Commonwealth of Virginia
Office of the Governor

Executive Order

SECOND AMENDED NUMBER FIFTY-THREE (2020)

FURTHER EXTENSION OF TEMPORARY RESTRICTIONS ON RESTAURANTS, RECREATIONAL, ENTERTAINMENT, GATHERINGS, NON-ESSENTIAL RETAIL BUSINESSES, AND CLOSURE OF K-12 SCHOOLS DUE TO NOVEL CORONAVIRUS (COVID-19)

Importance of the Issue

Since issuing Executive Order 53 on March 23, 2020, Virginians have stayed home, travelled when necessary, educated their children at home, worn masks, and practiced social distancing when in public. Virginians have made sacrifices. And I am proud of Virginia and grateful for those efforts. Because Virginians have taken the novel coronavirus (COVID-19) pandemic seriously, we are making strides toward mitigating the spread of this deadly virus. There is, however, more to be done to ensure the safety and welfare of Virginians before the restrictions levied on March 23, 2020, can be eased. Therefore, it is necessary to extend for a second time certain measures previously undertaken to ensure the health and wellbeing of Virginians.

Directive

Therefore, by virtue of the authority vested in me by Article V, Section 7 of the Constitution of Virginia, by § 44-146.17 of the *Code of Virginia* and in furtherance of Executive Order 51, I order the following:

1. Effective 11:59 p.m., Tuesday, March 24, 2020 until 11:59 p.m., Wednesday, June 10, 2020, all public and private in person gatherings of more than 10 individuals are prohibited, as further clarified in Executive Order 55.

2. Cessation of all in-person instruction at K-12 schools, public and private, for the remainder of the 2019-2020 school year. Facilities providing child care services may remain open. On March 18, 2020, the Commissioner of the Virginia Department of Social Services, Duke Storen, issued a letter with guidance for daycare providers operating in the Commonwealth, including group size limits of

10 and stringent public health guidelines to prevent the spread of COVID-19. That guidance remains effective and I urge all Virginians with school-age children to review it. In addition, I urge child care providers to prioritize services for children of essential personnel, while asking all families with the ability to keep their children home, to do so. To that end, the Virginia Department of Social Services and the Virginia Department of Education will issue guidance to communities about operationalizing emergency child care services for essential personnel.

3. Closure of all dining and congregation areas in restaurants, dining establishments, food courts, breweries, microbreweries, distilleries, wineries, tasting rooms, and farmers markets effective **11:59 p.m., Tuesday, March 24, 2020 until 11:59 p.m., Thursday, May 14, 2020**. Restaurants, dining establishments, food courts, breweries, microbreweries, distilleries, wineries, tasting rooms, and farmers markets may continue to offer delivery and take-out services.

4. Closure of all public access to recreational and entertainment businesses, effective **11:59 p.m., Tuesday, March 24, 2020 until 11:59 p.m., Thursday, May 14, 2020** as set forth below:

    - Theaters, performing arts centers, concert venues, museums, and other indoor entertainment centers;
    - Fitness centers, gymnasiums, recreation centers, indoor sports facilities, and indoor exercise facilities;
    - Beauty salons, barbershops, spas, massage parlors, tanning salons, tattoo shops, and any other location where personal care or personal grooming services are performed that would not allow compliance with social distancing guidelines to remain six feet apart;
    - Racetracks and historic horse racing facilities; and
    - Bowling alleys, skating rinks, arcades, amusement parks, trampoline parks, fairs, arts and craft facilities, aquariums, zoos, escape rooms, indoor shooting ranges, public and private social clubs, and all other places of indoor public amusement.

5. Essential retail businesses may remain open during their normal business hours. Such businesses are:

    - Grocery stores, pharmacies, and other retailers that sell food and beverage products or pharmacy products, including dollar stores, and department stores with grocery or pharmacy operations;
    - Medical, laboratory, and vision supply retailers;
    - Electronic retailers that sell or service cell phones, computers, tablets, and other communications technology;
    - Automotive parts, accessories, and tire retailers as well as automotive repair facilities;

- Home improvement, hardware, building material, and building supply retailers;
- Lawn and garden equipment retailers;
- Beer, wine, and liquor stores;
- Retail functions of gas stations and convenience stores;
- Retail located within healthcare facilities;
- Banks and other financial institutions with retail functions;
- Pet and feed stores;
- Printing and office supply stores; and
- Laundromats and dry cleaners.

6. Effective **11:59 p.m., Tuesday, March 24, 2020 until 11:59 p.m., Thursday, May 14, 2020**, any brick and mortar retail business not listed in paragraph 5 may continue to operate but must limit all in-person shopping to no more than 10 patrons per establishment. If any such business cannot adhere to the 10 patron limit with proper social distancing requirements, it must close.

7. All businesses shall, to the extent possible, adhere to social distancing recommendations, enhanced sanitizing practices on common surfaces, and other appropriate workplace guidance from state and federal authorities while in operation.

8. Although business operations offering professional rather than retail services may remain open, they should utilize teleworking as much as possible. Where telework is not feasible, such business must adhere to social distancing recommendations, enhanced sanitizing practices on common surfaces, and apply the relevant workplace guidance from state and federal authorities.

9. Nothing in the Order shall limit: (a) the provision of health care or medical services; (b) access to essential services for low-income residents, such as food banks; (c) the operations of the media; (d) law enforcement agencies; or (e) the operation of government.

10. The waiver of § 18.2-422 of the *Code of Virginia* so as to allow the wearing of a medical mask, respirator, or any other protective face covering for the purpose of facilitating the protection of one's personal health in response to the COVID-19 public health emergency declared by the State Health Commissioner on February 7, 2020 and reflected in Executive Order 51 declaring a state of emergency in the Commonwealth. Executive Order 51 is so amended. This waiver is effective as of March 12, 2020 until 11:59 p.m. on Wednesday, June 10, 2020.

11. Continued cancellation of all specially-scheduled state conferences and large events until 11:59 p.m. on Wednesday, June 10, 2020.

12. Continued cessation of all official travel outside of Virginia by state employees, with increased flexibility for inter-state commuters and essential personnel until 11:59 p.m. on Wednesday, June 10, 2020.

13. Nothing in this Order abrogates the provisions of Executive Orders 51 or 55, which are still in full force and effect.

Violation of paragraphs 1, 3, 4, and 6 of this Order shall be a Class 1 misdemeanor pursuant to § 44-146.17 of the *Code of Virginia*.

Effective Date of this Executive Order

This Executive Order amends Amended Order of the Governor and State Health Commissioner Declaration of Public Health Emergency, Order of Public Health Emergency One, and Executive Order 55 and shall remain in full force and in effect according to the expiration dates included herein or amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 4th day of May, 2020.

Ralph S. Northam, Governor

Attest:

Kelly Thomasson, Secretary of the Commonwealth