

MEMORANDUM

Executive Order No. 107

This order revokes all prior mitigation executive orders, and incorporates or modifies their provisions as described below.

“Stay at home” order: All residents are to stay at home or at their place of residence unless they are leaving for the following reasons:

- 1) Obtaining goods or services from essential retail businesses;
- 2) Obtaining takeout or food beverages from restaurants;
- 3) Seeking medical attention, essential social services, or assistance from law enforcement;
- 4) Visiting family or close friends, caretakers, or romantic partners;
- 5) Reporting to or performing their job;
- 6) Walking, running, or engaging in outdoor activities with immediate family, caretakers, household members, or romantic partners;
- 7) Leaving for an educational, religious, or political reason;
- 8) Leaving because of a reasonable fear for health or safety; or
- 9) Leaving at the direction of law enforcement or other government agency.

Individuals who have to travel must practice social distancing when possible and should use public transportation only if they have no other feasible choice.

Cancelling gatherings: Gatherings of individuals, such as parties, celebrations, or other social events, are cancelled, unless otherwise authorized by the Order (i.e. the activities mentioned above). Through a separate Administrative Order, the Colonel of NJSP will make clear that gatherings of fewer than 10 people are presumed to comply with the Order, unless clear evidence indicates otherwise. Colonel Callahan will have the ability to adjust that number and that rule according to circumstances and facts on the ground.

Closing non-essential retail businesses: All non-essential retail businesses, which were previously limited to between 5 am and 8 pm, must now close entirely (online delivery can continue). The list of essential retail businesses that can stay open is limited to the following (Colonel Callahan has authority to amend the list):

- 1) Grocery and food stores, including retailers like Walmart/Target that sell food;
- 2) Pharmacies and medical marijuana dispensaries;
- 3) Medical supply stores;
- 4) Gas stations;
- 5) Convenience stores;
- 6) Ancillary stores within healthcare facilities;
- 7) Hardware and home improvement stores;
- 8) Banks and other financial institutions;
- 9) Laundromats/dry-cleaning services;
- 10) Stores that principally sell supplies for children under five years old;
- 11) Pet stores;
- 12) Liquor stores;
- 13) Car dealerships, but only for auto maintenance and repair, and auto mechanics;
- 14) Printing and office supply shops;
- 15) Mail and delivery stores.

Mandatory telework/work-from-home: All businesses or non-profits in the State must accommodate their workforce, wherever practicable, for telework or work-from-home arrangements. If a business or non-profit has employees that must be on site, it shall reduce staff on site to the minimal number necessary to ensure critical operations can continue. Examples of employees who need to be present at their work site include: law enforcement officers, fire fighters, and other first responders, cashiers or store clerks, construction workers, utility workers, repair workers, warehouse workers, lab researchers, information technology maintenance workers, janitorial and custodial staff, and certain administrative staff.

Recreational and entertainment businesses: All are closed. This is unchanged from what is currently in place but the order reiterates these prohibitions.

Restaurants and other dining establishments: All can remain open, but must continue to be delivery and/or takeout only. This is also unchanged.

Pre-K, K-12, and higher education: All continue to be closed to students. This is unchanged as well.

Blanket exceptions: Nothing in the order shall be construed to affect the operations of (1) health care or medical service providers; (2) access to essential services for low-income residents, including but not limited to food banks; (3) the media; (4) law enforcement; and (5) the operations of the federal government or the movement of federal officials when operating in their official capacity.

Timing: The order will go into effect at 9PM tonight to accommodate the end of the sabbath. It will stay in effect until the Governor revokes or modifies it.

Executive Order No. 108

This Order clearly invalidates all county and municipal restrictions imposed in response to COVID-19 that conflict in any way with the provisions of Executive Order No. 107, which now encompasses all the emergency restrictions on individuals and businesses that have been put in place. It also says that no county or municipality may adopt or enforce any such restriction going forward. Examples of such restrictions, now impermissible, include the following:

- Any additions to or deletions from the list of retail businesses deemed essential;
- Any limit on any business's scope of service or hours of operation;
- Any density or social distancing requirements; or
- Any general restrictions on freedom of movement, including curfews.