

## ORDER OF THE GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA FOR THE CONTINUED REOPENING OF THE COMMONWEALTH

WHEREAS, the World Health Organization and the Centers for Disease Control and Prevention ("CDC") have declared a novel coronavirus ("COVID-19") a "public health emergency of international concern," and the U.S. Department of Health and Human Services ("HHS") Secretary has declared that COVID-19 creates a public health emergency; and

WHEREAS, as of March 6, 2020, I proclaimed the existence of a disaster emergency throughout the Commonwealth pursuant to 35 Pa. C.S. § 7301(c); and

WHEREAS, I am charged with the responsibility to address dangers facing the Commonwealth of Pennsylvania that result from disasters. 35 Pa. C.S. § 7301(a); and

WHEREAS, in addition to general powers, during a disaster emergency I am authorized specifically to control ingress and egress to and from a disaster area and the movement of persons within it and the occupancy of premises therein. 35 Pa. C.S. § 7301(f); and

WHEREAS, in executing the extraordinary powers outlined above, I am further authorized during a disaster emergency to issue, amend and rescind executive orders, proclamations and regulations and those directives shall have the force and effect of law. 35 Pa. C.S. § 7301(b); and

WHEREAS, in addition to my authority, my Secretary of Health has the authority to determine and employ the most efficient and practical means for the prevention and suppression of disease. 71 P.S. § 532(a), 71 P.S. 1403(a); and

WHEREAS, these means include isolation, quarantine, and any other control measure needed. 35 P.S. § 521.5; and

WHEREAS, I previously issued an Order on March 19, 2020, closing all businesses that are not life sustaining in the Commonwealth; and

WHEREAS, I previously issued an Order on April 1, 2020, directing all individuals in Pennsylvania to stay at home; and

WHEREAS, I previously issued an Order on May 7, 2020, allowing for the limited opening of certain businesses, the lifting of the stay at home requirements, and directing continued aggressive mitigation efforts for designated counties; and

WHEREAS, our mitigation efforts have helped to curtail the spread of COVID-19 so our hospitals can treat patients without overwhelming our limited supplies of personal protective equipment (PPE), ventilators, or beds; and

WHEREAS, as the COVID-19 disaster emergency in the Commonwealth stabilizes, my Administration has developed a measured and strategic approach to allowing Pennsylvanians to return to work safely in a manner designed to prevent a resurgence of the virus; and

WHEREAS, this phased reopening of the Commonwealth will be done in the most effective, efficient, and risk-adverse method possible to balance our return to economic stability, while at the same time continuing to keep Pennsylvanians safe by controlling the spread of disease; and

WHEREAS, it is necessary to further relax some of the requirements of the aforementioned orders for a period of time as part of a gradual and strategic return to work; and

WHEREAS, as of May 27, 2020, the Commonwealth of Pennsylvania has 69,417 persons who have tested positive or meet the requirements as probable cases for COVID-19 in all sixty-seven counties and reports 5,265 deaths from the virus.

NOW THEREFORE, pursuant to the authority vested in me and my Administration by the laws of the Commonwealth of Pennsylvania, I do hereby ORDER and PROCLAIM as follows:

## Section 1: Orders to Continue the Phased Reopening of the Commonwealth

A. My Order directing the "Closure Of All Businesses That Are Not Life Sustaining" issued March 19, 2020, as subsequently amended, my Order directing "Individuals to Stay at Home" issued April 1, 2020, as subsequently amended, and my Order directing the "Limited Opening of Businesses, Lifting of Stay at Home Requirements, and Continued Aggressive Mitigation Efforts" issued May 7, 2020, as subsequently amended, are or continue to be suspended for the following counties:

Bradford, Cameron, Centre, Clarion, Clearfield, Crawford, Elk, Forest, Jefferson, Lawrence, McKean, Montour, Potter, Snyder, Sullivan, Tioga, Venango, and Warren.

- B. All businesses, other than health care providers, operating in the counties listed in Section 1(A) above for which my aforementioned Orders are suspended, and which have been closed or have been conducting their operations in whole or in part remotely through individual teleworking of their employees under any of those Orders as applicable, may conduct in-person business provided operations, businesses fully comply with all substantive aspects of: the Order of the Secretary of Health providing for building safety measures, issued April 5, 2020; the Order of the Secretary of Health providing for business safety measures (to keep employees and customers safe), issued April 15, 2020; and all existing and future applicable guidance issued by my Administration, the Department of Health (DOH) and Centers for Disease Control and Prevention (CDC). Teleworking remains encouraged. Businesses are also strongly encouraged to stagger the return of employees to in-person operations.
- C. All businesses, other than health care providers, serving the public within a building or defined area and operating in the counties listed in Section 1(A) above and that were permitted to conduct in-person operations under my Order directing the "Limited Opening of Businesses, Lifting of Stay at Home Requirements, and Continued Aggressive Mitigation Efforts" issued May 7, 2020 as subsequently amended, may operate at up to 75% of the maximum capacity stated on the applicable certificate of occupancy at any given time, as necessary to reduce crowding in the business rather than the occupancy limit specified in Section B(1) of the Order of the Secretary of Health providing for business safety measures (to keep employees and customers safe), issued April 15, 2020. Businesses must still enforce social distancing requirements, which may limit occupancy below the 75% maximum capacity.

- D. All businesses, other than health care providers, serving the public within a building or defined area and operating in the counties listed in Section 1(A) above and that were not permitted to conduct in-person operations under my Order directing the "Limited Opening of Businesses, Lifting of Stay at Home Requirements, and Continued Mitigation Efforts" issued May 7, *2020* as subsequently amended, may operate at up to 50% of the maximum capacity stated on the applicable certificate of occupancy at any given time, as necessary to reduce crowding in the business as specified in Section B(1) of the Order of the Secretary of Health providing for business safety measures (to keep employees and customers safe), issued April 15, 2020. Businesses must still enforce social distancing requirements, which may limit occupancy below the 50% maximum capacity.
- E. In addition to the foregoing, the prohibition on dine-in facilities throughout the Commonwealth including restaurants and bars that previously had been ordered to help stop the spread of COVID-19 is modified as follows:
  - i. Businesses in the retail food services industry, including restaurants and bars, which are operating in the counties specified in Section 1(A) above, are authorized to conduct in-person operations, provided that they adhere to the Administration's Guidance for Businesses in the Restaurant Industry Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public, issued May 27, 2020, which is incorporated by reference herein.
  - ii. Outdoor dining is permitted in all counties under the authority of my Order directing the "Limited Opening of Businesses, Lifting of Stay at Home Requirements, and Continued Aggressive Mitigation Efforts" issued May 7, 2020, as subsequently amended, provided that businesses in the retail food services industry adhere to the Guidance for Businesses in the Restaurant Industry Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public, issued May 27, 2020, which is incorporated by reference herein.
- F. Notwithstanding the foregoing or any provision to the contrary, personal care services, operating in the counties specified in Section 1(A) and operating under the occupancy limitations specific in Section 1(D) above, including hair salons and barbershops, must operate by appointment only. Appointments or reservations are strongly encouraged for all indoor recreation and health and wellness facilities such as gyms or spas, and all other businesses where feasible.
- G. Any gathering for a planned or spontaneous event of greater than 250 individuals is prohibited. This includes, but is not limited to, a concert, fair, festival, conference, sporting event, movie showing, or theater performance.
- H. Churches, synagogues, temples, mosques and other places of congregate worship are specifically excluded from the limitations established by this Order. These institutions are strongly encouraged to enforce social distancing and other mitigation measures like masking at their gatherings.
- I. Visitation to prisons and hospitals may resume for facilities operating in the counties specified in Section 1(A) above, subject to the determination of the individual facilities which may still limit visitation as necessary based on risk of COVID-19. Visitors who interact with residents and patients must be diligent regarding hygiene. Given the critical importance in limiting COVID-19 exposure in nursing homes, nursing home visitation restrictions will initially remain in place.
- J. The Administration will continue to monitor public health indicators and will revise the foregoing restrictions, as necessary.

## Section 2: Enforcement

Enforcement of this Order will commence on its effective date.

## Section 3: Effective Date and Duration

This Order is effective May 29, 2020, at 12:01 a.m., and will remain in effect until further notice.



GIVEN under my hand and the Seal of the Governor, at the city of Harrisburg, on this twenty-seventh day of May two thousand twenty, the year of the commonwealth the two hundred and forty-fourth.

TOM WOLF Governor