Guidance for Executive Order No. 120

March 26, 2020

This document provides guidance for the implementation of Executive Order No. 120 ("Order"). In addition, individuals should check with local governments to determine whether additional restrictions have been imposed in their local jurisdictions to limit the spread of COVID-19. **Please note that Executive Order 120 modifies some sections of Executive Order 117, but those sections that are not modified are still in effect.**

This information is subject to change in light of new CDC guidance and additional Executive Orders or local government declarations.

Section 1(a) of the Order amends Executive Order 117 Section 1, by reducing the number for mass gatherings from 100 to 50. It defines mass gathering "as any **event or convening** that brings together more than fifty (50) persons in a single room or single space at the same time, such as an auditorium, stadium, arena, large conference room, meeting hall, or any other confined indoor or outdoor space. This includes parades, fairs and festivals."

Section 1(a) is directed at organized events or a convening in a single space or single room. Mass gatherings do NOT include normal operations at airports, bus and train stations, medical facilities, shopping malls and centers, office environments, factories, grocery stores and child care facilities where more than fifty (50) people may be in the same location but not at a coordinated event or convening.

Section 1(b) of the Order requires "entertainment facilities without a retail or dining component" to close at 5:00 p.m. on Wednesday March 25, 2020. Retail operations can continue. Dining facilities may operate but for carry-out, drive through and delivery only. See below for a partial list of examples of entertainment facilities.

Section 1(c) of the Order requires personal care and personal grooming businesses to close at 5:00 pm on Wednesday March 25, 2020. See below for a partial list of examples.

Section 2 of the Order requires local government agencies to continue to carry out their functions as required by state or federal law but must do so in a manner that will maintain the health of the general public and their employees.

Section 3 of the Order prohibits visitors and non-essential health care personnel in long term care facilities except in certain compassionate care situations, for example an end-of-life situation.

Section 4 of the Order amended Section 2 of Executive Order 117 to extend the closure of public schools for students through Friday, May 15, 2020.

The intent of the Order is to limit close personal contact to reduce the spread of the COVID-19 virus. The Order became effective on March 25 at 5:00 pm. Sections 1, 2, and 3 are in effect for 30 days, so that is until April 24, 2020. Section 4 is in effect through May 15, 2020.

The Order requires the following types of businesses to close

Entertainment Facilities without a retail or dining component such as:

- Bowling alleys
- Live Performance Venues
- Movie Theaters
- Skating Rinks
- Go-cart racing
- Driving ranges
- Batting cages
- Mini-golf courses
- Amusement parks
- Amusement facilities
- Indoor pools and outdoor pools at any public or private club, facility, or community
- Restaurants located within an entertainment facility may remain open for carry-out, drive-through or delivery and retail components located within an entertainment facility may continue to operate if they are meeting the mass gathering and social distancing guidelines.

Gaming and Business Establishments which allow gaming activities such as:

- Video poker
- Gaming
- Sweepstakes
- Video games, arcade games and pinball machines
- Other computer, electronic or mechanical devices played for amusement

Indoor Exercise Facilities such as:

- Gyms
- Yoga studios
- Martial arts facilities
- Rock climbing facilities
- Escape Rooms
- Trampoline Parks
- Gymnastics Clubs
- Health Clubs
- Personal trainers utilizing indoor training facilities or gyms

Personal Care and Personal Grooming Facilities such as:

- Tanning facilities
- All hair and barber salons, including in-home salons
- Beauty Salons including waxing and hair removal centers
- Nail salons/Manicure/Pedicure Providers
- Massage Parlors
- Tattoo Parlors
- Cryotherapy centers
- Spas

Additional Establishments where individuals are in close proximity for extended periods of time such as:

- Hookah Bars
- Cigar Bars

While the Order DOES NOT APPLY to the following businesses, social distancing and mass gathering provisions apply:

- Pet grooming or pet daycares. Owners and customers should practice social distancing and limit contact.
- Lawn care
- Home repair
- Cleaning services
- Farmers markets
- Flea markets
- Chiropractic Offices
- Medically prescribed massage therapy
- Occupational Therapy
- Physical Therapy
- Speech Therapy
- RV parks and campgrounds.
- Live streaming of performances or use of performance facilities to record performances for later viewing, so long as they comply with the restrictions on mass gatherings and practice appropriate social distancing.