State of Delaware

Executive Department
Dover

FOURTH MODIFICATION OF THE DECLARATION OF A STATE OF EMERGENCY FOR THE STATE OF DELAWARE DUE TO A PUBLIC HEALTH THREAT

WHEREAS, the Centers for Disease Control and Prevention ("CDC") has determined that a novel coronavirus ("COVID-19") presents a serious public health threat, and

WHEREAS, the Delaware Department of Health & Social Services' Division of Public Health ("DPH") has determined that it is vital for the State of Delaware to prepare for and to take action in response to the community transmission of COVID-19 and to take steps to avoid the transmission of the virus, which may include avoiding public gatherings and assembly; and

WHEREAS, it is in the best interests of the State to protect its citizens from a potential public health emergency that could threaten the lives of those who live and work here; and

WHEREAS, on March 12, 2020 at 3:00 p.m. E.D.T., I issued a State of Emergency due to the public health threat of COVID-19, which became effective as of 8:00 a.m. E.D.T. on March 13, 2020 (the "COVID-19 State of Emergency"); and

WHEREAS, on March 16, 2020 at 2:00 p.m. E.D.T., I issued the First Modification to the COVID-19 State of Emergency declaration to advise that the CDC issued new guidance for large

events and mass gatherings, recommending that organizers halt gatherings of 50 people or more for the next eight weeks due to the public health threat of COVID-19, including conferences, social events, concerts and other types of assemblies; and

WHEREAS, the CDC also recommends that events of any size should continue only if they can be carried out with adherence to guidelines for protecting vulnerable populations, including proper hand hygiene and adequate social distancing; and

WHEREAS, as of Friday, March 13, 2020 at 8:00 a.m. E.D.T., DPH and Delaware Emergency Management Agency ("DEMA") were authorized to cancel gatherings should it be deemed necessary for public health reasons, and such cancellation shall not constitute a taking and shall not entitle the owner or organizer to just compensation; and

WHEREAS, on March 18, 2020 at 2:00 p.m. E.D.T., I issued the Second Modification to the COVID-19 State of Emergency declaration that modified the limitations on public gatherings of 50 or more people and, among other things, placed certain restriction on the operation of certain businesses and facilities in the State of Delaware; and

WHEREAS, on March 21, 2020 at 12:00 p.m. E.D.T., I issued the Third Modification to the State of Emergency declaration to close all Delaware beaches, except to persons using the beaches for exercise or to walk their dogs, subject to certain precautions recommended by the CDC on COVID-19, which became effective as of 5:00 p.m. E.D.T.; and

WHEREAS, it is in the interests of protecting the citizens and residents of Delaware from the public health threat posed by COVID-19; and

WHEREAS, pursuant to Title 20, Section 3116(b)(13) of the Delaware Code, the Governor of the State of Delaware has the power to take such other actions as the Governor

reasonably believes necessary to help maintain life, health, property or public peace during this State of Emergency; and

WHEREAS, I reasonably believe that it is necessary to control and direct within the State of Delaware the operation of certain businesses, organizations, and enterprises necessary to maintain life, health, property or public peace during the State of Emergency.

NOW, THEREFORE, I, JOHN C. CARNEY, pursuant to Title 20, Chapter 31 of the Delaware Code, in an effort to control and prevent the spread of COVID-19 within the State of Delaware, do hereby order:

1. Effective March 24, 2020 at 8:00 a.m. E.D.T., and until further notice, State offices will remain open, except that all State of Delaware employees able to telecommute are required to telecommute (work from home) wherever possible, in accordance with Department of Human Resource's guidance: https://dhr.delaware.gov/personnel/faq/DHR-COVID19-FAQ-StateofDelaware-03112020.pdf, which may be updated from time to time. State of Delaware employees unable to telecommute should report to their normal place of work at the start of their shift.

2. The statutory time periods for responses to requests for public records made pursuant to 29 Del. C. § 10003 and for the filing of and response to petitions filed pursuant to 29 Del. C. § 10005 (e), whether such requests or petitions are presently pending or submitted hereafter, are hereby extended until 15 business days following the termination of any active Declaration of a State of Emergency.

3. I hereby designate certain businesses, establishments, and enterprises operating within the State of Delaware as "Essential Businesses" and "Non-Essential Businesses."

4. In addition to a delegation of authority to issue emergency regulations consistent with the State of Emergency and Delaware law, the Division of Small Business shall have the discretion to make additions, amendments, clarifications, exceptions, and exclusions to this list of "Essential Businesses" and "Non-Essential Businesses" and should consider information from the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency's Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response.

5. Responsibilities of Essential Businesses: "Essential Businesses" as defined herein shall follow the coronavirus guidelines for public safety enumerated by the CDC and DPH, including to:

   a. Implement flexible and non-punitive sick-leave policies to facilitate compliance with this Order, such policies should follow any guidance from the U.S. CDC and DPH regarding COVID-19.
   b. Exclude employees who (a) have been diagnosed with COVID-19, (b) are reasonably suspected to have COVID-19, or (c) have symptoms of acute respiratory illness, such as fever, cough, or shortness of breath, shall stay home and not come to work until they are until they are free of fever (100.4 °F [38.0 °C] or greater using an oral thermometer), signs of a fever, and any other symptoms of acute respiratory illness for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (*e.g.* cough suppressants), these employees should notify their supervisor and stay home if they are sick;
   c. Exclude employees who reside or intimately interact with persons who (a) have been diagnosed with COVID-19, (b) are reasonably suspected to have COVID-19, or (c) have symptoms of acute respiratory illness, such as fever, cough, or shortness of breath, should stay at home and notify their supervisor of their situation;

d. Exclude individuals at highest risk of poor outcomes such as those over age 60 and those with chronic underlying conditions from on-premises work (with the exception of healthcare workers);
e. Separate sick employees from other individuals immediately;
f. Prohibit employees who have been told they must be isolated or quarantined from on-premises work until cleared by DPH or a medical professional;
g. Hand wash with warm water and soap when entering and leaving worksite;
h. Have hand sanitizer or handwashing stations readily available for all employees throughout the day;
i. Enforce cough and sneeze hygiene;
j. Follow all State and CDC guidelines and recommendations for social distancing, especially that there must be 6 feet of space between employees at all times (the exception being healthcare workers using appropriate PPE);
k. Follow all State and CDC guidelines and recommendations for environmental cleaning;
l. Teleworking must be maximized;
m. Visitors are not allowed inside worksites unless they are providing essential services.
n. Participate and encourage employees to abide by the Governor's shelter in place policies as enumerated in the forthcoming Fifth Modification to the COVID-19 State of Emergency declaration, including limitations on driving for essential travel only.
o. All businesses deemed essential by this order shall be subject to inspection by appropriate state officials as necessary. Should any individual company or group of companies be found to not be making best efforts to enforce the standards enumerated in part (a) for their workforce, they will be subject to immediate closure until the State of Emergency is lifted.

6. Definition of Essential Businesses: Essential Businesses are businesses that employ or utilize the following workers:

a. HEALTHCARE / PUBLIC HEALTH

1. Workers providing COVID-19 testing; Workers that perform critical clinical research needed for COVID-19 response.
2. Caregivers (*e.g.*, physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists).
3. Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.).

4. Workers in other medical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Rural Health Clinics and Federally Qualified Health Centers).
5. Manufacturers, technicians, logistics and warehouse operators, and distributors of medical equipment, PPE, medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.
6. Public health / community health workers, including those who compile, model, analyze and communicate public health information.
7. Blood and plasma donors and the employees of the organizations that operate and manage related activities.
8. Workers that manage health plans, billing, and health information, who cannot practically work remotely.
9. Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely.
10. Workers performing cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely.
11. Workers conducting research critical to COVID-19 response.
12. Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely.
13. Workers who support food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing in shelters.
14. Pharmacy employees necessary for filling prescriptions.
15. Workers performing mortuary services, including funeral homes, crematoriums, and cemetery workers.
16. Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident.
17. Any other workers or support staff related to the delivery of medical, dental, veterinarian, or similar services.

b. LAW ENFORCEMENT, PUBLIC SAFETY, FIRST RESPONDERS

1. Personnel in emergency management, law enforcement, emergency management systems, fire, and corrections, including front line and management.
2. Emergency Medical Technicians.
3. 911 call center employees.
4. Fusion Center employees.
5. Hazardous material responders from government and the private sector.
6. Workers, including contracted vendors, who maintain digital systems infrastructure supporting law enforcement and emergency service operations.

c. FOOD AND AGRICULTURE

1. Workers supporting groceries, pharmacies and other retail that sells food and beverage products.
2. Restaurant carry-out and quick serve food operations, including carry-out and delivery food employees.
3. Food manufacturer employees and their supplier employees—to include those employed in food processing (packers, meat processing, cheese plants, milk plants, produce, etc.) facilities; livestock, poultry, seafood slaughter facilities; pet and animal feed processing facilities; human food facilities producing by-products for animal food; beverage production facilities; and the production of food packaging.
4. Farm workers to include those employed in animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; truck delivery and transport; farm and fishery labor needed to produce our food supply domestically.
5. Farm workers and support service workers to include those who field crops; commodity inspection; fuel ethanol facilities; storage facilities; and other agricultural inputs.
6. Employees and firms supporting food, feed, and beverage distribution, including warehouse workers, vendor- managed inventory controllers and blockchain managers.
7. Workers supporting the sanitation of all food manufacturing processes and operations from wholesale to retail.
8. Company cafeterias or in-plant cafeterias used to feed employees of Essential Businesses.
9. Workers in food testing labs in private industries and in institutions of higher education.
10. Workers essential for assistance programs and government payments.
11. Employees of companies engaged in the production of chemicals, medicines, vaccines, and other substances used by the food and

agriculture industry, including pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids.

12. Animal agriculture workers to include those employed in veterinary health; manufacturing and distribution of animal medical materials, animal vaccines, animal drugs, feed ingredients, feed, and bedding, etc.; transportation of live animals, animal medical materials; transportation of deceased animals for disposal; raising of animals for food; animal production operations; slaughter and packing plants and associated regulatory and government workforce.
13. Workers who support the manufacture and distribution of forest products, including, but not limited to timber, paper, and other wood products.
14. Employees engaged in the manufacture and maintenance of equipment and other infrastructure necessary to agricultural production and distribution.

d. ENERGY

1. **ELECTRICITY INDUSTRY:**

    a. Workers who maintain, ensure, or restore the generation, transmission, and distribution of electric power, including call centers, utility workers, reliability engineers and fleet maintenance technicians.
    b. Workers needed for safe and secure operations at nuclear generation.
    c. Workers at generation, transmission, and electric blackstart facilities.
    d. Workers at Reliability Coordinator (RC), Balancing Authorities (BA), and primary and backup Control Centers (CC), including but not limited to independent system operators, regional transmission organizations, and balancing authorities.
    e. Mutual assistance personnel.
    f. IT and OT technology staff – for EMS (Energy Management Systems) and Supervisory Control and Data Acquisition (SCADA) systems, and utility data centers; Cybersecurity engineers; cybersecurity risk management.
    g. Vegetation management crews and traffic workers who support.
    h. Environmental remediation/monitoring technicians.
    i. Instrumentation, protection, and control technicians.

2. **PETROLEUM INDUSTRY:**

a. Petroleum product storage, pipeline, marine transport, terminals, rail transport, road transport.
b. Crude oil storage facilities, pipeline, and marine transport
c. Petroleum refinery facilities.
d. Petroleum security operations center employees and workers who support emergency response services.
e. Petroleum operations control rooms/centers.
f. Petroleum drilling, extraction, production, processing, refining, terminal operations, transporting, and retail for use as end-use fuels or feedstocks for chemical manufacturing.
g. Onshore and offshore operations for maintenance and emergency response.
h. Retail fuel centers such as gas stations and truck stops, and the distribution systems that support them.

3. **NATURAL AND PROPANE GAS INDUSTRY:**

a. Natural gas transmission and distribution pipelines, including compressor stations.
b. Underground storage of natural gas.
c. Natural gas processing plants, and those that deal with natural gas liquids.
d. Liquefied Natural Gas (LNG) facilities.
e. Natural gas security operations center, natural gas operations dispatch and control rooms/centers natural gas emergency response and customer emergencies, including natural gas leak calls.
f. Drilling, production, processing, refining, and transporting natural gas for use as end-use fuels, feedstocks for chemical manufacturing, or use in electricity generation.
g. Propane gas dispatch and control rooms and emergency response and customer emergencies, including propane leak calls.
h. Propane gas service maintenance and restoration, including call centers.
i. Processing, refining, and transporting natural liquids, including propane gas, for use as end-use fuels or feedstocks for chemical manufacturing.
j. Propane gas storage, transmission, and distribution centers.

e. **WATER AND WASTEWATER:** Employees needed to operate and maintain drinking water and wastewater/drainage infrastructure, including:

a. Operational staff at water authorities.
b. Operational staff at community water systems.
c. Operational staff at wastewater treatment facilities.

d. Workers repairing water and wastewater conveyances and performing required sampling or monitoring.
e. Operational staff for water distribution and testing.
f. Operational staff at wastewater collection facilities.
g. Operational staff and technical support for SCADA Control systems.
h. Chemical disinfectant suppliers for wastewater and personnel protection.
i. Workers that maintain digital systems infrastructure supporting water and wastewater operations.

f. TRANSPORTATION AND LOGISTICS:

1. Employees supporting or enabling transportation functions, including dispatchers, maintenance and repair technicians, warehouse workers, truck stop and rest area workers, and workers that maintain and inspect infrastructure (including those that require cross-border travel).
2. Employees of firms providing services that enable logistics operations, including cooling, storing, packaging, and distributing products for wholesale or retail sale or use.
3. Public transit workers.
4. Workers responsible for operating dispatching passenger, commuter and freight trains and maintaining rail infrastructure and equipment.
5. Maritime transportation workers - port workers, mariners, equipment operators.
6. Truck drivers.
7. Automotive repair and maintenance facilities.
8. Manufacturers and distributors (to include service centers and related operations) of packaging materials, pallets, crates, containers, and other supplies needed to support manufacturing, packaging staging and distribution operations.
9. Postal and shipping workers, to include private companies.
10. Employees who repair and maintain vehicles, aircraft, rail equipment, marine vessels, and the equipment and infrastructure that enables operations that encompass movement of cargo and passengers.
11. Air transportation employees, including air traffic controllers, ramp personnel, aviation security, and aviation management.
12. Workers who support the maintenance and operation of cargo by air transportation, including flight crews, maintenance, airport operations, and other on- and off- airport facilities workers.

g. PUBLIC WORKS:

1. Workers who support the operation, inspection, and maintenance of essential dams, locks and levees.
2. Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues.
3. Workers such as plumbers, electricians, HVACR technicians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences.
4. Support, such as road and line clearing, to ensure the availability of needed facilities, transportation, energy and communications.
5. Support to ensure the effective removal, storage, and disposal of residential and commercial solid waste and hazardous waste.

h. COMMUNICATIONS AND INFORMATION TECHNOLOGY:

1. COMMUNICATIONS:

a. Maintenance of communications infrastructure, including privately owned and maintained communication systems, supported by technicians, operators, call-centers, wireline and wireless providers, cable service providers, satellite operations, undersea cable landing stations, Internet Exchange Points, and manufacturers and distributors of communications equipment.
b. Workers who support radio, television, and media service, including, but not limited to front line news reporters, studio, and technicians for newsgathering and reporting.
c. Workers at Independent System Operators and Regional Transmission Organizations, and Network Operations staff, engineers and/or technicians to manage the network or operate facilities.
d. Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables.
e. Installation, maintenance and repair technicians that establish, support or repair communication service as needed.
f. Central office personnel to maintain and operate central office, data centers, and other network office facilities.

g. Customer service and support staff, including managed and professional services as well as remote providers of support to transitioning employees to set up and maintain home offices, who interface with customers to manage or support service environments and security issues, including payroll, billing, fraud, and troubleshooting.
h. Dispatchers involved with communication service repair and restoration.

2. **INFORMATION TECHNOLOGY:**

a. Workers who support command centers, including, but not limited to Network Operations Command Center, Broadcast Operations Control Center and Security Operations Command Center.
b. Data center operators, including system administrators, HVAC & electrical engineers, security personnel, IT managers, data transfer solutions engineers, software and hardware engineers, and database administrators.
c. Client service centers, field engineers, and other technicians supporting critical infrastructure, as well as manufacturers and supply chain vendors that provide hardware and software, and information technology equipment (to include microelectronics and semiconductors) for critical infrastructure.
d. Workers responding to cyber incidents involving critical infrastructure, including medical facilities, SLTT governments and federal facilities, energy and utilities, and banks and financial institutions, and other critical infrastructure categories and personnel.
e. Workers supporting the provision of essential global, national and local infrastructure for computing services (incl. cloud computing services), business infrastructure, web-based services, and critical manufacturing.
f. Workers supporting communications systems and information technology used by law enforcement, public safety, medical, energy and other critical industries.
g. Support required for continuity of services, including janitorial/cleaning personnel.

i. OTHER COMMUNITY-BASED GOVERNMENT OPERATIONS AND ESSENTIAL FUNCTIONS:

1. Workers to ensure continuity of building functions.
2. Security staff to maintain building access control and physical security measures.

3. Elections personnel.
4. Federal, State, and Local, Tribal, and Territorial employees who support Mission Essential Functions and communications networks.
5. Trade Officials (FTA negotiators; international data flow administrators).
6. Weather forecasters.
7. Workers that maintain digital systems infrastructure supporting other critical government operations.
8. Workers at operations centers necessary to maintain other essential functions.
9. Workers who support necessary credentialing, vetting and licensing operations for transportation workers.
10. Customs workers who are critical to facilitating trade in support of the national emergency response supply chain.
11. Educators and other necessary to support public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other essential functions, if operating under rules for social distancing.
12. Hotel Workers and any staff necessary to ensure the safe and proper management of hotel properties, and other forms of lodging and related support staff.

j. **MANUFACTURING**:

1. Workers necessary for the manufacturing of materials, goods, products, or similar distribution.

k. HAZARDOUS MATERIALS:

1. Workers at nuclear facilities, workers managing medical waste, workers managing waste from pharmaceuticals and medical material production, and workers at laboratories processing test kits.
2. Workers who support hazardous materials response and cleanup.
3. Workers who maintain digital systems infrastructure supporting hazardous materials management operations.

l. FINANCIAL SERVICES AND INSURANCE:

1. Workers who are needed to process and maintain systems for processing financial transactions and services (e.g., payment, clearing, and settlement; wholesale funding; insurance services; and capital markets activities).
2. Workers who are needed to provide consumer access to banking and lending services, including ATMs, and to move currency and payments (*e.g.*, armored car carriers).

3. Workers who support financial operations, such as those engaged in the selling, trading, or marketing of securities, those engaged in giving advice on investment portfolios, and those staffing data and security operations centers.
4. Workers engaged in the underwriting, selling, marketing, or brokering of insurance, and any workers who support those activities or who associated with the investigation and fulfillment of insurance claims.

m. CHEMICAL:

1. Workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, workers who transport basic raw chemical materials to the producers of industrial and consumer goods, including hand sanitizers, food and food additives, pharmaceuticals, textiles, and paper products.
2. Workers supporting the safe transportation of chemicals, including those supporting tank truck cleaning facilities and workers who manufacture packaging items.
3. Workers supporting the production of protective cleaning and medical solutions, personal protective equipment, and packaging that prevents the contamination of food, water, medicine, among others essential products.
4. Workers supporting the operation and maintenance of facilities (particularly those with high risk chemicals and/ or sites that cannot be shut down) whose work cannot be done remotely and requires the presence of highly trained personnel to ensure safe operations, including plant contract workers who provide inspections.
5. Workers who support the production and transportation of chlorine and alkali manufacturing, single-use plastics, and packaging that prevents the contamination or supports the continued manufacture of food, water, medicine, and other essential products, including glass container manufacturing.

n. DEFENSE INDUSTRIAL BASE:

1. Workers who support the essential services required to meet national security commitments to the federal government and U.S. Military. These individuals, include but are not limited to, aerospace; mechanical and software engineers, manufacturing/production workers; IT support; security staff; security personnel; intelligence support, aircraft and weapon system mechanics and maintainers.
2. Personnel working for companies, and their subcontractors, who perform under contract to the Department of Defense providing

materials and services to the Department of Defense, and government-owned/contractor- operated and government-owned/government-operated facilities.

o. CONSTRUCTION:

1. Workers who are engaged in the construction of residential, non-residential structures, or infrastructure, and any workers who provide critical maintenance to residential or non-residential structures.
2. Businesses that supply materials and hardware to those engaged in the construction of residential or non-residential structures.
3. Workers involved in activities related to the design and apportionment of residential and non-residential structures.

p. **NECESSARY PRODUCTS RETAILERS**: Retailers that sell or provide Necessary Products. Such Necessary Products shall include:

1. Medical and hygiene supplies.
2. Dry goods.
3. Agricultural supplies (commercial and residential).
4. Pet and animal food and supplies.
5. Hardware.
6. Products and technological equipment or the maintenance of such products or equipment necessary for people to work from home;
7. Alcohol, beer and wine, and any wholesalers or distributors of those products; and
8. Any other household consumer products or other products necessary to maintain the safety, sanitation, and essential operations of residences.

q. **NECESSARY RETAIL AND SERVICES ESTABLISHMENTS:**

1. Businesses that sell or supply Necessary Products Retailers or other Necessary Services Establishments.
2. Businesses that ship, sell, or deliver groceries, food, goods or services directly to residences, Necessary Products Retailers or other Necessary Services Establishments, and businesses that may act as wholesalers to those retail establishments.
3. Appliance repair, electricians, exterminators, home repair, plumbers, or any other service providers who provide services or equipment that is necessary to maintaining the safety, sanitation, and essential operation of residences, Necessary Products Retailers, or Necessary Services Establishments.

4. Automobile and bicycle repair facilities or those engaged in the sale or distribution of equipment or parts necessary for the repair of automobiles and bicycles.
5. Lawn and garden retail facilities or those engaged in the distribution of lawn and garden product.
6. Businesses that sell or distribute gasoline or road-use diesel in any form.
7. Businesses that provide for the warehousing and storage of large quantities of goods.
8. Courier or other express delivery services and any postal services.
9. Businesses that provide support services for the scientific, technical, or information technology fields.
10. Certain outdoor recreational activities such as marinas and similar facilities.
11. Educational institutions (subject to the requirements of the social distancing requirements of the prior modified declarations of the COVID-19 State of Emergency, which requirements are not affected here).
12. Houses of worship and other place of religious expression or fellowship (subject to the requirements of existing emergency orders, which requirements are not affected by this Order).
13. Social service providers.
14. Home-based care for senior, adults, or children.
15. Residential facilities and shelters for seniors, adults or children.
16. Childcare facilities.
17. Chiropractic care facilities.
18. Physical therapy facilities.
19. Banks, credit unions, insurance providers, or other financial institutions.
20. Professional services, such as legal, registered agent, or accounting services and associated support services.
21. Businesses providing temporary employment placement services.
22. Laundromats provided they limit occupancy to less than 10 people in the facility and require social-distancing among patrons, dry cleaners or other laundry service providers.
23. Hotel and commercial lodging.
24. Taxi or for hire transportation (provided that ride-sharing services are not permitted).
25. Business, professional, labor, or other similar businesses that act in an organizing capacity, provided they attempt to limit large gatherings to less than 10 members in person.
26. Pet sitters.

r. **OPEN AIR RECREATION FACILITIES** appropriate to engaging in outdoor activity (provided they are appropriate to comply with social distancing requirements of my prior modified declarations of the COVID-

19 State of Emergency), such recreation facilities including but not limited to State and local parks or other open air recreation facilities, but specifically excluding swimming facilities.

7. **Non-Essential Businesses**: "Non-Essential Businesses" as used herein means:

1. Hospitality and Recreation Facilities, including but not limited to:
    a. indoor community and recreation centers.
    b. casinos and racetracks.
    c. sporting facilities (professional and amateur), including but not limited to indoor skating rinks (ice and non-ice), martial arts studios, dance studios, indoor tennis and similar indoor athletic facilities.
    d. gyms, including yoga, barre and spin facilities.
    e. hair salons, barber shops, nail salons, and spas.
2. Concert halls and venues;
3. Theaters and performing arts venues;
4. Sporting event facilities and venues;
5. Golf courses and shooting ranges, except golf courses and shooting ranges are excluded from Non-Essential Businesses if they conform with the social distancing requirements of my prior modified declarations of the COVID-19 State of Emergency;
6. Realtors of both residential and non-residential properties and associated industries, except that Realtors are permitted to work from home to the extent feasible, to do all necessary showings to perspective buyers/lessors, and to take any action necessary to complete any sales or rentals in progress prior to this Modification of the State of Emergency;
7. Certain Business support services, including customer service call centers and telemarketing operations;
8. Shopping malls, except a shopping mall may be excluded from Non-Essential Business if public access is required so that the public can access any Necessary Retail and Services Establishments located within or adjacent to the shopping mall. In such cases, any public access is subject to the social distancing requirements of my prior modified declarations of the COVID-19 State of Emergency; and
9. Retail stores not included within the definition of Essential Businesses.

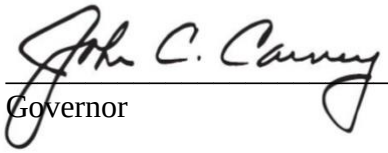
8. Closure of Non-Essential Businesses.

All physical locations of Non-Essential Businesses within the State of Delaware shall be closed until after May 15, 2020, or the public health threat of COVID-19 has been eliminated, effective 8:00 a.m. E.D.T. on Tuesday, March 24, 2020, except

that Non-Esstential Business may continue to offer goods and services over the internet.

9. **Enforcement.** This Order has the force and effect of law. Any failure to comply with the provisions contained in a Declaration of a State of Emergency or any modification to a Declaration of the State of Emergency constitutes a criminal offense. 20 Del. C. §§ 3115 (b); 3116 (9); 3122; 3125. State and local law enforcement agencies are authorized to enforce the provisions of any Declaration of a State of Emergency.

APPROVED this 22nd day of March 2020 at 4:00 p.m.



Governor