STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 21-20

By the Governor

WHEREAS, a State of Emergency was declared on the Sixteenth Day of March, Two Thousand Twenty for all counties in West Virginia (the "State of Emergency Declaration"), to allow agencies to coordinate and create necessary measures to prepare for and respond to the outbreak of respiratory disease caused by a novel coronavirus now known as COVID-19; and

WHEREAS, Chapter 15, Article 5, Section 6 of the Code of West Virginia authorizes the Governor to, among other things, control ingress and egress to and from a disaster area or an area where large-scale threat exists, the movement of persons within the area, and the occupancy of premises therein, and to perform and exercise other functions, powers, and duties that are necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS, Executive Order 9-20 ordered individuals to remain at their homes or residences, except when performing essential activities, and closed or otherwise limited the occupancy of businesses and entities that are not "Essential Businesses and Operations," as that term is defined in Executive Order 9-20; and

WHEREAS, due to the recent number of positive cases of COVID-19 in the Eastern Panhandle of this state, Executive Order 20-20 implemented further measures to protect the health, safety, and welfare of the public, to disrupt the spread of the virus, and to mitigate the impact of COVID-19 in the Eastern Panhandle; and

WHEREAS, due to the increase in the number of positives cases of COVID-19 in Harrison County, Kanawha County, and Monongalia County, it is necessary to implement similar

heightened measures in these named counties as were included in Executive Order 20-20 for the Eastern Panhandle; and

WHEREAS, it is necessary for those businesses and entities in Harrison County, Kanawha County, and Monongalia County that are Essential Businesses and Operations to further limit the number of employees and members of the public entering and exiting their premises and, therefore, to the maximum extent possible, employers of Essential Businesses and Operations must shift work and their workers off-premises; and

WHEREAS, local health departments have broad authority to regulate matters relating to public health under Chapter 16 of the West Virginia Code; and

WHEREAS, these additional measures are necessary because of the number of positive cases of COVID-19 in Harrison County, Kanawha County, and Monongalia County at this time and the propensity of the COVID-19 virus to spread via personal interactions.

NOW, THEREFORE, I, JIM JUSTICE, pursuant to the authority vested in me pursuant to the provisions of Chapter 15, Article 5, Section 6 and Chapter 15, Article 5, Section 1 of the Code of West Virginia, hereby **DECLARE** and **ORDER**, effective as of 12:00 AM, Eastern Standard Time, on the Fifth day of April, Two Thousand Twenty, as follows:

1. For the counties of Harrison, Kanawha, and Monongalia, the following provisions of Executive Order 9-20 are hereby amended as follows:

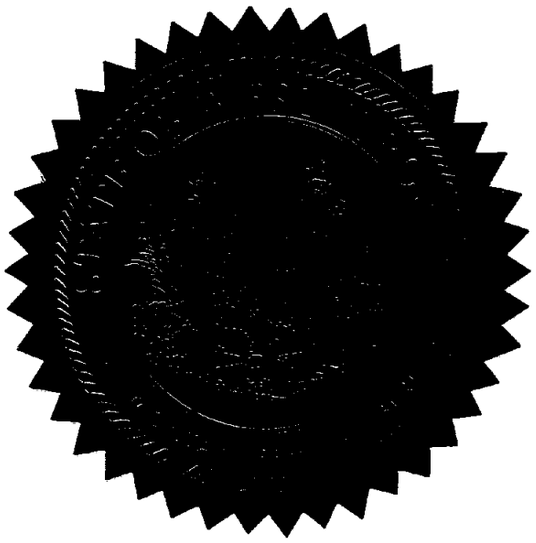
   Section 1, Subparagraph g is hereby deleted in its entirety and replaced with the following:

   "g. Engaging in outdoor activity, provided that individuals at all times and as much as reasonably possible maintain social distancing of six feet from one another and abide by a 5-person limitation on gathering size."

2. All Essential Businesses and Operations conducted by both private and public employers in Harrison County, Kanawha County, and Monongalia County shall order their employees and/or contractors, to the maximum extent possible, to work from their home or residence, or to otherwise work remotely.

3. Local health departments in Harrison County, Kanawha County, and Monongalia County, and other appropriate agencies of such counties, are hereby directed to establish and enforce protocols to limit occupancy of any such business and entity that remains open to the public under the terms of this Order and all other Executive Orders issued to date related to the COVID-19 pandemic, on an individual-per-square-foot-basis, to be determined in the discretion of such local health department, in consultation with the State Health Officer. The West Virginia National Guard is hereby directed to support such county initiatives through the delivery of goods and services, the conveyance of information, and such other lawful purposes as may be necessary or convenient to such counties, to the extent resources are available therefor, in implementing the terms of this Order and lawful orders issued by such agencies. Further, the West Virginia State Police is hereby directed to provide such support in enforcing the terms of this Order and lawful orders issued by such agencies, as may be necessary to and at the request of such counties, to the extent resources are available therefor.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this Fourth day of April, in the year of our Lord, Two Thousand Twenty in the One Hundred Fifty-seventh year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE