

EMERGENCY ORDER

Local Emergency Order for Broome County:

I, Jason T. Garnar, the Chief Executive of Broome County, in accordance with a declaration of a State of Emergency issued on March 14, 2020, and pursuant to Section 24 of New York State Executive Law, do hereby order:

WHEREAS, the hospitality industry has been devastatingly impacted by the COVID-19 pandemic, and local eateries and restaurants have suffered severe economic down turn by being prohibited from operating at the maximum indoor capacity and, in some areas, the suspension of indoor dining; making them dependent on "take out" services; and

WHEREAS, during this pandemic third-party food delivery service companies have provided restaurants and eateries with online order and delivery services at higher demands; and, in order to safeguard and protect our local businesses, restaurants, and eateries during this pandemic, protections must be taken to prevent price gauging by third-party food delivery service companies; and

WHEREAS, I, as Broome County Executive, have determined that in order to protect the citizens of Broome County and promote social distancing to stop the spread of COVID-19, a 15% cap must be placed on third-party food delivery service fees to help promote economic stability and confidence in our local business community; and

WHEREAS, this Order is necessary to provide continued management of the pandemic and assist in this local disaster emergency in a manner that protects the public health and promotes economic recovery; and

NOW, THEREFORE, in accordance with the authority vested in me by New York State Executive Law §24, I hereby issue Local Emergency Order No.17- prohibiting third party delivery companies from charging a delivery fee of more than 15% of the purchase price of an online order from a restaurant or eatery.

This order shall take effect immediately and shall remain in effect for five (5) days unless rescinded earlier by order of the Chief Executive. This order may also be renewed in (5) five-day increments.

Failure to obey this order is a criminal offense, punishable by law under New York State Executive Law §24(5).

Signed this the 15th day of December 2020, at 12:00 o'clock P.M. in, Broome County, New York.

Jason T. Garnar

County Executive

Michael A. Ponticiello

(Witness)

Director, Office of Emergency Services

