GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2020-054
March 30, 2020

SUBJECT: Stay at Home Order

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422 of the District of Columbia Home Rule Act, approved December 24, 1973, Pub. L. 93-198, 87 Stat. 790, D.C. Official Code § 1-204.22 (2016 Repl.); in accordance with the COVID-19 Response Emergency Amendment Act of 2020, effective March 17, 2020, D.C. Act 23-247, and any substantially similar subsequent emergency or temporary legislation; section 5 of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981, D.C. Law 3-149, D.C. Official Code § 7-2304 (2018 Repl.); section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002, D.C. Law 14-194, D.C. Official Code § 7-2304.01 (2018 Repl.); and section 1 of An Act To Authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases, approved August 11, 1939, 53 Stat. 1408, D.C. Official Code §§ 7-131 *et seq.* (2012 Repl.), it is hereby **ORDERED** that:

I. BACKGROUND

1. This Order is issued based on the increasing number of confirmed cases of COVID-19 within Washington, DC, and throughout the metropolitan Washington region. Scientific evidence and public health practices show that the most effective approach to slowing the community transmission of communicable diseases like COVID-19 is through social distancing. The age and health of a significant portion of the population of Washington, DC, places thousands of residents at risk for serious health complications, including death, from COVID-19.

2. Due to the outbreak of the COVID-19 virus, Mayor's Order 2020-045, dated March 11, 2020, and Mayor's Order 2020-046, dated March 11, 2020 issued declarations of a public emergency and public health emergency. Mayor's Order 2020-050, dated March 20, 2020, extended those declarations of a public emergency and public health emergency through April 24, 2020. Mayor's Order 2020-048, dated March 16, 2020, Mayor's Order 2020-051, dated March 20, 2020, Mayor's Order 2020-053, dated March 24, 2020, and several directives from the Department of Health provided for additional steps required to protect public health. The COVID-19 Emergency Response Amendment Act of 2020 (D.C. Act 23-247), which was approved by the Council and the Mayor on March 17, 2020, empower the District government with additional tools to address

COVID-19. In addition, the President declared a national emergency on March 13, 2020, and the World Health Organization on March 11, 2020, characterized COVID-19 as a pandemic.

3. The findings of prior COVID-19 Mayor's Orders are incorporated here by reference.

4. Because of the risk of the rapid spread of the virus, and the need to protect all members of Washington, DC, and the region, especially residents most vulnerable to suffering the prolonged illness or death from the virus, and local health care providers and first responders, this Order requires all individuals anywhere in Washington, DC, to stay in their residences except to perform essential activities, engage in essential business, provide or obtain essential government services, or engage certain authorized recreational activities not involving close contact with other persons.

5. The intent of this Order is to:

   a. Keep the maximum number of people in their residences to the maximum extent feasible, consistent with protecting their own health and the health of others, while enabling essential activities, government services, and business to continue;

   b. Significantly slow the spread of COVID-19;

   c. Reduce COVID-19 virus infections, COVID-19 illness, and death caused by COVID-19 and its complications;

   d. Protect the health, safety, and welfare of the residents of Washington, DC, and other individuals located in Washington, DC;

   e. Allow essential activities, businesses, and government services to operate and be delivered in relative safety; and

   f. To preserve a sphere of personal freedom by allowing outside recreational activities under conditions designed to minimize health risks.

II. ORDER TO STAY AT HOME

1. a. All individuals living in Washington, DC, are ordered to stay at their place of residence, except as specified in this Order.

   b. Individuals experiencing homelessness are exempt from the provisions of section II.1.a., but are strongly urged to obtain shelter, and District agencies shall, and other public and private entities are strongly urged to,

make such shelter available as soon as possible and to the extent practicable, and to use COVID-19 risk mitigation practices in their operations. The District's 24-hour shelter hotline shall remain open and accessible at 202-399-7093.

2. Individuals may leave their residences (including their porches and yards) only to engage in Essential Activities including obtaining medical care that cannot be provided through telehealth and obtaining food and essential household goods; to perform or access Essential Governmental Functions; to work at Essential Businesses; to engage in Essential Travel; or engage in Allowable Recreational Activities, as defined in section IV of this Order.

3. Individuals shall not linger in common areas of apartment buildings and shall not use buildings' facilities, such as gyms, party rooms, lounges, rooftop, or courtyard spaces. Such spaces are unlikely to be disinfected often and could otherwise exposed individuals to the COVID-19 virus.

4. Leaving home for the purposes of engaging in Essential Business Activities or the Minimum Business Operations of businesses not deemed Essential in Mayor's Order 2020-053 is permissible, and persons are allowed to obtain and provide home-based services so long as the services do not involve physical touching and may be carried out in compliance with the Social Distancing Requirements, as defined in section IV.8 of this Order.

5. When engaging in Essential Travel, the following requirements and restrictions shall apply:

   a. Individuals using public transportation to engage in Essential Travel must comply with the Social Distancing Requirements defined in subsection IV.8 of this Order, to the greatest extent feasible. Entry through the back door of any bus or van with a back door is encouraged for the protection of the drivers.

   b. Drivers of ride-sharing vehicles engaged in Essential Travel must have disinfecting wipes in their vehicles and must wipe down all surfaces potentially touched by a passenger after each ride. Drivers of ride-sharing vehicles may not have more than two (2) other persons in their vehicle at any time.

   c. Individuals using shared personal mobility devices such as scooters and bicycles are strongly encouraged to bring their own disinfecting wipes and wipe down the parts of the device they touch before and after riding.

   d. Public and private transit officials shall make provisions for frequently disinfecting buses, subway cars, and any other vehicles they operate, to the highest feasible standards.

6. Under any of the limited circumstances in which an individual is allowed to leave their residence under this Order, the individual shall comply with the Social Distancing Requirements defined in section IV.8 of this Order, to the maximum extent possible.

7. Notwithstanding any other provision of this Order, an individual who is suspected or confirmed to be infected with COVID-19 or any other transmissible infectious disease shall not be outside their residence except as necessary to seek or receive medical care in accordance with guidance from public health officials or their health care provider.

III. OPERATION OF ESSENTIAL BUSINESSES & MINIMUM BUSINESS OPERATIONS

1. The provisions of Mayor's Order 2020-053 regarding which businesses are essential; promoting telework; and allowing Minimum Business Operations of Non-Essential Businesses and subsequent guidance published on coronavirus.dc.gov remain in effect.

2. Additionally, at any time, the Department of Consumer and Regulatory Affairs (DCRA) may request and an Essential Business must provide, its plans for complying with the requirement to minimize person-to-person contact and achieve to the greatest extent feasible, Social Distancing.

3. Likewise, Non-Essential Businesses conducting Minimum Business Operations pursuant to Mayor's Order 2020-053 or fuller operations under a Waiver granted by HSEMA may be asked to show their operational plan and why the activities they are conducting, and how they are conducting them, fit within allowable limits.

4. The DCRA may impose penalties including summary closure of businesses, subject to subsequent hearings at the Office of Administrative Hearings; Notices of Infractions and Orders to Show Cause why a Business Should not be Closed; Notices of Infractions and Penalties of up to $1,000 per day for violations per site operating in violation of this Order or Mayor's Order 2020-053; and penalties of up to $5,000 per day per site for operation after an Order to close, or a visit by an inspector that resulted in a warning or a request to close, that was immediately complied with.

5. Any Essential Business or Government Building or Facility that remains open to the public with an expected occupancy or attendance of more than ten (10) people shall promptly and conspicuously post in the building or facility a copy of the requirements for social distancing found on the coronavirus.dc.gov website as may be amended from time to time by the District of Columbia Department of Health (DC Health).

6. These penalties are in addition to any that may be imposed by the Alcohol

Beverage Control Administration, including revocation of liquor licenses or permission for delivery services.

IV. DEFINITIONS

For the purposes of this Order, the following terms shall mean:

1. "**Allowable Recreational Activities**" means outdoor activity with household members that complies with Social Distancing Requirements, as defined in section IV.8 of this Order, and includes the sanitizing of any equipment used both before and after the activity. Outdoor activities should not be conducted with persons other than those from one's own household.

   Examples: Walking, hiking, running, dog-walking, biking, rollerblading, scootering, skateboarding, playing tennis, golfing, gardening, and other activities where all participants comply with Social Distancing Requirements and there is no person-to-person contact.

2. "**Essential Activities**" means:

   a. Engaging in an activity or performing a task essential to an individual's own health or safety, or to the health or safety of the individual's family or household members, including pets.

      Examples: Obtaining medical supplies or medication; visiting a health care professional; or obtaining supplies needed to work from home.

   b. Obtaining services or supplies for an individual's own self or the individual's family or household members; or delivering those services or supplies to others that are necessary to maintain the safety, sanitation, and operation of residences.

   c. Performing work providing essential products and services at an Essential Business or otherwise carrying out activities specifically permitted in this Order, including Minimum Basic Operations.

   d. Caring for a family member or pet in another household or serving as a caregiver providing essential services to another. Caregiving involves more than companionship or entertainment, but rather helps a person with activities of daily living, the supervision of children, or otherwise tends to the immediate physical needs and safety of someone who cannot attend to those needs for him or herself.

   e. Providing or obtaining services at a Health Care Operation.

i. For purposes of this Order, the term "Health Care Operation" includes hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other health care facilities, health care suppliers, home health care and assisted living services, mental health providers, or any related and/or ancillary health care services.

ii. The term "Health Care Operation" also includes veterinary care and all health care services provided to animals.

iii. This authorization shall be construed broadly to avoid any impacts to the delivery of health care, broadly defined.

iv. The term "Health Care Operation" does not include fitness facilities, exercise gyms, spas, massage parlors, or other similar facilities.

f. Providing any services or performing any work necessary to the operations and maintenance of Essential Infrastructure.

i. For purposes of this Order, the term "Essential Infrastructure" includes critical or emergency public works or utilities construction, construction, solid waste collection and removal by private and public entities, telecommunications services; provided, that an individual shall provide these services and perform this work in compliance with the Social Distancing Requirements as defined in section IV.8 of this Order, to the extent possible.

ii. Other infrastructure and construction activity may be allowable as an Essential Business under section IV.3—of this Order.

3. **"Essential Businesses"** are those defined in Mayor's Order 2020-053 and subsequent interpretive guidance.

4. **"Essential Government Functions"** are those defined in Mayor's Order 2020-053 and include all the tasks performed by persons designated essential or emergency personnel.

5. "**Essential Travel**" means:

a. Travel related to the provision of, or access to, Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations, including travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions;

b. Travel to care for elderly, minors, dependents, persons with disabilities, or

other vulnerable persons;

c. Travel required to visit a house of worship;

d. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services;

e. Travel to return to a place of residence from outside Washington, DC;

f. Travel required by law enforcement or court order;

g. Travel required for non-residents to return to their place of residence outside Washington, DC; and

h. Travel within the Washington region to engage in allowable activities under that jurisdiction's laws.

6. "**Minimum Basic Operations**" means the following:

a. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, and related functions;

b. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences; and

c. The minimum necessary activities to facilitate teleworking or the remote delivery of services formerly provided in-person by the business; to provide for the pay and benefits of the businesses' employees; to provide cleaning and disinfection of a business's facilities; or to provide employee supervision of contractors or employees providing essential maintenance of the facility.

7. "**Residences**" include homes and apartments, hotels, motels, shared rental units, and similar facilities.

8. "**Social Distancing Requirements**" include:

a. Maintaining at least six (6)-foot social distancing from other individuals;

b. Washing hands with soap and water for at least twenty (20) seconds or using hand sanitizer frequently, or after contact with potentially-infected surfaces, to the greatest extent feasible;

c. Covering coughs or sneezes, preferably with a tissue immediately

disposed of, or into the sleeve or elbow, not hands;

d. Regularly cleaning high-touch surfaces; and

e. Not shaking hands.

V. ENFORCEMENT

1. Any individual or entity that knowingly violates this Order shall be subject to all civil, criminal, and administrative penalties authorized by law, including sanctions or penalties for violating D.C. Official Code § 7-2307, including $1,000 fines, summary suspension or revocation of business licensure.

2. Any individual who willfully violates this Order may be guilty of a misdemeanor and, upon conviction, subject to a fine not exceeding $5,000, imprisonment for not more than 90 days, or both.

3. An officer or employee of the District of Columbia government that violates this Order or any related personnel issuance shall be subject to appropriate administrative discipline, including, when circumstances warrant, suspension from duty without pay or removal from office.

VI. SEVERABILITY

If any provision of this Order or its application to any person or circumstance is held to be invalid, then the reminder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect.

VII. EFFECTIVE DATE

This Order shall become effective at 12:01 a.m. on April 1, 2020 and will continue to be in effect through April 24, 2020, or until it is extended, rescinded, superseded, or amended in writing by a subsequent Order.

MURIEL BOWSER
MAYOR

ATTEST: Kimberly A. Bassett

KIMBERLY A. BASSETT
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA