STATE OF VERMONT

EXECUTIVE DEPARTMENT

ADDENDUM 16 TO EXECUTIVE ORDER 01-20

[Close Contact Businesses; Large Social Gatherings]

WHEREAS, on March 7, 2020 and March 11, 2020, the Vermont Department of Health (VDH) detected the first two cases of COVID-19 in Vermont and almost two months later Vermont has experienced almost 1,000 cases and over 50 related deaths; 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, the Executive Order expressly recognized the critical need to minimize the risk to the public, maintain the health and safety of Vermonters, and limit the spread of infection in our communities and within our healthcare facilities and imposed a limit on the size of mass gatherings; and

WHEREAS, consistent with Centers for Disease Control (CDC) guidelines regarding social distancing, and in consultation with the Commissioner of the Department of Health (VDH), the Governor has directed a number of mitigation strategies for the State in order to protect individuals at risk for severe illness, including suspension of the operations of close contact businesses, additional limits on the size of gatherings and self-quarantine requirements for those travelling to Vermont to stay; and

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, the Governor has undertaken a cautious, incremental and evidence-based approach to restarting Vermont's economy and continues to do so with the limited reopening of close contact businesses and incremental increases to the size of gatherings.

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 supplement Addendum 4 to the Executive Order to direct the Secretary of the Agency of Commerce and Community Development (ACCD) to issue mitigation requirements and procedures for the limited, incremental and phased resumption of close contact businesses such as gymnasiums, fitness centers and similar exercise facilities, nail salons, spas and tattoo parlors business, effective June 1, 2020. The limited, incremental, and phased resumption of close contact businesses shall require implementation of appropriate occupancy limits and physical distancing, health and sanitation and training measures.

IT IS FURTHER ORDERED:

1. Large Gatherings. As of June 1, 2020, Section 6 of the Executive Order and Addendum 4 to the Executive Order are amended to allow social gatherings of up to twenty-five (25) people at the same time in any confined indoor or outdoor space which encourages congregation; provided however, to the extent the Secretary of ACCD has established occupancy limits for business and non-profit and government entity operations, including, but not limited to, retail, recreational, dining, worship and event spaces in order to ensure appropriate physical distancing, applicable occupancy limits shall apply. Absent an established occupancy limit, the limit on social gatherings as set forth herein and modified by the Secretary of ACCD, shall apply.

   Questions from commercial entities, employers, event sponsors and others shall be directed to ACCD which shall provide appropriate guidance.

2. Authority of the Secretary. The Secretary of ACCD, in consultation with the Commissioner of VDH, and with the approval of the Governor, may, from time-to-time, authorize the additional limited, incremental, and phased resumption of close contact businesses, and update and modify the mitigation requirements and procedures regarding the resumption of close contact businesses.

   If the Commissioner of the VDH has determined that a COVID-19 outbreak has occurred and close contact businesses 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 businesses and non-profit and government entities to return to certain standards of operation.

   Further, 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 and incremental increases to gathering size.

   If the Commissioner of the VDH has determined that a COVID-19 outbreak has occurred and Vermonters cannot safely congregate in gatherings due to increased risk of exposure to COVID-19, he is hereby authorized, with approval of the Governor, to decrease the size of gatherings as necessary to minimize the risk to the public, maintain the health and safety of Vermonters, and limit the spread of infection in our communities and within our healthcare facilities.

This Addendum 16 to the Executive Order shall take effect upon signing and shall continue in full force and effect until June 15, 2020, at which time the Governor, in consultation with the Vermont Department of Health and Agency of Human Services, the Department of Public Safety/Division of Emergency Management shall assess the emergency and determine whether to amend or extend this Order.

By the Governor:

Philip B. Scott
Governor

Brittney L. Wilson
Secretary of Civil and Military Affairs

Executive Order No. 01-20 – Addendum 16

Dated: May 29, 2020