STATE OF NEW JERSEY

DEPARTMENT OF LAW AND PUBLIC SAFETY

DIVISION OF NEW JERSEY STATE POLICE

OFFICE OF EMERGENCY MANAGEMENT

Administrative Order No. 2020-10

Essential Retail Businesses

WHEREAS, on March 9, 2020, through Executive Order No. 103, the facts and circumstances of which are adopted by reference herein, the Governor declared both a Public Health Emergency and a State of Emergency throughout the State due to the public health hazard posed by Coronavirus disease 2019 (COVID-19); and

WHEREAS, to further protect the health, safety and welfare of New Jersey residents by, among other things, reducing the rate of community spread of COVID-19, the Governor issued Executive Order No. 107 (2020) on March 21, 2020, the facts and circumstances of which are also adopted by reference herein, which established social mitigation strategies for combating COVID-19; and

WHEREAS, on April 7, 2020, through Executive Order No. 119 (2020), the facts and circumstances of which are adopted by reference herein, the Governor declared that the COVID-19 Public Health Emergency continued to exist and further declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, the Governor issued Executive Order No. 122 (2020) on April 8, 2020, the facts and circumstances of which are also adopted by reference herein, which established, among other things, enhanced social mitigation and public health practices for the in-person operations of essential retail businesses; and

WHEREAS, pursuant to paragraph 6 of Executive Order No. 107 (2020), the Governor ordered closed to the public the brick-and-mortar premises of all non-essential retail businesses but also deemed a subset of retail businesses as essential and permitted their brick-and-mortar premises to remain open; and

WHEREAS, pursuant to paragraph 6 of Executive Order No. 107 (2020), as clarified by paragraph 2 of Administrative Order No. 2020-6, car dealerships were permitted to continue in-person auto maintenance and repair services and to provide online and telephonic delivery services and pickup services outside or adjacent to their stores for vehicles ordered in advance online or by phone; and

WHEREAS, pursuant to paragraph 9 of Executive Order No. 107 (2020), the Governor ordered closed to the public all recreational and entertainment businesses, including facilities where personal care services are performed that, by their very nature, result in noncompliance with social distancing guidelines; and

WHEREAS, pursuant to paragraphs 6 and 9 of Executive Order No. 107 (2020), the Governor granted the State Director of Emergency Management, who is the Superintendent of the State Police, the discretion to make clarifications to any of those provisions, including to make additions, amendments, clarifications, exceptions, and exclusions to the list of essential retail businesses and to the list of recreational and entertainment businesses;

NOW, THEREFORE, I, Patrick J. Callahan, State Director of Emergency Management, hereby ORDER as follows:

1. Pet grooming, pet daycare, and pet boarding businesses shall be considered essential retail businesses, provided that they adopt in-person operation policies that include, at a minimum, the enhanced social distancing practices detailed in paragraph 1 of Executive Order No. 122 (2020).

2. Stores that principally sell items necessary for religious observation or worship shall be considered essential retail businesses, provided that they adopt in-person operation policies that include, at a minimum, the enhanced social distancing practices detailed in paragraph 1 of Executive Order No. 122 (2020).

3. Car dealerships may permit customers that have ordered and/or purchased a vehicle online or by phone to test drive the vehicle at the time of pick-up or prior to delivery, provided that the dealership adopts in-person operation policies that 1) include, at a minimum, the enhanced social distancing practices detailed in paragraph 1 of Executive Order No. 122 (2020), 2) permit the individual to access the vehicle alone, and 3) provide that the dealership is to appropriately clean and sanitize the vehicle after such test drive if the customer does not purchase the vehicle.

4. Licensees, owners, operators, employees, or independent contractors of personal care services facilities ordered to be closed to the public in paragraph 9(g) of Executive Order No. 107 (2020), are not permitted to provide personal care services in their own homes, the homes of others, or in any facility or business setting unless the individual personal care service provider is providing the service to their household members, immediate family or other individuals with whom the personal care service provider has a close personal relationship, such as those for whom the personal care service provider is a caretaker or romantic partner. A prior business relationship alone does not qualify as a close personal relationship, for purposes of this paragraph.

5. This ORDER shall take effect immediately and shall remain in effect for as long as Executive Order No. 107 (2020) remains in effect or until I issue a subsequent amending Administrative Order.

April 27, 2020

Colonel Patrick J. Callahan

State Director of Emergency Management