



Town of Clinton Police/OEM

State Executive Order 238

Advisement 2021-36 Increased Capacity Limits for Outdoor Gatherings

1. Paragraph 1 of Executive Order No. 234 (2021) is hereby rescinded and **the number of individuals at outdoor gatherings shall be limited to 500 persons or fewer**. An outdoor gathering that is a religious service or celebration, political activity, wedding ceremony, funeral, memorial service, meeting of an addiction support group, legislative proceeding of State, county, or local government, including local Boards of Education, or State or local judicial proceeding is not required to comply with the numerical limit on persons. All other requirements for outdoor gatherings contained in Paragraph 1 of Executive Order No. 161 (2020), including the requirements of Paragraph 2 of Executive Order No. 152 (2020) incorporated by reference therein, shall remain in effect.
2. **Outdoor entertainment centers where performances are viewed or given, including movie theaters, performing arts centers, and other concert venues**, must continue to limit the number of patrons in any outdoor area where a performance is viewed or given to a number that ensures that all individuals can remain six feet apart, but such limit shall never be larger than 500 persons, unless the outdoor entertainment venue has a fixed seating capacity of 1,000 persons or greater as described in Paragraph 5 of this Order. Paragraph 2 of Executive Order No. 234 (2021) is hereby superseded to the extent that it conflicts with the provisions of this Order.
3. **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 outdoor celebration or similar private catered event to a number that ensures that individuals can remain six feet apart, but such limit shall never be larger than 500 persons, excluding the venue's staff. Paragraph 6 of Executive Order No. 234 (2021) is hereby superseded to the extent that it conflicts with the provisions of this Order.

4. All athletic practices and competitions, including professional, collegiate, and non-collegiate and non-professional, that are conducted outdoors are subject to the outdoor gathering limit of 500 persons. Athletes, coaches, referees, trainers, and other individuals who are necessary for the practice or competition are not included in the number of individuals present at a gathering for purposes of the limits on gatherings. All other individuals, including spectators, must be limited to 500 persons. The provisions of Paragraph 1 of Administrative Order No. 2020-22 regarding outdoor gatherings shall continue to apply. Paragraph 3 of Executive Order No. 234 (2021) is hereby superseded to the extent that it conflicts with the provisions of this Order.

5. Sports and entertainment venues, including concert venues and stadiums, with fixed seating capacity of 1,000 or greater, that have opened their outdoor spaces to the public may permit a number of patrons and/or members of the public totaling up to 50 percent of the stated maximum capacity of any outdoor area where such event is held. Such venues shall continue to follow all applicable requirements in any other Executive Order, Administrative Order, and/or Executive Directive, including, but not limited to, the requirements regarding mask wearing in Executive Order No. 192 (2020). All attendees at the event are required to be six feet apart from other attendees at all times, except that individuals who purchase or reserve tickets together may be seated together, but must be six feet away from all other groups or individuals in all directions. This paragraph shall apply to events, including sports competitions and performances, that take place in sports and entertainment venues with a fixed seating capacity of 1,000 persons or greater. Paragraph 9 of Executive Order No. 234 (2021) is superseded to the extent that it conflicts with the provisions of this Order.

6. The number of individuals at indoor gatherings that are political activities, wedding ceremonies, wedding receptions, funerals, or memorial services shall be limited to 50 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 250 persons or smaller than 25 persons, excluding staff of the gathering venue. For purposes of this Order, any private residence or residential unit shall be treated as a single "room." Legislative proceedings of State, county, or local government, including local Boards of Education, and State and local judicial proceedings in indoor settings are not subject to the capacity limits on indoor gatherings in this or any other applicable Executive Order. Paragraph 2 of Executive Order No. 230 (2021) is hereby superseded to the extent that it conflicts with the provisions of this Order.

7. 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 50 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 smaller than 25 persons or larger than 250 persons, excluding the venue's staff.

Paragraph 5 of Executive Order No. 234 (2021) is hereby superseded to the extent that it conflicts with the provisions of this Order.

8. All indoor gatherings, including wedding receptions and catered events in indoor and outdoor settings, must continue to follow all applicable requirements for indoor gatherings outlined in Paragraphs 5 and 6 of Executive Order No. 183 (2020), including those provisions that incorporate by reference the requirements of Paragraph 1 of Executive Order No. 152 (2020).

9. Dance floors shall be permitted to open for indoor and outdoor celebrations or similar private catered events, as described in Paragraphs 3 and 6 of this Order. All individuals using the dance floor must wear a face mask at all times except where the individual is under two years of age. All attendees on the dance floor are required to be six feet apart from the other attendees at all times, excluding immediate family members, caretakers, household members, or romantic partners, as well as excluding individuals organizing or maintaining the gathering. Paragraph 9 of Executive Order No. 157 (2020) is hereby superseded to the extent that it conflicts with the provisions of this Order.

10. Food and beverage establishments are permitted to seat patrons at indoor bar areas, consistent with the requirements of Paragraph 1 of Executive Order No. 183 (2020), and guidance provided by DOH. Paragraph 2 of Executive Order No. 194 (2020) is hereby rescinded. In-person service to patrons standing in bar areas continues to be prohibited.

11. Food and beverage establishments, as defined by Executive Order No. 183 (2020) are permitted to offer self-service food, such as buffets and salad bars, subject to the protocols outlined in the New Jersey DOH's "Health and Safety Standards for Indoor Dining." Paragraph 1 of Executive Order No. 183 (2020) is hereby superseded to the extent that it conflicts with the provisions of this Order.

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-238.pdf> for full details of SEO 238.