



BOROUGH OF MIDLAND PARK

280 Godwin Avenue, Midland Park NJ 07432

Building Department
Mark Berninger, Construction Official

Helping Residents and Contractors Understand the Governor's Executive Order on the Suspension of Construction (Executive Order #122)

The physical operations of all non-essential construction projects shall cease at 8:00 p.m. on Friday, April 10. "Essential construction projects" include the following: (highlighted are the impacts to our residents and contractors)

- Projects necessary for the delivery of health care services, including but not limited to hospitals, other health care facilities, and pharmaceutical manufacturing facilities.
- Transportation projects, including roads, bridges, and mass transit facilities or physical infrastructure, including work done at airports or seaports.
- Utility projects, including those necessary for energy and electricity production and transmission, and any decommissioning of facilities used for electricity generation.
- Residential projects that are exclusively designated as affordable housing.
- Projects involving pre-K-12 schools, including but not limited to projects in Schools Development Authority districts, and projects involving higher education facilities.
- Projects already underway involving individual single-family homes, or an individual apartment unit where an individual already resides, with a construction crew of 5 or fewer individuals. This includes additions to single-family homes such as solar panels.
- Projects already underway involving a residential unit for which a tenant or buyer has already entered into a legally binding agreement to occupy the unit by a certain date, and construction is necessary to ensure the unit's availability by that date.
- Projects involving facilities at which any one or more of the following takes place: the manufacture, distribution, storage, or servicing of goods or products that are sold by online retail businesses or essential retail businesses, as defined by Executive Order No. 107 (2020) and subsequent Administrative Orders adopted pursuant to that Order.
- Projects involving data centers or facilities that are critical to a business's ability to function.
- Projects necessary for the delivery of essential social services, including homeless shelters.
- Any project necessary to support law enforcement agencies or first responder units in their response to the COVID-19 emergency.

- Any project that is ordered or contracted for by Federal, State, county, or municipal government, or any project that must be completed to meet a deadline established by the Federal government.
- Any work on a non-essential construction project that is required to physically secure the site of the project, ensure the structural integrity of any buildings on the site, abate any hazards that would exist on the site if the construction were to remain in its current condition, remediate a site, or otherwise ensure that the site and any buildings therein are appropriately protected and safe during the suspension of the project.
- Any emergency repairs necessary to ensure the health and safety of residents.

So what does this Executive Order mean? Residents who have permits that were issued and work has begun as of April 10th can continue to work on the project as long as there are no more than 5 construction crew on the job. Permits will not be issued for non-essential work.

But what if's:

Examples: If you decide next week that you want to build a deck, finish your basement or install a pool- that will not be permissible until the Governor's Executive Order is lifted- It is not "essential" construction.

Examples: If you have a water heater that needs to be replaced because it quit or an AC/Furnace unit that needs to be replaced, if weather temperatures are extreme, and it quits -you can have those repairs done as the work is considered an emergency.

We know these are frustrating and trying times for all- Please be patient and we will all get through this. If you have any questions, please email the building department at: JGiardino@midlandparknj.org or mberninger@midlandparknj.org

Thank you!