspension of the appended local laws, ordinances and regulations shall be subject to the terms and conditions as determined by each individual municipality. Further, upon the request of any local municipality, I order that consideration will be given to the closure of any road or highway, or portions thereof, wherever situate within the County of Dutchess, in order to facilitate the expansion of outdoor dining in a further effort to control the economic disaster. Cities, towns, and villages should first give consideration to the propriety that this permissive order may have on individual communities.

- Local Emergency Order # 13, Section 2: 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 which has been 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, January 7, 2021, February 6, 2021, March 8, 2021, April 7, 2021, and May 7, 2021, and pursuant to § 24(2) of the New York State Executive Law, do hereby order that the above local emergency orders be extended from May 20, 2021, at 12am through May 24, 2021 at 11:59pm.

SECTION 4. DURATION.

This 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 19th day of May, 2021  
Poughkeepsie, New York 12601



MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
DUTCHESS COUNTY  
COUNTY OFFICE BUILDING

# Exhibit A

As of: 7/7/20 9:59

Municipality	Local Laws & Ordiances			Road Closures
	Local Law Title and #	Chapter #	Section #	
<b>Cities</b>				
Beacon	Code of the City of Beacon	Chapter 163 – Peddling and Soliciting	Section 9.E	
	Code of the City of Beacon	Chapter 223 – Zoning	Section 26.F – Off-street parking	
	Code of the City of Beacon	Chapter 223 – Zoning	Section 26.G – Off-street parking	
	Code of the City of Beacon	Chapter 223 – Zoning	Section 41.18.A – Site Plan Review for CMS District	
	Code of the City of Beacon	Chapter 223 – Zoning	Section 41.18.G – Off-street parking for CMS District	
	Code of the City of Beacon	Chapter 223 – Zoning	Section 41.18.I – Site Plan Amendments in CMS District	
	Code of the City of Beacon	Chapter 223 – Zoning	Section 41.21.A – Site Plan Review for L District	
	Code of the City of Beacon	Chapter 223 – Zoning	Section 41.21.F – Off-Street Parking for L District	
	Code of the City of Beacon	Chapter 223 – Zoning	Section 41.21.I – Site Plan Amendments in L District	
Poughkeepsie	Section 19-6.1 Site Development Plan Approval	19	6.1(b) and 6.1(c )	
	Section 19-4.3 Off-Street Parking and Loading	19	4.3(10)(a)	
	Section 15-14 - Sidewalk Cafes	15	15-14(c) and 15-14(e)	
<b>Towns</b>				
Amenia				
Beekman				
Clinton				
Dover				
East Fishkill	East Fishkill Zoning Code	Section 194-26		
Fishkill	Zoning Parking	Chapter #150	Section #160	
Hyde Park	Code of the Town of Hyde Park	Chapter 108 Zoning	9.2 B (1) Site Plan reqd for all commercial uses - subject to obtaining a Town of Hyde Park Temporary outdoor dining permit.	
	Code of the Town of Hyde Park	Chapter 108 Zoning	32 A Certificate of Occupany required for all uses - subject to obtaining a Town of Hyde Park Temporary Outdoor Dining Permit	
LaGrange				
Milan				
North East				
Pawling				
Pine Plains	Zoning Law - #275	Article XIII	Section 275-71	
Pleasant Valley				

Poughkeepsie	Zoning Law of the Town of Poughkeepsie, Dutchess County, New York	Chapter 210	210-102 and 210-150 B(2)(a)	
	Zoning Law of the Town of Poughkeepsie, Dutchess County, New York	Chapter 210	210-104.1	
Red Hook				
Rhinebeck	VI: Special Use Permit Requirements & VII: Site Plan Review and Approval	125	VI & VII	
	Off Street Parking and Loading Standards	125	36	
	Blocking of Streets	Chapter 96	Article II	
Stanford				
Unionvale	Site Plan Review & Approval	210	61	
Wappinger		Chapter 240, Zoning	Section 240-36.2	
Washington				
<b>Villages</b>				
Fishkill	Cafes, Outdoor	Chapter 61	Entire Chapter	North Street between Main St and Academy St
	Off street parking	Chapter 159	159-22B	
	Alcoholic Beverages	Chapter 39	39-3	
Millbrook				
Millerton				
Pawling	Site Plan Approval	98	65	
	Off Street Parking	98	22	
	Alcoholic Beverages	Ch 6 (VOP Code) LL #1 of 1983		
Red Hook	Site Plans	200	16	Village Owned
	Parking	200	33	
	Signs	200	38	
Rhinebeck	Village of Rhinebeck, NY / Part II, General Legislation / Zoning Article I General Provisions; Purposes and Principle	120-48 special permit requirement for restaurants see (Allowable Uses Chart 1) § 120-49 Site plan approval.	see (Allowable Uses Chart 1) § 120-49 Site plan approval. Restaurants 1 space for every 4 indoor seats and 1 space for every 8 outdoor seats	East Market St. to be designated as 1-way East from the intersection of E. Market and Rt. 9 to the east of the Municipal Parking lot on E. Market.
	Village of Rhinebeck, NY / Part II, General Legislation / Zoning Article I General Provisions; Purposes and Principles	<a href="#">Section 120-16 (7) Off-Street Parking Chart</a>	Section 120-16 (7) Off-Street Parking Chart	
	<a href="#">Village of Rhinebeck, NY / Part II, General Legislation / Zoning Article I General Provisions; Purposes and Principles</a>	§ 120-14 Fences, gates, walls and vegetative screening. Section 120-23 C. Village District Basic Principles	A. General provisions C. Outdoor storage or display of merchandise is prohibited, except as permitted in Chapter 89, Outdoor Sales.	
Tivoli				
Wappingers Falls	Site Plan Review	151	26	
	Zoning	151	24	
	Blocking of Public Ways	132	3	