GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2020-127
December 18, 2020

SUBJECT: Extension of the Public Emergency and Public Health Emergency and Implementation of a Holiday Pause on Various Activities to Flatten the Curve of COVID-19 Cases

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 Second Congressional Review Emergency Amendment Act of 2020, effective August 19, 2020, D.C. Act 23-405, 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.); the Coronavirus Support Temporary Amendment Act of 2020, effective October 9, 2020, D.C. Act 23-334, 67 DCR 12236; 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*. (2018 Repl.); and any substantially similar legislation; 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

A. The District of Columbia, like the rest of the country, is currently confronting a surge of COVID-19 cases that has worsened dramatically in the past month and will worsen still more, without intervention, as a result of activities over the Christmas and New Year's holidays.

B. On November 16, 2020, the total number of COVID-19 patients in District hospitals was 112, with 36 persons in Intensive Care Units (ICUs). A month later, COVID-19 patients had more than doubled, to 246 persons, with 80 in ICUs. Expected increases in the daily case rate and hospitalizations have been realized post-Thanksgiving.

C. The daily case rate in the District has increased to 35.22 cases per 100,000 persons, having multiplied nearly eight-fold since early July. The District's overall number of positive cases totals 26,104, and tragically 728 District residents have lost their lives to the virus.

D. Health metrics demonstrate that a number of activities are contributors to DC and indeed global cases, and a substantial number of cases cannot identify the source of their infections, which is expected at certain levels of community spread. Therefore, reducing activity outside of one's home and household is recommended, and dialing back some and eliminating other sources of activity is advisable during a season of increased gathering, celebrating and travel.

E. A pause in activity – both mandated by Order and recommended by Advisory – can help stem transmission. Meanwhile, the vaccine is in its first phase of distribution and beginning to provide protection to front-line health care and essential workers and some of the most vulnerable persons, such as those in custodial or congregant care. Taken together, legal restrictions, self-limitation of activity, and the vaccine's deployment can prevent disease, save lives and prevent a crisis at our hospitals.

F. This Order pauses various activities from 10:00 p.m. on Wednesday, December 23, 2020, until 5:00 a.m. on Friday, January 15, 2021; immediately adjusts Mayor's Order 2020-126 so as to remove the percentage capacity and numeric caps on retail food sellers; and extends the Public Emergency and Public Health Emergency.

II. ADVISORY

District residents are strongly advised to limit their activities to essential activities and travel, including work, school, childcare, government services, medical needs, food, supplies, and exercise.

III. RESTRICTED ACTIVITIES

A. Restaurants shall return to having no indoor dining. They may continue outdoor dining and carry out and delivery services.

B. Museums shall be closed; staff and contractors may enter only for the purposes of minimum business operations.

C. Libraries shall close indoor service to patrons and return to pickup and drop-off of materials only.

D. Department of Parks and Recreation may only offer reservations for individual swim and fitness room sessions.

E. Non-essential businesses are required to telework, except in person staff needed to support minimum business operations.

F. The DC Circulator National Mall route is suspended.

IV. REPEAL OF OCCUPANCY LIMITS FOR RETAIL FOOD SELLERS

Section III.H. of Mayor's Order 2020-126 is immediately repealed. Food sellers and big box stores selling a range of essential and non-essential goods are no longer subject to the twenty-five percent (25%) / two hundred fifty (250) person occupancy cap. Stores must make plans that provide for safe social distancing between persons and limit occupancy to the extent necessary for safety.

V. SUPERSESSION

The pauses imposed by Section III of this Order are time limited and all other regulations affecting those sectors remain in place and are not superseded. This Order supersedes any Mayor's Order issued during the COVID-19 Public Health Emergency only to the extent of any inconsistency.

VI. ENFORCEMENT

A. 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.

B. 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.

VII. EXTENSION OF THE PUBLIC EMERGENCY AND PUBLIC HEALTH EMERGENCY

By this Order, the Public Emergency and Public Health Emergency declared by Mayor's Orders 2020-045 and 2020-046, respectively, and extended by Mayor's Orders 2020-050, 2020-063, 2020-066, 2020-067, 2020-079, and 2020-103 are further extended through March 31, 2021.

EFFECTIVE DATE AND DURATION

A. The restrictions imposed by Section III of this Order shall be effective at 10:00 p.m. on Wednesday, December 23, 2020, and shall continue to be in effect until 5 a.m. on Friday, January 15, 2021.

B. The lifting of the restriction in Section IV of this Order shall be effective immediately.

MURIEL BOWSER
MAYOR

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