STATE OF VERMONT

EXECUTIVE DEPARTMENT

ADDENDUM 14 TO EXECUTIVE ORDER 01-20

[Extension of State of Emergency Declared March 13, 2020; Be Smart/Stay Safe]

WHEREAS, since December 2019, Vermont has been working in close collaboration with the national Centers for Disease Control and Prevention ("CDC") and with the United States Health and Human Services Agency to monitor and plan for the potential for an outbreak of respiratory illness due to a novel coronavirus ("COVID-19"), in the United States; and

WHEREAS, the Governor directed the Vermont Department of Health ("VDH") to activate the Health Operations Center in February 2020 when VDH began to monitor and later, test Vermonters who may have been exposed to COVID-19; and

WHEREAS, in March 2020, the Governor directed the Department of Public Safety, Division of Vermont Emergency Management ("DPS/VEM") to assemble an interagency taskforce, and later to activate the Vermont State Emergency Operations Center ("SEOC"), in accordance with the State Emergency Management Plan, to organize prevention, response, and mitigation efforts and share information with local and state officials; and

WHEREAS, on March 7, 2020 and March 11, 2020, VDH detected the first two cases of COVID-19 in Vermont; and

WHEREAS, on March 11, 2020 the World Health Organization made the assessment that COVID-19 can be characterized as a pandemic; and

WHEREAS, on Friday, March 13, 2020, the Governor issued Executive Order 01-20, Declaration of State of Emergency in Response to COVID-19 and National Guard Call-Out ("Executive Order"), declaring a state of emergency for the State of Vermont in response to COVID-19; and

WHEREAS, on Friday, March 13, 2020, President Trump issued a national emergency declaration for the COVID-19 pandemic; and

WHEREAS, the Governor, in consultation with VDH and the Vermont Agency of Human Services, has initiated aggressive and sustained efforts to protect property and public health, and to ensure public safety in this public health emergency including:

- Directive 1 issued March 15, 2020, to all School Boards and Superintendents for Continuity of Education Planning which closed all schools to in-person education and required planning for education continuity;
- Addendum 1 to the Executive Order issued March 16, 2020, which modified the Executive Order to prohibit all non-essential mass gatherings to the lesser of fifty (50) people or fifty

percent (50%) of the occupancy of a facility at the same time for social, recreational or entertainment activities;

- Addendum 2 to the Executive Order issued March 17, 2020 ordering restaurants, bars, or establishments that offer food or drink to suspend on-premises consumption of food or drink;
- Directive 2 issued March 17, 2020 to all School Boards, Superintendents, and Child Care Programs to close childcare centers and provide for services to children of Essential Persons during the closure period in response to COVID-19;
- Directive 3 issued March 18, 2020 directing Department of Motor Vehicle services to provide online, by mail or phone, and suspend all in-person transactions;
- Directive 4 issued March 19, 2020 to the Department of Liquor and Lottery authorizing take-out, curbside pickup and delivery of beverage alcohol, including spirit-based drinks and malt and vinous product accompanying food orders for off-premise consumption;
- Addendum 3 to the Executive Order issued March 20, 2020, requiring the postponement of all non-essential adult elective surgery and medical and surgical procedures;
- Addendum 4 to the Executive Order issued March 21, 2020, which suspended the operation of close-contact businesses and further restricted the size of mass gatherings;
- Addendum 5 to the Executive Order issued March 23, 2020, which ordered all businesses and non-profits to institute work from home procedures to the extent possible;
- Addendum 6 to the Executive Order issued March 24, 2020, which ordered all Vermonters to stay home, stay safe with the exception of those performing critical services ("Stay Home/Stay Safe");
- Directive 5 issued March 25, 2020 clarifying schools for preK-12 students shall remain dismissed for in-person instruction for the remainder of the 2019-2020 school year and required schools to have continuity of learning plans for remote learning implemented on or before Monday, April 13, 2020;
- Addendum 7 to the Executive Order issued March 30, 2020, which imposed quarantine restrictions on travelers arriving in Vermont and clarified the closure of lodging operations;
- Addendum 8 to the Executive Order issued April 3, 2020, which clarified the Governor's direction to provide non-congregate sheltering in Vermont and extended certain deadlines relating to closures of DMV and bars and restaurants; and
- Addendum 9 to the Executive Order issued April 10, 2020, which extended the Executive order through May 15 and made other directives and clarifications.

WHEREAS, modeling studies done for the State clearly show that, but for the mitigation measures taken to date, the number of COVID-19 cases and COVID-19 related deaths in the State and the region would be having a much more devastating effect on Vermonters and would be threatening to overwhelm the capacity of the Vermont health care system; and

WHEREAS, as of April 17, 2020, the Governor began to undertake a phased approach set forth below, to reopen the economy, addressing the need to restore and strengthen the State's overall social and economic wellbeing while including measures for the prevention of a resurgence of COVID-19 that would undermine or lose the important public health outcomes achieved to date:

- Phase 1 set forth in Addendum 10 to the Executive Order issued April 17, 2020, which outlined principles and safety precautions for a phased restart of the Vermont economy, allowed small crews for outside construction or other outdoor trade jobs, and single-worker professional services and clarified guidance for retailers to allow additional operations using delivery and curbside service;
- Phase 2 set forth in Addendum 11 to the Executive Order issued April 24, 2020, which allowed an expansion of small crews for construction and resumption of manufacturing and distribution operations with small crews, in-person shopping at outdoor retail operations and farmers markets and offered clarity for library operations;
- Phase 3 set forth in Addendum 12 to the Executive order issued May 1. 2020, which required enhanced training for larger operations and mask use on public transit and in public transportation facilities, and allowed further phased expansion, up to full operations, of construction, manufacturing and distribution operations;
- Phase 4 set forth in and Amendment to Addendum 3 to the executive order issued May 4, 2020, which allowed for the phased restart of elective medical and surgical procedures;
- Phase 5 set forth in Addendum 13 to the Executive Order issued May 6, 2020, which expanded some outdoor recreation and allowed limited social interactions; and
- Phase 6 set forth in an Amendment to Addendum 6 to the Executive Order (Stay Home/Stay Safe) issued May 13, 2020, which allowed for limited resumption of retail operations which were not deemed critical under Stay Home/Stay Safe; and

WHEREAS, the Governor has determined, in consultation with the Commissioner of VDH and DPS/VEM, based on the best science and data available, to extend the State of Emergency for the State of Vermont through Monday, June 15, 2020; and

WHEREAS, the Governor has further determined, in consultation with the Commissioner of VDH and DPS/VEM, based on the best science and data available, to further modify Addendum 6 to the Executive Order to expand the range of activities and travel Vermonters may enjoy with an understanding that VDH and CDC health and safety measures should be followed; and

WHEREAS, the Governor has determined to authorize lodging facilities to resume operations on a limited basis beginning May 22, 2020, subject to further action as needed to respond to continued COVID-19 response.

NOW THEREFORE, I, Philip B. Scott, by virtue of the authority vested in me as Governor of Vermont by the Constitution of the State of Vermont, the emergency powers set forth in 20 V.S.A. §§ 8, 9 and 11 and other laws hereby declare the State of Emergency for the State of Vermont shall be extended through midnight on Monday, June 15, 2020.

IT IS FURTHER ORDERED:

1. Except as set forth herein, the Executive Order and all Directives and Addenda, as amended, issued thereunder shall continue in full force and effect until midnight on June 15, 2020, at which time the Governor, in consultation with the Vermont Department of

Health and the Department of Public Safety/Division of Emergency Management shall assess the emergency and determine whether to amend or extend the State of Emergency.

2. Be Smart/Stay Safe. Section 1 of Addendum 6 of the Executive Order (Stay Home/Stay Safe), is hereby amended and restated as follows:

To preserve the public health and safety, to ensure the healthcare delivery system is capable of serving all, and to help protect those at the highest risk and vulnerability, Vermonters are encouraged to limit their exposure to disease outside their homes or places of residence as much as possible.

Vermonters should travel only as needed:

- For personal safety, medical care and care of others;
- For work, although all workers should continue to work remotely whenever possible;
- For shopping and services available at all businesses and non-profit and government entities determined to be critical and those which have been authorized to resume operations;
- To get fresh air and exercise by taking advantage of outdoor recreation and outdoor fitness activities that require low or no direct physical contact;
- For limited social interactions and gatherings of 10 or fewer, preferably in outdoor settings; and
- For in-state stays at available lodging, campground and marina facilities.

To keep disease from spreading, Vermonters should maintain physical distancing and protocols for hygiene recommended in guidance from CDC, VDH and other designated state agencies and departments. This means:

- Always staying home and away from others if you are sick with COVID-19, have recently been exposed to someone who has COVID-19, or just don't feel well;
- Keeping a 6-foot distance from others when you meet people outside of your household;
- Frequently washing your hands (hand sanitizer is acceptable when soap and water are not available);
- Coughing and sneezing into your elbow (even if you are wearing a facial covering);
- Wearing a facial covering over your nose and mouth when you are in close proximity to others from outside your household; and
- Limiting travel to within Vermont to the extent possible and when you do travel, limit non-essential stops.

Older adults (age 65 and over), and people with underlying medical conditions, like heart and lung disease or diabetes, are more likely to develop severe illness. They

should continue to shelter in place, and Vermonters should do everything they can to help keep them safe.

3. General Public Mask Use. All Vermonters are encouraged to wear face coverings over their nose and mouth any time they are interacting with others from outside their households, including in congregate outdoor settings where it is not possible to maintain physical distancing. Masks are not recommended for strenuous outdoor activity, anyone under the age of 2, anyone with a medical condition that is complicated or irritated by a facial covering, or anyone with difficulty breathing. Masks are not required when eating in outdoor settings. Businesses and non-profit and government entities may require customers or clients to wear masks. The legislative body of each municipality may enact more strict local requirements regarding mask use than those set forth herein.

4. Lodging Operations. Addendum 6 and Addendum 7 to the Executive Order are hereby modified to allow the limited resumption of lodging operations, including hotels, motels, bed and breakfasts, inns, short term rentals, such as those made available through VRBO, Homeaway, AirBnb and other services, parks for recreational vehicles and campgrounds, all public and private camping facilities including those managed by the Vermont Department of Parks and Recreation, and marinas.

   Lodging may be provided for the following purposes:
   a. Housing vulnerable populations (emergency shelter for homeless individuals) as arranged through the state;
   b. Providing accommodations for health care workers, other workers deemed necessary to support public health, public safety or critical infrastructure and workers entering the state for authorized work;
   c. Use of lodging properties as quarantine facilities as arranged by the state; and
   d. Lodging for Vermont residents and others who certify self-quarantine for a minimum of 14 days prior to lodging overnight in Vermont.

   On-line reservations may be resumed as of the date of this Addendum for stays beginning May 22, 2020. Lodging providers, and the online platforms that facilitate rentals and reservations, shall clearly post a prominent notice on their web platforms which advises potential guests of the health and safety requirements currently applicable to lodging and gatherings in Vermont.

   The Secretary of the Agency of Commerce and Community Development (ACCD) shall issue mitigation requirements and procedures which require implementation of appropriate occupancy limits for stays and events and physical distancing, health and sanitation and training measures. The Secretary of ACCD, in consultation with the Commissioner of VDH, and with the approval of the Governor, may, from time-to-time, authorize additional limited, incremental, and phased resumption of lodging operations and update and modify the mitigation requirements and procedures regarding the resumption of lodging operations.

If the Commissioner of the VDH has determined that a COVID-19 outbreak has occurred and lodging operations cannot safely operate in a way that 1) limits the exposure of customers and staff to COVID-19 and 2) does not threaten to overwhelm our hospitals and healthcare resources, he is hereby authorized, with approval of the Governor, to notify and require any or all lodging operations to return to certain standards of operation.

5. For the sake of clarity, Addendum 2 to the Executive Order dated March 16, 2020, which prohibited on-premises consumption of food or drink, Addendum 4 to the Executive Order dated March 20, 2020, which suspended the operation of close contact businesses, and Addendum 5 to the Executive Order dated March 23, 2020, which required all businesses, and non-profit and government entities to implement telework procedures to the extent possible, shall remain in full force and effect. Addendum 6 to the Executive Order dated March 24, 2020 (Stay Home/Stay Safe) shall remain in effect except as modified by Addendum 10, Addendum 11, Addendum 12, Addendum 13, Amendment, this Addendum 14 and mitigation requirements and procedures for the limited, incremental and phased resumption of business, non-profit and government entity operations issued by the Secretary of ACCD with the approval of the Governor. Businesses and non-profit and government entities which have not been authorized to resume operations as of the date of this Executive Order shall be addressed at a later date.

This Addendum 14 shall take effect upon signing and shall continue in full force and effect until midnight on June 15, 2020, at which time the Governor, in consultation with the Vermont Department of Health and the Department of Public Safety shall assess the emergency and determine whether to amend or extend this Addendum.

By the Governor:

Philip B. Scott
Governor

Brittney L. Wilson
Secretary of Civil and Military Affairs

Executive Order No. 01-20 – Addendum 14

Dated: May 15, 2020