

COUNTY OF MORRIS

ORDER PURSUANT TO A DECLARATION OF EMERGENCY #17

TO ALL PEOPLE, BUSINESSES, DEPARTMENTS, DIVISIONS AND OFFICES WITHIN THE BOUNDARIES OF THE COUNTY OF MORRIS, STATE OF NEW JERSEY

I, Scott DiGiralomo, Emergency Management Coordinator for the County of Morris, in order to protect the health, safety, and welfare of the people of Morris County, and pursuant to the powers vested in me by chapter 251 of the laws of 1942, as amended and supplemented, N.J.S.A. App A:9-30 et seq; N.J.S.A. 40:48-1(6) and pursuant thereto; and in accordance with N.J.S.A. 2C:33-1; and all sections and subsections that confer upon the County Emergency Management Coordinator certain emergency powers issue the following:

On March 19, 2020, I issued a Declaration of Emergency for Morris County, which included certain provisions regarding the closing of parks in Morris County, and other restrictions including the closing of indoor sporting and recreational facilities, all playgrounds and playing fields, and any indoor public or private recreational bathing facility.

On March 21, 2020, Governor Murphy issued Executive Order 107 (establishing restrictions on recreational facilities) and Executive Order 108 (superseding any local restriction in conflict with EO107).

WHEREAS On March 21, 2020, Morris County Declaration of Emergency #2 was issued incorporating those relevant terms of Executive Order 107 and Executive Order 108.

WHEREAS On April 29, 2020, Governor Murphy issued Executive Order 133, which superseded those portions of Executive Order 108 relating to the closing of county parks.

WHEREAS Executive Order 133 declared that golf courses, whether public or private, may operate in accordance with the conditions enumerated in Executive Order 133;

WHEREAS On May 1, 2020, Morris County Declaration of Emergency # 3 was issued incorporating those relevant terms of EO 133;

WHEREAS On June 9, 2020, Governor Murphy issued Executive Order 152 which established relevant conditions for inside and outside gatherings, subject to the provisions of EO 152;

WHEREAS On June 9, 2020, Governor Murphy issued Executive Order 153 which allowed for recreational and sporting facilities to re-open for outdoor activities, subject to the provisions

of EO 153 as of June 15, 2020, as well as rescinding the relevant stay-at-home provisions of EO 107, para. 2; and allowing public and private pools to operate, effective June 22, 2020, subject to the provision of EO 153;

WHEREAS Executive Order 153 does not yet permit the operation of indoor recreational and sporting facilities, but Governor Murphy has announced that the reopening of indoor recreational and sporting facilities are currently being subject to gubernatorial review;

WHEREAS On June 13, 2020, Governor Murphy issued Executive Order 154, which allowed for certain personal care grooming services to resume as of June 22, 2020, subject to the provisions of EO 154;

WHEREAS Executive Order 152, para. 6 and para. 7, established certain minimum requirements for county and municipal parks to follow as a condition of being open to the public, to include parking capacity;

WHEREAS, On June 15, Morris County Declaration of Emergency # 4 was issued incorporating those relevant terms of EO 152, EO 153, and EO 154;

WHEREAS, Morris County Declaration of Emergency # 4 continued the Morris County Declaration of Emergency;

WHEREAS On June 22, 2020, Governor Murphy issued Executive Order 156, which increased the minimum number of people allowed for indoor gatherings and outdoor gatherings, subject to the provisions of EO 152 and EO 156;

WHEREAS Morris County Declaration of Emergency # 5 was issued incorporating those relevant terms of EO 156;

WHEREAS On July 2, 2020, Governor Murphy issued Executive Order 161, which increased the minimum number of people allowed for outdoor gatherings, subject to the provisions of EO 152 and EO 156, to become effective at 0600 hours on July 3, 2020;

WHEREAS On August 30, 2020, Governor Murphy issued Executive Order 183, which increased the minimum number of people allowed for indoor gatherings, subject to the provisions of EO 152 and EO 156, except where expressly superseded, to become effective immediately;

WHEREAS EO 183 permitted the resumption of indoor dining, and allowed the reopening of movie theatres, performance arts centers and similar venues, subject to the conditions

enumerated in EO 183;

WHEREAS On November 10, 2020, Governor Murphy issued Executive Order 194, which, in pertinent part relevant to this Declaration, established certain limitations on the hours of operation for food or beverage establishments providing indoor dining, and also established capacity limits on retail establishments conducting personal care services as defined by para. 2 of EO 157, personal care providers;

WHEREAS On November 16, 2020, Governor Murphy issued Executive Order 196, which, in pertinent part, decreased the gathering numbers allowed in indoor and outdoor settings, as contained therein, and rescinded para. 4 of Executive Order 183, para. 2 of Executive Order 187, and para. 3 of Executive Order 161;

WHEREAS On November 30, 2020, Governor Murphy issued Executive Order 204, which, in pertinent part, decreased the gathering number allowed in outdoor settings, as contained therein and rescinded para. 10 of Executive Order 196, and superseded relevant portions of Executive Order 168 and 187;

WHEREAS, on February 3, 2021 Governor Murphy issued Executive Order 219, which in pertinent part, increased the gathering number allowed in certain indoor settings, as contained therein, and rescinded relevant portions of Executive Order 157, para. 7; Executive Order 181, para. 1; Executive Order 183, para. 1 and para. 2; Executive Order 194, para. 1, and para. 8; Executive Order 196, para. 1 and para. 2; and Executive Order 204, para. 7;

WHEREAS on February 22, 2021, Governor Murphy issued Executive Order 225, which in pertinent part in para. 1, increased the gathering number allowed for certain indoor and outdoor settings relating to religious celebrations or services as described therein, and rescinded relevant portions of para. 3 of Executive Order 219, such changes taking effect as of February 22, 2021; and

WHEREAS Executive Order 225 also increased the indoor and outdoor gathering number for certain sports and entertainment venues with a capacity of 5000 people or greater, as well as for certain intercollegiate athletic activities, and rescinding para. 9 of Executive Order 219 in pertinent part, to be effective March 1, 2021;

WHEREAS on March 3, 2021, Governor Murphy issued Executive Order 228, which in pertinent part, increased the gathering number for indoor and outdoor wedding receptions as described therein, and rescinded relevant portions of para. 1 of Executive Order 196, and para. 4 of Executive Order 204;

WHEREAS on March 11, 2021, Governor Murphy issued Executive Order 230, which in pertinent part, increased the indoor gathering number, and rescinded, in pertinent part, para. 1 of Executive Order 196; increased the indoor gathering limit for political activities, wedding ceremonies, funerals or memorial services, and rescinded, in pertinent part, para. 3 of Executive Order 219; increased the indoor gathering limit for religious services or celebrations, and rescinded, in pertinent part, para. 1 of Executive Order 225; increased the indoor gathering number for addiction support groups as enumerated; wedding receptions, and rescinding, in pertinent part, para. 1 of Executive Order 228;

WHEREAS Executive Order 230 increased the outdoor gathering number as enumerated therein; increased the occupancy limit for food and beverage establishments as enumerated therein, rescinding, in pertinent part, para. 1 of Executive Order 219; increased the occupancy limit of personal care service establishments, and rescinding, in pertinent part, para. 4 of Executive Order 219; increased the occupancy limit on health clubs, as permitted, in pertinent part, para. 1 of Executive Order 181, and rescinding para. 5 of Executive Order 219; increased the occupancy limit for recreational and entertainment business, as enumerated therein, and rescinding para. 6 of Executive Order 219; increased the occupancy number for casinos, rescinding, in pertinent part, para. 7 of Executive Order 219; increased gathering number for professional athletic competitions, indoor and outdoor collegiate practices and competitions, and other sporting and recreational activities, as enumerated therein, and rescinding, in pertinent part, para. 5 of Executive Order 225, para. 9 of Executive Order 221, para. 1 and para. 2 of Executive Order 220, and para. 5 of Executive Order 204;

WHEREAS on March 29, 2021, Governor Murphy issued Executive Order 234, which, in pertinent part, limited outdoor gatherings to 200 people or fewer, as described therein, and identifying the exceptions noted in para. 1 of EO 234, and which rescinded, in pertinent part, para. 2 and para. 3 of EO 225; para. 8, para. 9, para. 16, para. 18 and para. 20 of Executive Order 230; and which superseded para. 2 of EO 228, in pertinent part.

WHEREAS on May 3, 2021, Governor Murphy issued Executive Order 238, which in pertinent part, increased the gathering limit for outdoor gatherings to 500 people, except as otherwise described therein, and superseded, in pertinent part, para. 2, para. 3, para. 6 and para. 9 of Executive Order 234; which increased the gathering number to fifty percent (50%) of the room capacity, but no larger than 250 people, for political activities, wedding ceremonies, wedding receptions, funerals or memorial, as described therein, and superseded para. 2 of Executive Order 230; which increased the capacity for recreational or entertainment businesses, and food establishments as described therein to fifty percent (50%) of the room in which it takes place, but no larger than 250 people, and which superseded para. 5 of Executive Order 234; which authorized the use of a dance floor as described therein, and superseded para. 9 of Executive

Order 157; which permitted the seating of patrons at indoor bar areas, and rescinding para. 2 of Executive Order 194; and which permitted the resumption of food and beverage establishments to offer self-service food, and superseding para. 1 of Executive Order 183 as described in EO 238;

WHEREAS on May 12, 2021, Governor Murphy issued Executive Order 239, which in pertinent part, removed any percentage-based capacity limit on food or beverage establishments, as described therein, and superseded para. 10 of Executive Order 230; and removed percentage-based capacity limits for the indoor premises of retail establishments; indoor premises of personal care services authorized to reopen their indoor facilities to the public pursuant to Paragraph 2 of Executive Order No. 157 (2020); indoor premises of “health clubs,” as defined by N.J.S.A. 56:8-39, which include gyms and fitness centers, as well as amusement and water parks, authorized to reopen their indoor facilities to the public pursuant to Paragraph 1 of Executive Order No. 181 (2020); indoor and outdoor premises of recreational and entertainment businesses that were permitted to reopen their indoor facilities to the public pursuant to Paragraph 7 of Executive Order No. 157 (2020), including amusement and water parks; and indoor premises of casinos, including casino gaming floors and retail sports wagering lounges, and which superseded para. 7 of EO 157 and para. 11-14 of EO 230, as described with EO 239; and which removed percentage-based gathering limits for religious services or celebrations, as described in para. 6 of EO 239, and which supersedes in part para. 3 of EO 230;

WHEREAS Executive Order 239 raised the indoor gathering limit to 50 persons, except for those gatherings described in para. 3 of EO 239, and which supersedes the prior numerical gathering limits as described in EO 230; and which raises the indoor gathering limit for indoor gatherings that are political activities, wedding ceremonies, wedding receptions, funerals, memorial services, or Alcoholics Anonymous meeting, Narcotics Anonymous meeting, or similar meetings of an addiction support group so as not to exceed 250 persons per room, excluding staff of the gathering venue, and which superseded para. 2 and para. 4 of Executive Order 230, and which establishes a gathering limit hosted in a public space by an operating entity, including, but not limited to, trade expositions, conferences, and events hosted by senior centers, shall not exceed 250 persons per room, excluding staff of the gathering venue; which raised the gathering limit to 250 persons for entertainment centers, as described in para. 7 of EO 239, excluding staff, subject to social distancing requirements of para. 2 of EO 183, and which superseded para. 6 of EO 230; which raised the indoor gathering limit to 250 persons for recreational or entertainment businesses, and restaurants, cafeterias, dining establishments, food courts, bars, and public and private social clubs where events take place that utilize a licensed caterer or where such venue holds a license to prepare and serve food to the public, must limit the number of patrons participating in any indoor celebrations or similar private catered events to 250 persons per room, excluding the venue’s staff, and which supersedes para. 7 of EO 238 in pertinent part; which

raised the gathering limit to 250 persons for all athletic practices and competitions, including professional, collegiate, and non-collegiate and non-professional, that are conducted indoors, and athletes, coaches, referees, and trainers, and other individuals who are necessary for the collegiate sporting event are not included in the number of individuals present at a gathering for purposes of the limits on gatherings. The number of individuals present inside a room where an indoor collegiate athletic practice or competition is taking place may not exceed 250 persons, except that individuals necessary for the sporting event may exceed the 250-person limit, and which superseded in pertinent part para. 17 and para. 19 of EO 230 and Administrative Order No. 2021-01;

WHEREAS para. 9 of EO 239 required indoor gatherings to adhere to the rules described therein, whether on public or private property;

WHEREAS para. 12 of EO 239 removed the numerical limits on outdoor gatherings by rescinding para. 1 of EO 238;

WHEREAS Executive Order 241, issued May 17, 2021, removed any requirement to wear a mask in an outdoor setting except as described in para. 2 and para. 3 of EO 241, and as described in para. 1 of EO 241, and which rescinded para. 1 of EO 163, and para. 12 of EO 239 and para. 1 of EO 192 were rescinded in pertinent part but required outdoor gatherings to adhere to the rules described in therein in para. 12

WHEREAS para. 6 of EO 241 removes a mask-wearing requirement for indoor gatherings less than 50 individuals, which rescinded in pertinent part para. 9 of EO 239;

WHEREAS on May 24, 2021 Governor Murphy issued Executive Order 242, which in pertinent part, lifted the requirement of individuals to wear masks in indoor public spaces, as described therein and limited by para. 2 and para. 3 of EO 242 and superseded in pertinent part para. 4 of EO 155, para. 1 of EO 192, para. 11 of EO 239 and para. 5 of EO 241; which, rescinded para. 4 and para. 5 of EO 157, para. 1 of EO 239, and para. 1 of EO 183 so that food or beverage establishments no longer must comply with social distancing requirements as described therein; that rescinds social distancing requirements as described in para. 4 of EO 242 for : a) Retail establishments; b) Personal care services authorized to reopen their indoor facilities to the public pursuant to Paragraph 2 of Executive Order No. 157 (2020); c. "Health clubs," as defined by N.J.S.A. 56:8-39, which include gyms and fitness centers, as well as amusement and water parks, authorized to reopen their indoor facilities to the public pursuant to Paragraph 1 of Executive Order No. 181 (2020); d. Recreational and entertainment businesses that were permitted to reopen their indoor facilities to the public pursuant to Paragraph 7 of Executive Order No. 157 (2020), including pools, amusement parks, and water parks; e. Casinos, including casino gaming floors and retail sports wagering lounges; and f. Racetracks;

WHEREAS para. 5 of EO 242 rescinds capacity limitations that required individuals to be six feet apart from other attendees, with certain exceptions, is hereby rescinded for religious services, political activities, memorial services, commercial gatherings, gatherings at private residences, performances at entertainment centers where performances are viewed or given, catered events, and sports practices and competitions;

WHEREAS para. 5 of EO 242 states that an indoor gathering occurs in a workplace that is not a public space, as defined in Para. 2 of this EO 242, the facility must continue to follow the requirements of EO 192 regarding social distancing. In accordance with CDC recommendations, individuals who are not fully vaccinated should continue to practice social distancing;

WHEREAS para. 7 of EO 242 rescinds, as described therein, the requirement that an indoor venue with a seating capacity of 1,000 or greater limit capacity to ensure a distance of six feet apart be maintained for all patrons, and rescinding, in pertinent part, para. 11 of EO 239;

WHEREAS para. 8 of EO 242 rescinds social distancing requirements for degree-granting public and private institutions, and rescinds para. 11 of EO 239, in pertinent part;

WHEREAS para. 10 of EO 242 rescinds, in pertinent part, para. 12 of EO 239 and para. 1 of EO 241, so as to remove any six-foot distance requirement for outdoor gatherings;

WHEREAS para. 11 of EO 242 authorizes outdoor sports and entertainment venues, as described therein, to operate at maximum capacity, and rescinding para. 16 of EO 239;

WHEREAS para. 12 of EO 242 rescinds para. 3 of EO 143 regarding restrictions for public and private beaches, boardwalks, lakes, and lakeshores;

WHEREAS para. 14 of EO 242 permits all establishments open to the public to permit indoor and outdoor dance floors;

WHEREAS para. 15 of EO 242 permits the resumption of valet parking at indoor malls and communal play areas, which rescinds in pertinent part Administrative Order 2020-22;

WHEREAS effective June 4, 2021, EO 242 rescinds any numerical limit on indoor gatherings, and rescinds para. 3-5, para. 7-8 of EO 239;

WHEREAS effective Friday, June 4, 2021, sports and entertainment venues, including concert venues and stadiums, with a fixed seating capacity of 1,000 or greater, that have opened their indoor spaces to the public are not subject to any percentage-based capacity restriction, and are permitted to operate at full capacity without limiting occupancy to a number that ensures that all patrons or groups of patrons entering the facility together can remain six feet apart., and which rescinds para. 11 of EO

239 in pertinent part'

WHEREAS para. 18 of EO 242 states that no municipality, county, or any other agency or political subdivision of this State shall enact or enforce any order, rule, regulation, ordinance, or resolution which will or might in any way conflict with any of the provisions of EO 242, or which will or might in any way interfere with or impede its achievement, except that municipalities and counties are permitted under this Order to impose additional restrictions, in response to COVID-19, regarding mask requirements for individuals in indoor public spaces;

WHEREAS EO 242 explicitly states that the provisions of Executive Order No. 108 which authorize the ability of municipalities and counties to impose additional restrictions on online marketplaces for arranging or offering lodging and on municipal parks, or the provisions of any Administrative Order that permits municipalities and counties to impose additional restrictions, but rescinds para. 3 of EO 195

NOW, therefore, I, Scott DiGiralomo, Emergency Management Coordinator for the County of Morris, in order to protect the health, safety, and welfare of the people of Morris County, DO HEREBY ORDER AND DIRECT:

The Morris County Declaration of Emergency issued on March 19, 2020, is hereby modified to the extent that it is now superseded in relevant part by the terms and conditions enumerated in Executive Order 242, and as modified by EO 156, by EO 161, by EO 183, by EO 196, EO 225, EO 228, EO 230, EO 234, EO 238, EO 239 and EO 241. I note that the county or local municipality is authorized by the terms of Executive Order 152, para. 6 and para. 7 to impose any additional conditions that it may deem fit to protect the safety and health of the community as it relates to the county or municipal parks, and by the terms of EO 242 as described therein.

The portion declaring the Declaration of Emergency in Morris County remains in effect.

The terms of this Order shall become effective at 0600 on May 28, 2021, except those terms of EO 242 which have an stated effective date of June 4, 2021.

This Order may be modified, altered, and/or amended within the authority of the County Emergency Management Coordinator, and/or as Ordered by the State Emergency Coordinator at any time.

Nothing in this Order modifies or amends in any way any prior Order issued by me unless specifically stated herein.

A handwritten signature in black ink, appearing to read "Scott DiGiralomo", written over a horizontal line.

Scott DiGiralomo

County of Morris Emergency Management Coordinator

DATED: May 26, 2021