STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 7PP

PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC AND RESPONSE – PHASE 1 REOPENING, LIMITATIONS ON CAMP OPERATIONS

WHEREAS, on March 10, 2020, I issued a declaration of public health and civil preparedness emergencies, proclaiming a state of emergency throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and Connecticut; and

WHEREAS, pursuant to such declaration, I have issued forty-two (42) executive orders to suspend or modify statutes and to take other actions necessary to protect public health and safety and to mitigate the effects of the COVID-19 pandemic; and

WHEREAS, COVID-19 is a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a pandemic; and

WHEREAS, the risk of severe illness and death from COVID-19 is higher for individuals who are 60 or older and for those who have chronic health conditions; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention and the Connecticut Department of Public Health (DPH) recommend implementation of community mitigation strategies to slow transmission of COVID-19, including cancellation of gatherings of ten people or more and social distancing in smaller gatherings; and

WHEREAS, public health experts have determined that it is possible to transmit COVID-19 even before a person shows symptoms and through aerosol transmission; and

WHEREAS, declining rates of COVID-19 infections and hospitalizations, combined with increases in both testing and tracing capacity and in the supply of personal protective equipment, have made possible a limited relaxation of restrictions imposed to protect the public health with the imposition of reasonable rules and safeguards for expanded economic and recreational activity; and

WHEREAS, to protect the public's health by mitigating the risk of transmission of COVID-19, the state, through the Commissioner of the Department of Economic and Community Development, has issued sector specific rules governing the manner in which certain businesses

and other entities may safely begin the process of reopening (individually by sector and collectively, the "Sector Rules"); and

WHEREAS, the state has reviewed best health practices for each business sector that is reopening and has developed rules that businesses and other entities that are reopening must follow to limit the transmission of COVID-19; and

WHEREAS, state police and municipal police may enforce violations of orders issued pursuant to a civil preparedness or public health emergency and there is a public health need to add additional enforcement capabilities; and

WHEREAS, local health directors and district health directors presently enforce the public health code and inspect restaurants, salons and barbershops; and

WHEREAS, municipal chief executive officers may designate municipal employees to assist the Commissioner of Public Health with the enforcement of the sector rules adopted by DECD; and

WHEREAS, Executive Order Nos. 7G, 7T and 7MM, permitted certain liquor permit types to sell alcoholic liquor in connection with take-out and delivery of food, but limited such sales to sealed containers; and

WHEREAS, many liquor permit types allow the sale of mixed drinks that could be safely served in a closed container; and

WHEREAS, measures to limit in-person interaction of large groups of children and additional health and sanitation practices in youth camps and summer educational programs are necessary to limit the spread of COVID-19 among children, staff, and their families; and

WHEREAS, the nature of overnight resident camps makes social distancing practices impractical and overly burdensome to implement and the operation of resident camps presents a significant risk of transmission of COVID-19;

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, do hereby **ORDER AND DIRECT**:

1. **Phase 1 Business Reopening.** To provide for a comprehensive plan for safe resumption of limited social, recreational, athletic, and economic activity, pursuant to rules issued by the Department of Economic and Community Development for each of various business sectors (individually and collectively, the "Sector Rules"), which Sector Rules shall constitute legally binding guidance, the following Executive Orders are repealed or amended effective at 12:01 a.m. on Wednesday, May 20, 2020, as provided herein:

a. **Reopening of Outdoor Dining.** Executive Order No. 7D, Section 2 is amended to provide that outdoor dining shall be permitted at any restaurant, eating establishment, private club, or any location licensed for on-premise consumption of alcohol, in accordance with the provisions of Executive Order No. 7MM and the Sector Rules for Restaurants, as amended from time to time, and any Executive Order governing the sale or service of alcoholic beverages. Alcoholic beverages shall not be served except in conjunction with the sale of food in accordance with the provisions of Executive Order No. 7MM. The remaining provisions of Executive Order No. 7D, Section 2, which prohibits indoor dining and, which, as amended, prohibits the sale of alcohol by such permittees without the sale of food, are extended through June 20, 2020. The provisions of Executive Order No. 7N, Section 2, establishing rules for restaurant takeout and delivery, shall remain in effect.

b. **Reopening of Offices.** Executive Order No. 7H, Section 1 is extended through June 20, 2020, with the exception that offices shall be permitted to reopen pursuant to the Sector Rules for Offices, as amended from time to time. The provisions of Executive Order No. 7J, Section 1, allowing certain on-site staffing shall be superseded as applied to offices by the Sector Rules for Offices.

c. **Reopening of Retail and Malls.** The following executive orders governing retail and mall operations are repealed: Executive Order Nos. 7F, Section 1 ("Large Shopping Malls"); 7N, Section 3 (restrictions on retail); 7S, Section 1 ("Safe Stores"); and the provisions regarding non-essential retail in Executive Order No. 7J, Section 1. Large Shopping Malls and retail establishments shall be permitted to operate pursuant to the Sector Rules for Retail and Malls, as amended from time to time. The "Safe Stores" rules issued by DECD pursuant to Executive Order No. 7S, Section 1, and referred to in Executive Order No. 7BB, Section 1, are superseded by the Sector Rules for Retail and Malls.

d. **Reopening for Museums and Zoos.** Executive Order 7H, Section 1 and 7F, Section 2, are amended to permit the operation of museums and zoos pursuant to the Sector Rules for Museums and Zoos, as amended from time to time.

e. **Reopening of Outdoor Recreation and Other Businesses.** Executive Order Nos. 7H, Section 1, and 7F, Section 2, are further amended to permit the operation of any businesses covered by the Sector Rules for General Business, as amended from time to time. The Commissioner of Economic and Community Development shall issue, not later than 10 a.m. on May 19, 2020, a list of business types permitted to reopen pursuant to such Sector Rules, which list may be amended from time to time and shall be incorporated in the Sector Rules. The remaining provisions of Executive Order 7F, Section 2, except for

those referred to in subsection 1 (d) of this order, are extended through June 20, 2020.

f. **Additions to Businesses Permitted to Reopen Pursuant to Sector Rules.** The Commissioner of Economic and Community Development may add, through amendments to any of the Sector Rules and without further Executive Order, businesses which may operate pursuant to such Sector Rules, and the effective date at which such additional businesses shall be permitted to reopen. For any additional business or business type permitted to operate through the Sector Rules, any prohibition on their operation contained in an Executive Order shall expire on the effective date of reopening.

g. **Interaction Between Essential Business Guidance, Safe Workplace Rules and Sector Rules.** The Safe Workplace Rules for Essential Employers issued by DECD pursuant to Executive Order No. 7V, Section 1, shall remain in effect for all essential businesses not otherwise subject to the Sector Rules. The Sector Rules, as amended from time to time, shall apply to any business permitted to open pursuant to this order, and to any additional business allowed to open pursuant to amendments to the Sector Rules.

2. Enforcement of Sector Rules Governing the Reopening of Businesses. Section 19-13-B1 of the Regulations of Connecticut State Agencies is modified to include in the definition of public nuisance a violation of the Sector Rules described in Section 1 of this order. The provisions of the Connecticut General Statutes, Regulations of Connecticut State Agencies, and any local rules, codes or ordinances pertaining to such public nuisances are, to the extent necessary, modified to permit and govern the investigation and enforcement of violations of the Sector Rules as public nuisances as follows:

a. **Local Health Director's and District Health Director's Authority to Enforce Sector Rules.** For purposes of this order, a "Public Health Facility" shall include hair salons, barbershops, beauty shops, nail salons, spas, tattoo or piercing establishments, restaurants, eating establishments, private clubs, or any locations licensed for on-premise consumption of alcohol, that are allowed to reopen pursuant to the Sector Rules, as amended from time to time. Section 19a-206 of the Connecticut General Statutes and Section 19-13-B2(a) of the Regulations of Connecticut State Agencies are modified to authorize a local or district health director to order the closure of Public Health Facilities until such time as the local or district health director determines that the Public Health Facility has abated the nuisance by coming into compliance with the Sector Rules. Nothing in this Section shall be construed to limit, alter, modify or suspend any other existing penalties or enforcement powers that otherwise

apply to violations of orders issued pursuant to a civil preparedness or public health emergency.

b. **Municipal Chief Executive Officer's Authority to Enforce Sector Rules.** Pursuant to Section 19a-2a of the Connecticut General Statues, the Commissioner of the Department of Public Health shall designate to municipal employees or officials selected by the municipal chief executive officer, ("Municipal Designee") authority over public nuisances arising from violations of the Sector Rules by any business or entity that is not a Public Health Facility. A municipal chief executive shall not select a local health director, district health director, or the staff of a local or district health director as their Municipal Designee. Section 19a-206 of the Connecticut General Statutes and Section 19-13-B2(a) of the Regulations of Connecticut State Agencies are modified to authorize the Municipal Designee to order the closure of any business other than a Public Health Facility in violation of the Sector Rules until such time as the Municipal Designee determines that the such business has abated the nuisance by coming into compliance with the Sector Rules. Nothing in this Section shall be construed to limit, alter, modify or suspend any other existing penalties that otherwise apply to violations of orders issued pursuant to a civil preparedness or public health emergency.

3. **Extension of Prohibition on Large Gatherings to June 20, 2020.** Executive Order Nos. 7D, Section 1, and 7N, Section 1, prohibiting large gatherings, are extended through June 20, 2020, and for the removal of all doubt, the prohibition on gatherings of more than five (5) people shall apply to any group seated together at any of the establishments in subsection 1 (a) of this order, and any other group activity permitted by the Sector Rules for any business sector or by the Essential Business Guidance issued by DECD pursuant to Executive Order No. 7H on March 22, 2020, as amended from time to time.

4. **Extension of Restrictions on Off-Track Betting, Indoor Fitness, and Movie Theaters to June 20, 2020**. Executive Order No. 7D, Section 3, prohibiting operations at Off-Track Betting Facilities; and Executive Order No, 7D, Section 4, prohibiting operations of any indoor gym, fitness center, or similar facility or studio offering in-person fitness, sporting or recreational opportunities or instructions, and all movie theaters, are extended through June 20, 2020.

5. **Further Clarification of Limits on Restaurants, Bars and Private Clubs – Mixed Drinks Permitted for Takeout and Delivery.** Executive Order Nos. 7G, 7T and 7MM, which address the sales of alcoholic beverages by certain liquor permittees, are modified to allow for the sale of closed or sealed containers of alcoholic beverages, including mixed drinks, so long as: (i) the sale of such alcoholic beverages is allowed under the permit type held by the business; (ii) all other conditions of the sale meet the

requirements of the Governor's executive orders; and (iii) the sale is consistent with local or municipal open container ordinances or other requirements.

6. **Limitation on the Operation of Day Camps.** To limit the spread of COVID-19 and promote and secure the health and safety of children and staff in day camps, all operations of day camps, as defined by Section 19a-420 (3) of the Connecticut General Statutes, which were not operating as of May 5, 2020 shall not begin operations until June 22, 2020. This order shall apply to all day camps without regard to what entity operates the day camp or whether the day camp is exempt from licensing requirements pursuant to Section 19a-420 of the Connecticut General Statutes, including camps operated by municipal agencies.

7. **Enhanced Health Procedures for All Day Camps.** All day camps, as defined by Section 19a-420 (3) of the Connecticut General Statutes, and day camp programs that are exempt from licensing requirements pursuant to Section 19a-420 without regard to what entity operates the day camp shall comply with the limitations on child group sizes and enhanced health procedure requirements placed on child care programs by Executive Order No. 7Q, and orders of the Commissioner of Early Childhood related to additional health and sanitation practices. The Commissioner of Early Childhood, in consultation with public health experts and the Reopen Connecticut Subcommittee on Education, shall issue guidance on the safe operation of day camps, and any implementing order she deems necessary consistent with this order.

8. **Cancellation of Resident Camp Operations.** To limit the spread of COVID-19 and secure the health and safety of children and staff of resident camps, all operations of resident camps, as defined by Section 19a-420 (2) of the Connecticut General Statutes are prohibited.

9. **Limitation on the Operation of Summer Educational Programs Operated by Local or Regional Boards of Education.** To limit the spread of COVID-19 and promote and secure the health and safety of children and staff in summer school (summer educational programs), all summer school programs operated by local or regional boards of education shall not begin operations until July 6, 2020. The Commissioner of Education, in consultation with public health experts and the Reopen Connecticut Subcommittee on PreK-12 Education, shall issue guidance on the limited operation of summer school programs that are permitted to engage in-person classes after that date, and may issue any implementing order he deems necessary consistent with this order and with his associated guidance document. Any private schools and other non-public schools that operate summer school programs and are not otherwise covered under sections 6 through 10 of this order are encouraged to follow the same schedule and guidance.

10. **Suspension or Modification of Regulatory Requirements to Protect Public Health and Safety.** Notwithstanding Sections 4-168 to 4-174, inclusive, of the Connecticut General Statutes, the Commissioner of Education may temporarily waive, modify or suspend any regulatory requirements adopted under Title 10 of the Connecticut General Statutes as he deems necessary to reduce the spread of COVID-19 and to protect the public health.

Unless otherwise specified herein, this order shall take effect immediately and remain in effect for the duration of the public health and civil preparedness emergency, unless earlier modified, extended or terminated.

Dated at Hartford, Connecticut, this 18th day of May, 2020.

Ned Lamont
Governor

By His Excellency's Command

Denise W. Merrill
Secretary of the State