

EXECUTIVE ORDER NO. 109

WHEREAS, beginning on October 28, 2012, and continuing through October 30, 2012, Hurricane Sandy struck the State of New Jersey; and

WHEREAS, Sandy produced unprecedented severe weather conditions, including enormous storm surges, devastating winds, and widespread flooding; and

WHEREAS, the damage caused from Sandy, including fallen trees, downed power lines, and unprecedented disruptions in electrical service, has produced dangerous conditions throughout the State; and

WHEREAS, residents of New Jersey require adequate access to retail supplies of clothing and apparel, building and lumber supply materials, furniture, home furnishings, and household appliances, among other items, as the State continues rebuilding and returning to normal; and

WHEREAS, under, N.J.S.A. 40A:64, et seq., local governments within New Jersey may prohibit the sale of certain goods, including, among other items, clothing, building supply materials, furniture, home furnishings, and household appliances on Sunday; and

WHEREAS, on November 3, 2012, the County of Bergen, through its County Executive, petitioned that the restrictions on the sale of certain goods on Sunday pursuant to N.J.S.A. 40A:64, et seq., and similar rules, regulations, ordinances, and resolutions, be temporarily suspended in Bergen County to accommodate the extraordinary needs caused by Hurricane Sandy; and

WHEREAS, on October 27, 2012, in light of the dangers posed by Sandy, and pursuant to the authority provided under the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. App. A:9-33, et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4, and all amendments and supplements thereto, I declared a State of Emergency; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserved the right to utilize and employ all available resources of the State government to protect against the emergency created by Sandy; and

WHEREAS, in accordance with N.J.S.A. App. A:9-40, I declared that, due to the State of Emergency, no municipality, county, or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution, which will or might in any way conflict with any of the provisions of my Executive Orders, or

which will in any way interfere with or impede their achievement;

NOW, THEREFORE, I, CHRIS CHRISTIE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. The restrictions on certain Sunday sales pursuant to N.J.S.A. 40A:64, et seq., are suspended.

2. No municipality, county, or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution, which will or might in any way conflict with any of the provisions of this Executive Order, or which will in any way interfere with or impede its achievement.

3. This Order shall take effect immediately.

GIVEN, under my hand and seal this
day of November,
Two Thousand and Twelve,
and of the Independence of
the United States, the Two
Hundred and Thirty-Seventh.

/s/

Chris Christie
Governor

Attest:

Paul B. Matey
Deputy Chief Counsel to the Governor