



# Town of Clinton Police/OEM

## State Executive Order 219

### **Advisement 2021-33 Raise Indoor Capacity Limits**

1. Restaurants, cafeterias, dining establishments, including private, non-profit clubs, and food courts, with or without a liquor license, bars, and all other holders of a liquor license with retail consumption privileges, collectively referred to as “food or beverage establishments,” that are open to the public:

a. **Shall limit the number of patrons in indoor areas to 35 percent of the food and beverage establishment’s indoor capacity**, excluding the food or beverage establishment’s employees. Paragraph 1 of Executive Order No. 183 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order; and

b. **Are permitted to offer in-person service at indoor areas between the hours of 10:00 p.m. and 5:00 a.m. each day**, unless otherwise restricted by municipal or county ordinance. Casinos and any other retail, recreational, or entertainment businesses that are authorized to open their indoor premises to the public are permitted to resume indoor food and beverage service at those hours each day. Paragraph 1 of Executive Order No. 194 (2020) requiring such establishments to close their indoor operations to the public during those times is hereby rescinded. Executive Order No. 195 (2020), which gives municipalities and counties the ability to impose certain restrictions on the hours of operation of certain businesses, shall remain in effect.

2. Entertainment centers where performances are viewed or given, including movie theaters, performing arts centers, and other concert venues, that have opened their indoor spaces to the public must limit the number of patrons in any indoor room where a performance is viewed or given to 35 percent of the stated maximum capacity, if applicable, at one time, excluding the entertainment business’s employees, but regardless of the capacity of the room, such limit shall never be larger than 150 persons. Such indoor entertainment centers may host a performance in an adjacent outdoor area with a maximum capacity equivalent to the facility’s indoor capacity permitted under this

Paragraph. Paragraph 2 of Executive Order No. 183 (2020) and Administrative 8 Order No. 2020-24 are hereby rescinded to the extent that they conflict with the provisions of this Order.

3. The number of individuals at indoor gatherings that are religious services or celebrations, political activities, wedding ceremonies, funerals, or memorial services shall be limited to 35 percent of the capacity of the room in which it takes place, but regardless of the capacity of the room, such limit shall never be larger than 150 persons or smaller than 10 persons. For purposes of this Paragraph, any private residence or residential unit shall be treated as a single “room.” Paragraph 1 of Executive Order No. 196 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

4. Personal care services authorized to reopen their indoor facilities to the public pursuant to Paragraph 2 of Executive Order No. 157 (2020) shall limit occupancy of any indoor premises to 35 percent of the stated maximum capacity, if applicable, at one time, excluding the facility’s employees. Paragraph 8 of Executive Order No. 194 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

5. “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) shall limit occupancy of any indoor premises to 35 percent of the stated maximum capacity, if applicable, at one time, excluding the facility’s employees. Paragraph 1 of Executive Order No. 181 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order. 9

6. 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) shall limit occupancy of any indoor premises to 35 percent of the stated maximum capacity, if applicable, at one time, excluding the recreational or entertainment business’s employees. Paragraph 7 of Executive Order No. 157 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

7. Casinos, including casino gaming floors and retail sports wagering lounges, that have opened their indoor premises to the public shall limit occupancy of any indoor premises to 35 percent of the stated maximum capacity, if applicable, at one time, excluding the facility’s employees.

8. Athletic practices and competitions that were permitted to resume on January 2, 2021 under Executive Order No. 204 (2020) are subject to the current indoor gathering limit, which was most recently set at 10 persons. However, if the number of individuals who are necessary for a no-contact practice, contact practice, or competition, such as players, coaches, and referees, is greater than 10 persons, such a practice or competition may proceed, as long as no individuals are present who are not necessary for the practice or competition, such as spectators. If this exception applies, the number of individuals at such an indoor gathering still may not exceed 35 percent of the capacity of the room in

which it takes place, and such limit may not exceed 150 persons. Administrative Order No. 2020-25 is hereby rescinded to the extent that it conflicts with the provisions of this Order.

9. Professional and collegiate athletic competitions that are conducted indoors are subject to the current indoor gathering limit of 10 persons. Athletes, coaches, referees, and trainers, 10 and other individuals who are necessary for the competitive professional or 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 facilities where indoor professional or collegiate athletic competitions are taking place may not exceed 35 percent of the capacity of the room in which it takes place, and such limit may not exceed 150 persons. The provisions of Paragraph 1 of Administrative Order No. 2020-22 regarding indoor gatherings shall continue to apply. Paragraph 2 of Executive Order No. 196 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

10. Indoor gatherings that involve an Alcoholics Anonymous meeting, Narcotics Anonymous meeting, or similar meeting of an addiction support group shall be limited to 35 percent of the capacity of the room in which it takes place, but regardless of the capacity of the room, such limit shall never be larger than 150 persons or smaller than 10 persons. Paragraph 7 of Executive Order No. 204 (2020) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

**State Executive Order 219. This advisement is has been reduced to elements affecting Clinton residents and businesses. Please refer to**

<https://www.nj.gov/infobank/eo/056murphy/pdf/EO-219.pdf>

**for full details of SEO 219.**