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State of Rhode Island

Gina M. Raimondo
Governor

EXECUTIVE ORDER

20-105

December 11, 2020

ONE-HUNDREDTH SUPPLEMENTAL EMERGENCY DECLARATION – RHODE ISLAND ON PAUSE (ONE-WEEK EXTENSION)

WHEREAS, on March 9, 2020, I declared a state of emergency due to the dangers to health and life posed by COVID-19 and such declaration has been extended until at least December 31, 2020;

WHEREAS, despite progress in some key areas, the State continues to suffer from the effects of the pandemic;

WHEREAS, it is critical that Rhode Island's economic, cultural and civic life be re-opened to the greatest extent possible consistent with public health and that the public's health shall always be of paramount concern in connection with such re-opening;

WHEREAS, Rhode Islanders face a new set of challenges going into the winter months, including increased community spread and rising hospitalizations, and Rhode Islanders must make every effort to assess and mitigate their individual risk of contracting COVID-19. I urge the public to keep exposure well below the caps set forth in this Executive Order; the lower the attendance and gathering size, the lower the risk;

WHEREAS, despite the best efforts of public health officials, the incidence of COVID-19 is surging in the country, regionally and in Rhode Island;

WHEREAS, in the past few weeks, the State has seen particular increases in transmission in smaller, unstructured social gatherings and at sporting events;

WHEREAS, further aggressive efforts are necessary to slow the spread of COVID-19 and to lessen the strain on our healthcare system;

WHEREAS, such immediate measures are also necessary to maintain in-person learning for Rhode Island students;

WHEREAS, targeted, time-limited measures imposed now can make a difference in Rhode Island's COVID-19 infection rate;

WHEREAS, restricting social gatherings and limiting other non-essential interactions among people for a two-week period (the "Pause") is essential to containing and reversing Rhode Island's recent spike in COVID-19 cases;

WHEREAS, in consultation with the Director of the Rhode Island Department of Health (RIDOH), additional time-limited guidance was previously issued to restrict patient visitation at hospitals and nursing homes; and

WHEREAS, in consultation with the Director of RIDOH, I sought additional voluntary mitigation efforts, including an increase in remote work by businesses where possible and a return to and expansion of remote services at houses of worship.

NOW, THEREFORE, I, GINA M. RAIMONDO, by virtue of the authority vested in me as Governor of the State of Rhode Island, pursuant to Article IX of the Rhode Island Constitution and the Rhode Island General Laws, including, but not limited to, Title 30, Chapter 15, and Title 23, Chapter 8 do hereby order as follows:

Vulnerable Populations Strongly Advised to Remain Home

1. All vulnerable populations identified by the Centers for Disease Control and Prevention (CDC), which include those who are 65 years of age and older, are still strongly advised to stay at home unless they must go to work, travel for medical treatment or obtain other necessities such as groceries, gas or medication. The CDC identifies conditions that make people at higher risk for severe illness from

COVID-19 at https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html.

Stay at Home Advisory

2. All Rhode Island residents are advised to stay home from 10:00 p.m. to 5:00 a.m. Sunday through Thursday unless traveling to or from work or school, traveling for medical treatment or obtaining necessities (food, medicine, gas, etc.); Friday and Saturday all Rhode Island residents are advised to stay home from 10:30 p.m. to 5:00 a.m. unless traveling to or from work or school, traveling for medical treatment or obtaining necessities (food, medicine, gas, etc.). Rhode Island residents may still go outside to exercise and get fresh air; however, they must practice physical distancing while outside, wear a mask or cloth face covering in accordance with Executive Order 20-94 and any of its successors and related regulations and avoid touching surfaces frequently touched by others.

International Travel Restrictions Remain in Place

3. Any person arriving from a location outside the 50 states or the District of Columbia must immediately self-quarantine for 14 days upon arrival in Rhode Island.

4. Any person who has travelled outside the 50 states or the District of Columbia in the last 14 days must self-quarantine for the remainder of the 14-day period upon arrival in Rhode Island.

5. Instructions for self-quarantine can be found at RIDOH's website: https://health.ri.gov/diseases/ncov2019/.

Domestic Travel Restrictions from Areas with High Community Spread Rates

6. Any person coming to Rhode Island for a non-work-related purpose from locations with a high community spread rate as set forth on a list maintained by RIDOH at health.ri.gov/covid must immediately self-quarantine for 14 days or until such time as they receive a negative COVID-19 test. This quarantine requirement shall not apply to a person who has a negative COVID-19 test from a specimen taken no more than seventy-two (72) hours prior to arrival in Rhode Island. This paragraph shall not apply to public health, public safety or healthcare workers. It shall also

not apply to anyone traveling for medical treatment, to attend a court hearing, to attend funeral or memorial services, to obtain necessities such as groceries, gas or medication, to drop off or pick up children from day care or to anyone who must work on their boats.

7. Instructions for self-quarantine can be found at RIDOH's website: https://health.ri.gov/diseases/ncov2019/.

Coordinating Travel Restrictions with Neighboring State

8. The criteria and the protocols set forth in paragraph 6 of this Order have been coordinated with Connecticut in order to ensure that Rhode Island and our neighboring state are protected from community transmission of COVID-19 while permitting free travel between the states.

Further Limitations on Indoor and Outdoor Social Gatherings

9. Effective immediately, attendance at all indoor public and private social gatherings, including holiday gatherings, parties and celebrations shall be limited to members of a single household, in accordance with RIDOH guidance. Indoor catered events must be cancelled during the Pause. Notwithstanding these restrictions, indoor weddings with licensed catering on site may have up to twenty-five (25) people, provided that restaurant rules are applied and with prior approval from the Department of Business Regulation (DBR). The lower attendance at such events, the lower the risk.

10. Effective immediately, attendance at all outdoor public and private social gatherings, including holiday gatherings, parties and celebrations shall be limited to members of a single household, in accordance with RIDOH guidance. Notwithstanding these restrictions, outdoor weddings with licensed catering on site may have up to seventy-five (75) people, provided that restaurant rules are applied and with prior approval from DBR. The lower attendance at such events, the lower the risk.

Limits on Indoor and Outdoor Venues of Assembly

11. Indoor venues of assembly, including convention centers, concert halls, performance venues, and theaters shall be closed during the Pause unless granted an

exemption by DBR. Such exemptions shall only be granted under extraordinary circumstances.

12. Outdoor venues of assembly that host events such as fairs, festivals, concerts, and performances shall also be closed during the Pause unless granted an exemption by DBR. Such exemptions shall only be granted under extraordinary circumstances.

13. Religious and faith-based organizations may conduct indoor in-person activities up to 25% percent of worship space capacity, subject to a cap of one hundred and twenty-five (125) people and to the Phase III guidelines for religious and faith-based organizations which are available at https://ReopeningRI.com. Live streaming or broadcasting of religious services or attendance through outdoor drive-in services are permitted and strongly recommended, particularly for vulnerable populations, including those over 65 years of age. Outdoor religious services may operate at 25% of capacity to a cap of one hundred and twenty-five (125) people, with physical distancing and masking in effect.

14. All houses of worship must develop a COVID-19 Control Plan which shall be available for inspection by the Task Force created by Executive Order 20-32. A template for COVID-19 Control Plans can be found at https://ReopeningRI.com.

Limits on Other Places of Public Interaction

15. Working from home remains the most important arrangement to reduce work-related spread among employees and is required when possible. Additionally, businesses are encouraged to postpone or cancel all non-essential, business-related employee travel and refrain from scheduling future travel until the Stay at Home Advisory is no longer in place.

Office-Based Business Limits – Continue Working Remotely to the Extent Possible

16. For office-based businesses, employees who are able to work remotely are required to do so during the Pause. If an employee's duties require an on-site presence on a daily or periodic basis, the employer may permit the performance of such duties in person.

17. All office-based businesses must comply with RIDOH's regulations, including, but not limited to, requirements for cleaning, screening employees, wearing masks or

cloth face coverings, collecting contact tracing information, posting appropriate signs and notices and other health and safety protocols. Office-based businesses must review the guidance applicable to them available at https://ReopeningRI.com and must also complete a template for COVID-19 Control Plans available on that website.

Retail Businesses

18. All retail businesses with a physical location in Rhode Island may continue to conduct in-store pickup and limited browsing. All retail businesses may continue to allow up to one customer per 100 square feet of store area open to customers generally, except in the case of retail businesses with a store area greater than 30,000 square feet or multi-tenant retail complexes greater than 30,000 square feet. Retail businesses with store areas greater than 30,000 square feet and multi-tenant retail complexes greater than 30,000 square feet may allow up to one person, inclusive of employees, per 150 square feet. All dressing rooms must be closed. Capacity limits must be posted in clearly visible, large format signs at all entrances as well as on the retail establishment's website, if possible, and the retail establishment must actively manage the number of patrons in the store area. Malls and other multi-tenant retailers may remain open during the Pause but common spaces, such as seating areas, must be closed or roped off during the Pause. Food court restaurants with their own dedicated seating area are permitted to remain open, subject to applicable restaurant rules.

19. By 11:59 p.m. on Tuesday, November 24, all retail establishments must develop a plan, based on templates that will be made available by DBR, on how they will manage these capacity limits, especially during the busy holiday shopping season. Each retail establishment's plan must be posted at the main entrance and on the establishment's website, if possible. Such plans must also be available for review by representatives of the State.

20. Retail businesses and multi-tenant retail complexes or operations are required to review the applicable guidance available at https://ReopeningRI.com, regulations set forth by RIDOH, relevant executive orders and any other law applicable to retail businesses. All retail businesses must also develop a COVID-19 Control Plan which shall be available for inspection by the Task Force created by Executive Order 20-32. A template for COVID-19 Control Plans can be found at https://ReopeningRI.com.

21. Stores and other places of business shall remind customers to wear a mask or cloth face covering. In addition, retail businesses with store areas greater than 30,000 square feet and multi-tenant retail complexes greater than 30,000 square feet must make masks available to customers.

Continued and Modified Relief for Restaurants and Bars – Indoor and Outdoor Dining

22. Section 3-7-7 of the Rhode Island General Laws requiring a Class B licensee to sell alcohol for consumption only on the premises shall continue to be suspended. A Class B licensee is permitted to sell, with take-out food orders, up to 2 bottles of wine, 144 ounces of beer or mixed beverages in original factory sealed containers, and 144 ounces of draft beer or 72 ounces of mixed beverages containing not more than 9 ounces of distilled spirits in growlers, bottles or other containers sealed in such a way as to prevent re-opening without obvious evidence that the seal was removed or broken, provided such sales shall be made in accordance with Section 1.4.10 of the Department of Business Regulation Liquor Control Administration Regulations, 230-RICR-30-10-1 and any other DBR regulations. Any restaurant, bar or establishment that offers beer, mixed beverages or wine pursuant to this Order must do so in accordance with the physical distancing protocols and regulations set forth by RIDOH as well as Executive Order 20-61 and any of its successors and related regulations.

23. Restaurants may continue limited indoor dining in addition to outdoor dining (subject to applicable municipal approval), pick-up, delivery, and drive-through operations subject to the requirements described in the Phase III Guidelines for Restaurants available at https://ReopeningRI.com and the regulations set forth by RIDOH. Licensed caterers must operate in accordance with these restaurant regulations.

24. Restaurants and bars may serve patrons on-site, indoors and outdoors, until 10:00 p.m. Sunday through Thursday and until 10:30 p.m. Friday and Saturday, after which times restaurants and bars shall only offer pick-up, delivery and drive-through service.

25. Service to standing customers is prohibited except for food pick-up following the requirements for pick-up described in Phase III Guidelines for Restaurants and regulations set forth by RIDOH. An establishment's indoor dining capacity is limited to 33% of an establishment's regular seating capacity. Indoors,

establishments may only seat one household per table, up to a maximum of eight (8) people. When taking a reservation or receiving customers without a reservation, an establishment must ask whether each party contains only members of the same household. Establishments must prominently display the one household maximum rule for indoor dining.

26. Outdoor dining is still encouraged as long as the restaurant does not service more than its normal operating capacity. Up to two households may be seated at any outdoor table, up to a maximum of eight (8) people, provided they wear masks when not eating or drinking. When taking a reservation or receiving customers without a reservation, an establishment must ask whether each outdoor table contains no more than the members of two households. Establishments must prominently display the two-household maximum rule for outdoor dining. If an establishment has established extra outdoor dining capacity, that additional outdoor capacity may remain if the municipality continues to approve such additional capacity (in accordance with the municipality's approval processes).

27. The provisions of Chapter 3-7 of the General Laws permitting the service of alcoholic beverages by a licensee for on-premises consumption after 10:00 p.m. Sunday through Thursday or after 10:30 p.m. Friday and Saturday are hereby suspended. There shall be no service of alcoholic beverages by any licensee for on-premises consumption after 10:00 p.m. Sunday through Thursday or after 10:30 p.m. Friday and Saturday. At all times during the Pause, a licensee must close its bar area, including but not limited to the bar counter and seating at the bar counter, and ensure that the bar area is not accessible to patrons. All such bars, restaurants and other establishments must rope off the bar area and make seating at the bar counter unavailable to customers. However, tables may be placed within six (6) feet of any section of the bar counter where personnel are not working. Customers must order, receive and consume alcoholic beverages while seated at tables in accordance with Phase III guidelines for restaurants at: https://reopeningri.com.

28. All other provisions of this Executive Order and RIDOH regulations applicable to bars and restaurants shall remain in effect including, but not limited to, regulations prohibiting service to standing customers and mingling or congregating.

29. All restaurants operating in Phase III must maintain and/or develop a COVID-19 Control Plan (a template for COVID-19 Control Plans is available at

https://ReopeningRI.com) which shall be available for inspection by the Task Force established by Executive Order 20-32.

Recreational/Entertainment Businesses and Historical/Cultural Establishments

30. All indoor recreational or entertainment businesses and historical/cultural establishments, that are not venues of assembly, shall be closed during the Pause. This includes recreation or entertainment operations (e.g., pool tables, arcade games, or performances) within other establishments such as restaurants.

31. Notwithstanding the above prohibition, museums and historical sites may remain open and allow up to one (1) visitor per 100 square feet of museum area open to visitors generally. Museums and historical sites shall not allow any group tours, classes, lectures or presentations during the Pause.

32. Outdoor operations of any recreational/entertainment business or historical/cultural establishment may remain open, subject to social gathering size, physical distancing, masking, sanitation and other applicable requirements.

33. All indoor and outdoor recreational and entertainment establishments, that are not venues of assembly, including historic/cultural establishments must develop a COVID-19 Control Plan which shall be available for inspection by the Task Force created by Executive Order 20-32. A template for COVID-19 Control Plans can be found at https://ReopeningRI.com.

34. Nightclub operations must remain closed.

Personal Services Businesses

35. Personal services businesses and operations, including, but not limited to, hair salons and barbershops, nail salons, tattoo parlors, tanning parlors, estheticians, and massage therapists may open subject to all of the requirements of their professional or facility licensing, the requirements of the Phase III guidelines for personal services at https://ReopeningRI.com and regulations set forth by RIDOH. Such personal service businesses may allow up to one customer per 100 square feet. Personal service businesses shall not operate after 10:00 p.m. Sunday through Thursday or after 10:30 p.m. Friday and Saturday.

36. Particular personal services where masks or cloth face coverings cannot be worn continuously in accordance with this and other executive orders by both customers and professionals, such as facials, make-up applications, facial hair removal, face piercings and face tattoos shall only operate as directed in regulations to be promulgated by RIDOH.

37. Given the need to reduce the risk to clients, employees and the community from the operation of close contact businesses, the regulations set forth by RIDOH in effect for these businesses must be closely followed. If, upon inspection by the Task Force, any business owner or professional is found in violation of these regulations, the business may be immediately closed.

38. All personal services businesses must develop a COVID-19 Control Plan which shall be available for inspection by the Task Force created by Executive Order 20-32. A template for COVID-19 Control Plans can be found at https://ReopeningRI.com.

Gyms, Fitness Centers and Small Group Fitness Classes

39. Gyms and fitness centers' indoor operations must close during the Pause.

40. During the Pause, outdoor gym and fitness activities may continue but outdoor group fitness classes are not permitted.

41. All gyms and fitness centers must develop a COVID-19 Control Plan which shall be available for inspection by the Task Force created by Executive Order 20-32. A template for COVID-19 Control Plans can be found at https://ReopeningRI.com.

Indoor Sports Facilities

42. All indoor sporting facilities, such as indoor ice rinks and basketball courts, shall be closed during the Pause. This Order does not apply to the use of these facilities by professional or intercollegiate athletic programs.

Restricting Sports Competitions and Practices

43. All amateur adult and youth sports, competitions, games, practices, scrimmages or related organized or group activities, whether indoors or outdoors, are prohibited. Individuals or individual households may continue to train or practice their sport at

home or outdoors. This Order does not apply to activities of professional or intercollegiate athletic programs.

Restricting Spectators from Attending Sporting Events or Practices

44. Spectators are prohibited from attending sporting events or practices for athletes over the age of eighteen (18).

All State Parks and Beaches Remain Open

45. All state parks and beaches shall remain open subject to limits on use, parking, capacity and other restrictions. Those requirements and restrictions are available at www.riparks.com/covid19.

Child-Care Services to Continue in Small, Stable Groups

46. Child-care services shall continue in small, stable groups pursuant to emergency regulations promulgated by the Rhode Island Department of Human Services.

Elective Medical Procedures and Medical Services to Continue

47. Elective medical procedures and other medical services shall continue pursuant to plans submitted by healthcare providers and approved by RIDOH.

Public Health Regulations

48. RIDOH shall continue to promulgate emergency regulations on the implementation of this Order. The regulations shall include enforcement provisions, including the imposition of civil fines sufficient to ensure compliance.

49. The Director of RIDOH or her designees are hereby authorized to assess civil penalties for violation of this Order. Such civil penalties shall be in addition to any other penalties authorized by law.

Enforcement Task Force to Continue its Education, Inspection and Enforcement Mandate

50. The Task Force created by Executive Order 20-32 shall continue its work to educate businesses, governmental entities and other establishments on safely

maintaining and re-opening operations in Phase III. Task Force inspectors shall continue to conduct inspections of businesses, governmental establishments and other establishments as well as to enforce the emergency regulations promulgated by RIDOH. The Task Force, through RIDOH, shall issue compliance orders under Chapter 1 of Title 23.

51. The DBR shall make determinations regarding the ways in which a business, organization, or operation (or a portion of such business, operation or organization) is to be categorized within the provisions of this executive order or within other state guidance documents. In doing so, DBR may determine the executive order and guidance provisions under which a business or organization is to operate or by which it is to be guided.

This Executive Order supersedes Executive Order 20-100. It shall take effect immediately and shall remain in full force and effect through December 20, 2020 unless renewed, modified, or terminated by a subsequent Executive Order.

So Ordered,

Gina M. Raimondo
Governor