NORTH Dakota | Governor Doug Burgum

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EXECUTIVE ORDER 2020-06.3

WHEREAS, on March 13, 2020, President Donald Trump issued a declaration of national emergency due to the growing COVID-19 crisis in the United States; and,

WHEREAS, a state of emergency was declared by Governor Doug Burgum on March 13, 2020, in response to the public health crisis resulting from COVID-19; Executive Order 2020-03 activated the State Emergency Operations Plan (SEOP), implementing appropriate response and recovery actions and future mitigation measures; and,

WHEREAS, with the guidance and assistance of the State Health Officer and the Director of Emergency Operations, the State is actively responding to this crisis and working to gather, coordinate, and deploy goods, services, professionals and volunteers of all types and kinds; and,

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in North Dakota and continue to spread; and,

WHEREAS, in order to reduce the spread of COVID-19, to protect and save lives, it is necessary and reasonable to accelerate the social distancing recommendations issued by the United States Centers for Disease Control and the North Dakota Department of Health; and,

WHEREAS, based on the rapidly changing circumstances in this State, it is necessary to limit the movement of individuals in the State, and control the occupancy and use of buildings and premises, as well as non-essential congregate settings to respond to the threats to public health and safety of all citizens, in response to the COVID-19 crisis.

NOW THEREFORE, Doug Burgum, Governor of North Dakota, by virtue of the authority under Article V, Section 1 of the North Dakota Constitution and North Dakota Century Code 37-17.1, and in consultation with the State Health Officer and the Director of Emergency Services, in an effort to control and prevent the spread of COVID-19 within the State hereby orders:

1. Effective at 12:00 p.m. Friday, March 20, all restaurants, bars, breweries, cafes and similar on-site dining establishments are closed to on-sale/on-site patrons; take-out, delivery, curbside, drive-through or off-sale services may continue; this requirement will continue through Thursday, April 30.
2. Effective at 12:00 p.m. Friday, March 20, all recreational facilities, health clubs, athletic facilities and theaters, including movie theater and music or entertainment venues are directed to close and cease operations; this requirement will continue through Thursday, April 30.
3. Effective at 12:00 a.m. Saturday, March 28, all licensed cosmetologists, including estheticians and manicurists, and all salons operated by licensed cosmetologists, including esthetician and manicurist salons or services and licensed barbers and

barber shops are directed to close and cease operations; this requirement will continue through Thursday, April 30.

4. Effective at 12:00 a.m. Saturday, March 28, all elective personal care services provided in: a) tattoo and body art facilities, to include individuals providing tattoo and body art services; b) tanning facilities and c) massage facilities and individual massage therapists are directed to close and cease operations; this requirement will continue through Thursday, April 30.
5. All state agencies and offices are directed to accelerate the transition of non-essential staff members to remote, in-home worksite; this requirement will continue through Thursday, April 30.
6. Access to the North Dakota Capitol will be limited to by-appointment only, effective immediately, continuing through Thursday, April 30.
7. Access to all other state facilities will be limited to by-appointment only, effective through Thursday, April 30.

This order is issued upon the following authority and for the following reasons:

1. The Governor is vested with the executive authority pursuant to Article V, Section 1, of the North Dakota Constitution.
2. The Governor is vested with statutory authority to issue executive orders, to minimize or avert the effects of a disaster or emergency pursuant to Chapter 37-17.1 of the North Dakota Century Code. Executive Orders have the force and effect of law under NDCC § 37-17.1-05 (2). Violations of this Order are an infraction and subject to a one-thousand dollar fine.
3. A coordinated and effective effort of appropriate government departments is required to minimize the impact of emergencies and disasters in this state.
4. All local, county and state law enforcement officers are authorized and directed to enforce the provisions of this Executive Order.

This order will become effective immediately and shall remain in effect for the duration of the declared state of emergency, except as otherwise noted.

Executed at Bismarck, North Dakota, this 15th day of April, 2020.

Doug Burgum
Governor

ATTEST:

Secretary of State