



Town of Clinton Police/OEM

State Executive Order 239 **Advisement 2021-37 Lifting Restrictions**

This order takes effect 6am 5/19/21

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 permitted to offer in-person service in indoor areas are not subject to any percentage-based capacity limit but shall limit capacity to a number that ensures all patrons can remain six feet apart from all other patrons at all times, except for those patrons with whom they are sharing a table. Food and beverage establishments must continue to ensure that tables in indoor areas where individuals or groups are seated are six feet apart in all directions from any other table or seat. Patrons at indoor bar areas may be seated closer than six feet to each other if they arrived as part of the same group, but that group must be six feet apart from other patrons or groups. Where six feet of distance is not possible, establishments must erect barriers between tables or at the bar pursuant to DOH’s “Health and Safety Standards for Indoor Dining.” Paragraph 10 of Executive Order No. 230 (2021) is hereby superseded to the extent that it conflicts with the provisions of this Paragraph.

2. The following businesses that are open to the public are not subject to any percentage-based capacity limit but shall limit occupancy to a number that ensures that all patrons or groups of patrons entering the facility together can remain six feet apart:

- a. Indoor premises of retail establishments;
- b. 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);
- c. 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);
- d. 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
- e. Indoor premises of casinos, including casino gaming floors and retail sports wagering lounges. Paragraph 7 of Executive Order No. 157 (2020) and Paragraphs 11 – 14 of Executive Order No. 230 (2021) are hereby superseded to the extent that they conflict with the provisions of this Paragraph.

3. The number of individuals at indoor social gatherings at private residences or social gatherings in a public space that are not overseen by an operating entity, and that are not religious services or celebrations, political activities, wedding ceremonies, funerals, or memorial services, shall be limited to 50 persons per room. For purposes of this Order, any private residence or residential unit shall be treated as a single “room.” The numerical limits on indoor gatherings in Executive Order No. 230 (2021) are hereby superseded.

4. The number of individuals at 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 shall not exceed 250 persons per room, excluding staff of the gathering venue. For purposes of this Order, any private residence or residential unit shall be treated as a single “room.” Paragraphs 2 and 4 of Executive Order No. 230 (2021) are

hereby superseded to the extent that they conflict with the provisions of this Order. Legislative proceedings of State, county, or local government, including local Boards of Education, and State and local judicial proceedings are not subject to the capacity limits on gatherings in this or any other applicable Executive Order.

5. The number of individuals at any commercial gathering and other gatherings 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.

6. The number of individuals at indoor gatherings that are religious services or celebrations, including wedding ceremonies, funerals, and memorial services that involve religious services, are not subject to any percentage-based capacity limit but shall limit occupancy in indoor areas to a number that ensures that all individuals or groups can remain six feet apart. Paragraph 3 of Executive Order No. 230 (2021) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

7. 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 250 persons, excluding the entertainment center's employees. The other requirements outlined in Paragraph 2 of Executive Order No. 183 (2020) continue to apply. Paragraph 6 of Executive Order No. 230 (2021) is hereby superseded to the extent that it conflicts with the provisions of this Paragraph.

8. 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. Paragraph 7 of Executive Order No. 238 (2021) is hereby superseded to the extent that it conflicts with the provisions of this Order.

9. No indoor gathering may take place in the State, whether on public or private property, unless it adheres to all of the following rules:

- a. All attendees at the gathering must wear face coverings at all times except where doing so would inhibit the individual's health, where the individual is under two years of age, or when wearing a face covering is impracticable, such as when an individual is eating, drinking, or smoking; and
- b. All attendees at the gathering are required to be six feet apart from other attendees at all times, excluding those with whom an attendee has a close personal relationship, such as immediate family members, caretakers, household members, or romantic partners, as well as excluding a limited number of individuals organizing or maintaining the gathering.

10. All athletic practices and competitions, including professional, collegiate, and non-collegiate and non-professional, that are conducted indoors are subject to the indoor gathering limit of 250 persons. 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. Paragraphs 17 and 19 of Executive Order No. 230 (2021) and Administrative Order No. 2021-01 are hereby superseded to the extent that they conflict with the provisions of this Paragraph.

11. Sports and entertainment venues, including concert venues and stadiums, with fixed seating capacity of 1,000 or greater, that have opened their indoor spaces to the public may permit a number of patrons and/or members of the public totaling up to 30 percent of the stated maximum capacity of any room 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 collegiate, youth, and professional sports competitions, that take place in sports and entertainment venues with a fixed seating capacity of 1,000 persons or greater. Paragraph 8 of Executive Order No. 234 (2021) is hereby rescinded to the extent that it conflicts with the provisions of this Order.

12. Paragraph 1 of Executive Order No. 238 (2021) regarding the numerical limit on outdoor gatherings is hereby rescinded. No outdoor gathering may take place in the State, whether on public or private property, unless it adheres to all of the following rules:

- a. All attendees at the gathering are required to be six feet apart from other attendees, excluding those with whom an attendee has a close personal relationship, such as immediate family members, caretakers, household members, or romantic partners, as well as excluding a limited number of individuals organizing or maintaining the gathering;
- b. Where the outdoor gathering is a religious service or political activity, such as a protest, the gathering is not required to comply with Paragraph 12(a) of this Order; and
- c. All individuals at the gathering should wear face coverings at all times where other social distancing measures are difficult to maintain, in accordance with CDC recommendations, except where doing so would inhibit the individual's health or where the individual is under two years of age, and all attendees must wear such face coverings where required by another Executive Order.

13. Outdoor entertainment centers where performances are viewed or given, including movie theaters, performing arts centers, and other concert venues, must limit the number of patrons in any outdoor area where a performance is viewed or given to a number that ensures that all individuals or groups can remain six feet apart. Paragraph 2 of Executive Order No. 238 (2021) is hereby superseded to the extent that it conflicts with the

provisions of this Order.

14. 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 or groups can remain six feet apart. Paragraph 3 of Executive Order No. 238 (2021) is hereby superseded to the extent that it conflicts with the provisions of this Order.

15. All athletic practices and competitions, including professional, collegiate, and non-collegiate and non-professional, that are conducted outdoors must limit the number of attendees who are not athletes, coaches, referees, trainers, and other individuals who are necessary for the practice or competition to a number that ensures the individuals or groups can remain six feet apart. Paragraph 4 of Executive Order No. 238 (2021) and Administrative Order No. 2020-22 are hereby superseded to the extent that they conflict with the provisions of this Order.

16. 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 must limit attendance to a number that ensures the attendees or groups of attendees can remain six feet apart. 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 5 of Executive Order No. 238 (2021) is 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-239.pdf>
for full details of SEO 239.