EXECUTIVE ORDER NO. 20-07

PROHIBITING ON-PREMISES CONSUMPTION OF FOOD OR DRINK AND GATHERINGS OF MORE THAN 25 PEOPLE

On March 8, 2020, I declared an emergency under ORS 401.165 *et seq.* due to the public health threat posed by the novel infectious coronavirus (COVID-19).

On March 12, 2020, I issued Executive Order No. 20-05, prohibiting gatherings of 250 or more people statewide. I also announced a statewide closure of Oregon K-12 schools from March 16, 2020, through March 31, 2020.

On March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency.

On March 16, 2020, the Department of Human Services imposed its most recent protective measures to restrict visitors to long-term care facilities and other residential facilities. The Oregon Health Authority has adopted similar measures at the Oregon State Hospital and other behavioral health settings, and has limited admissions to the Oregon State Hospital. The Oregon Department of Corrections has suspended all visits to state prisons.

COVID-19 may cause respiratory disease leading to serious illness or death. The World Health Organization considers COVID-19 to be a global pandemic. COVID-19 spreads person-to-person through coughing, sneezing, close personal contact, including touching a surface with the virus on it and then touching your mouth, nose, or eyes.

State and local public health officials advise that the virus is circulating in the community and expect the number of cases to increase. The United States Centers for Disease Control and Prevention (CDC) reports that COVID-19 is most contagious when the individual is most symptomatic, but may also spread before symptoms appear. CDC recommends measures to limit spread of the disease in the community, including limitations on events and gatherings.

The number of presumptive or confirmed COVID-19 cases continues to rise in Oregon. On March 8, 2020, at the time I declared an emergency, there were 14 presumptive or confirmed cases in Oregon. By March 12, 2020, there were 21. As of today, there are at least 51 cases and one death.

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In order to slow the spread of COVID-19, to protect Oregonians who are at highest risk for contracting the disease, and to help avoid overwhelming local and regional healthcare capacity, I find that immediate implementation of social distancing and community mitigation measures are necessary. The purpose of this Executive Order is to reduce person-to-person interaction with the goal of restricting transmission.

NOW THERFORE, IT IS HEREBY DIRECTED AND ORDERED THAT:

Prohibition on On-Premises Consumption of Food and Drink

1. Pursuant to ORS 433.441(3)(a), (b), (d) and (f), ORS 401.168(1), and ORS 401.188(1)–(3), restaurants, bars, taverns, brew pubs, wine bars, cafes, food courts, coffee shops, clubs, or other similar establishments that offer food or drink may not offer or allow on-premises consumption of food or drink. This prohibition applies statewide.

2. Establishments may offer food or drink for off-premises consumption (e.g., take-out or drive-through) or for delivery. Establishments offering such service must implement social distancing protocols of at least three (3) feet between customers ordering, waiting, or in line, consistent with guidance from the Oregon Health Authority. Establishments also must implement similar social distancing protocols for staff, whenever possible. Any sale of alcoholic beverages for off-premises consumption must comply with ORS chapter 471 and any rules adopted thereunder.

3. Paragraph 1 of this Executive Order does not apply to health care facilities, child care facilities, workplaces, essential government buildings, essential emergency response facilities, essential school-based food programs, and essential shelter and meal programs serving vulnerable populations. Such places are encouraged to use social distancing, staggered schedules, take-out, and other similar measures to reduce the risk associated with the spread of COVID-19.

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Prohibition on Gatherings of 25 People or More

4. Pursuant to ORS 433.441(3)(a), (b), (d) and (f), ORS 401.168(1), and ORS 401.188(2), I am prohibiting social, spiritual, and recreational gatherings of 25 people or more. This prohibition applies statewide.

5. Gatherings subject to Paragraph 4 of this Executive Order include, but are not limited to, any community, civic, public, leisure, faith-based, and sporting events, concerts, conventions, fundraisers, fairs, festivals, and any similar events or activities, if a distance of at least three (3) feet between individuals cannot be maintained.

6. Paragraph 4 of this Executive Order does not apply to essential businesses and services, including but not limited to workplaces, grocery stores, retail stores, convenience stores, banks and credit unions, gas stations, hotels or motels, health care facilities, pharmacies, child care facilities, and state or local government. It also does not apply to schools, which are subject to other prior directives regarding statewide school closures. Exempt businesses and services are nonetheless encouraged to implement social distancing protocols, consistent with guidance from the Oregon Health Authority.

7. Executive Order No. 20-05 (prohibition on large gatherings) is rescinded, and replaced by the directives in this Executive Order.

Effective Date and Enforcement

8. This Executive Order is in effect as of 5:00 p.m. on March 17, 2020, and remains in effect through April 14, 2020, unless extended or terminated earlier by the Governor.

9. This Executive Order is a public health law, as defined in ORS 431A.005, and may be enforced as permitted under ORS 431A.010. Additionally, any person found to be in violation of this Executive Order is subject to the penalties described in ORS 401.990.

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10. Individuals and businesses are strongly encouraged to comply with the terms and spirit of this Executive Order, so law enforcement can focus on serving vital needs in our communities during the ongoing emergency.

Done at Portland, Oregon this 17th day of March, 2020.

Kate Brown
GOVERNOR

ATTEST:

Bev Clarno
SECRETARY OF STATE

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