GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2020-119
November 23, 2020

SUBJECT: Modified Requirements to Combat Escalation of COVID-19 Pandemic During Phase Two

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 Coronavirus Support Congressional Review Emergency Amendment Act of 2020, effective June 8, 2020, D.C. Act 23-328, the Public Health Emergency Authority Additional Extension Emergency Amendment Act of 2020, effective October 5, 2020, D.C. Act 23-411, 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.); 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 ("Communicable and Preventable Diseases Act"), approved August 11, 1939, 53 Stat. 1408, D.C. Official Code §§ 7-131 *et seq.* (2012 Repl.); and in accordance with Mayor's Order 2020-045, dated March 11, 2020; Mayor's Order 2020-046, dated March 11, 2020; Mayor's Order 2020-050, dated March 20, 2020; Mayor's Order 2020-063, dated April 15, 2020; Mayor's Order 2020-066, May 13, 2020; Mayor's Order 2020-067, dated May 27, 2020; Mayor's Order 2020-079, dated July 22, 2020, and Mayor's Order 2020-103, dated October 7, 2020, it is hereby **ORDERED** that:

I. BACKGROUND

1. This Order incorporates the findings of prior Mayor's Orders relating to COVID-19.

2. Community transmission of COVID-19 is escalating throughout the District and is exploding in many parts of the country. Reinforcement to encourage community responsibility and compliance with health and safety rules is necessary. Flu season, holiday gatherings, and greater indoor activity during winter are anticipated to cause even more cases of COVID-19 and increased stress on our hospital system's capacity. Immediate further action on the part of our residents, employers, and visitors, and further restrictions on activities that are conducive to the rapid spread of the disease are warranted.

3. The District's cumulative positive COVID-19 cases now total 20,290, and 672 District residents have lost their lives to COVID-19 to date.

4. Our daily case rate (a running seven-day average of new cases) is 23.9 cases per 100,000 residents and the rate of transmission stands at 1.12. Our hospital utilization stands at 82.9% of available beds. These indicators warrant decisive action to slow the spread of the virus that causes COVID-19.

5. Current epidemiological data shows that private gatherings are a strong contributor to transmission of the COVID-19 virus.

6. In addition, inspections have revealed that later at night, particularly when alcohol is served, persons are less compliant with rules regarding social distancing and staying seated at restaurants, contributing to a high rate of spread of the COVID-19 virus.

7. This Order modifies requirements regarding capacity restrictions for restaurants and houses of worship; various fitness activities; mass gatherings rules outdoors; and establishes rules for the size of private social gatherings during the COVID-19 public health emergency and in response to it.

II. NON-ESSENTIAL, NON-RETAIL BUSINESSES

Section IV.1. of Mayor's Order 2020-103 is modified to strongly encourage continued telework.

III. REQUIREMENTS FOR RESTAURANTS

1. Restaurants and other licensed food establishments may continue to operate for patrons until midnight, but alcohol sales, service and consumption (excluding carry-out and delivery) must end at 10:00 p.m.

2. The indoor occupancy of restaurants is hereby reduced from fifty percent (50%) to twenty-five percent (25%) as of 12:01 a.m. on Monday, December 14, 2020, so as to reduce the frequency of high-risk exposure.

IV. LIVE ENTERTAINMENT PILOT

The live entertainment pilot is hereby paused. Some previously-approved performances will be grandfathered.

V. MASS GATHERINGS

As further described in Mayor's Orders 2020-048 and 2020-075, a mass gathering is a planned event or gathering within a confined space.

1. Outdoors. The number of persons allowed to be together at an outdoor mass gathering, excepting worship services, is reduced from fifty (50) to twenty-five (25) persons, with

the exceptions listed in Mayor's Order 2020-075, and houses of worship are not subject to numeric caps on the numbers of persons at an outdoor service.

2. Indoors. If a gathering is conducted in a structure with more than two walls, and is not subject to other more specific rules, such as for restaurants and houses of worship, it is an indoor gathering and cannot exceed ten (10) persons.

3. Indoor services in Houses of Worship. Services inside houses of worship are excepted to the following extent: The maximum number of persons attending an indoor service at a house of worship at any one time is hereby reduced from one hundred (100) to fifty (50) persons, with the maximum fifty percent (50%) occupancy limit remaining in place. The lesser number of fifty (50) persons or fifty percent (50%) occupancy is allowable. Virtual services, rather than in-person services, continue to be encouraged.

VI. SOCIAL GATHERINGS

Unless the number of persons in a household exceeds ten persons, indoor social gatherings shall not exceed ten (10) persons. This limitation applies to private homes, dormitories, hotels, apartments, condominiums and cooperatives, and party or common rooms of such permanent or temporary residences.

VII. GYMS

1. Gyms, private trainers, and other businesses and recreation centers must suspend all indoor group exercise classes.

2. Gyms, private trainers, and other businesses and recreation centers must suspend all outdoor group exercise classes of twenty-five (25) or more persons.

VIII. ENFORCEMENT

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

2. The District of Columbia reserves the right to exercise provisions of the Communicable and Preventable Diseases Act, approved August 11, 1939, 53 Stat. 1408, D.C. Official Code §§ 7-131 *et seq.*, if warranted; and to issue regulations providing for civil and criminal penalties and injunctive relief for violations of this Order.

IX. SUPERSESSION

This Order supersedes any Mayor's Order or guidance issued by a District agency issued during the COVID-19 public health emergency to the extent of any inconsistency.

X. EFFECTIVE DATE AND DURATION

This Order shall be effective at 12:01 a.m. on Wednesday, November 25, 2020, and shall continue to be in effect through December 31, 2020, or until the date to which the COVID-19 public health emergency is extended, whichever is later.

MURIEL BOWSER
MAYOR

ATTEST: _____
KIMBERLY A. BASSETT
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA