



**THE UNITED STATES VIRGIN ISLANDS
OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE
Charlotte Amalie, V.I. 00802
340-774-0001**

**THIRTEENTH SUPPLEMENTAL EXECUTIVE ORDER AND PROCLAMATION
BY THE GOVERNOR
OF THE UNITED STATES VIRGIN ISLANDS
RETURNING THE TERRITORY TO A "STAY-AT-HOME" PHASE
IN RESPONSE TO COVID-19 STATE OF EMERGENCY**

WHEREAS, On March 13, 2020, the Governor issued the Executive Order and Proclamation Declaring a State of Emergency in response to the COVID-19 – CORONAVIRUS PANDEMIC ("Declaration of a State of Emergency"), and the Government has been coordinating the Territory's response and enforcing protective actions to address "COVID-19", a public health emergency that currently requires the Government to act and provide for the health, safety, and welfare of residents and visitors located in the Virgin Islands; and

WHEREAS, On April 2, 2020, the President of the United States declared that a major disaster exists in the Territory of the U.S. Virgin Islands-based on COVID-19 and this major disaster declaration has not been lifted; and

WHEREAS, From March 13, 2020 through July 2020, the Governor has issued subsequent Executive Orders or Supplements with additional requirements and lifting of other restrictions of previous Executive Orders and Supplement to begin its "Open Door Phase"; and

WHEREAS, The implementation of the "Open Door Phase" requires continuous guidance to be given to the public about what is restricted and permissible during the "Open Door Phase" and while still within a "State of Emergency" due to the danger and threat of Covid-19; and

WHEREAS, Declaration of a State of Emergency Executive Order dated March 13, 2020, invoked the Virgin Islands Territorial Emergency Management Act, 23 V.I.C. § 1001 - 1016 and authorizes the Governor to exercise the powers and duties set forth therein to direct and aid the response to, recovery from, and guidance for the mitigation as well as response to emergencies; and

WHEREAS, The Virgin Islands Department of Health ("DOH") received confirmation from the Center for Disease Control ("CDC") that six hundred eighty-two (682) persons, including nine (9) deceased persons, tested positive for COVID-19 in the Virgin Islands and

additional testing of individuals for COVID-19 are still being made or pending; and

WHEREAS, Imposing guidelines and restrictions to return the Territory to a Stay-at-Home Phase is vital to the protection, health, safety, and welfare of residents and visitors of the Territory as well as continuing the response and mitigation process;

NOW, THEREFORE, I, Albert Bryan, Jr., Governor of the United States Virgin Islands, under the authority granted to me by Section 11 of the Revised Organic Act of 1954 (as amended), 23 V.I.C. § 1005, and pursuant to all the afore-cited sections of the Virgin Islands Code, as well as all previous Executive Orders issued from March 13, 2020, through August 13, 2020, including Executive Orders dated March 20, 2020, March 23, 2020, March 30, 2020, April 6, 2020, April 20, 2020, April 29, 2020, May 4, 2020, May 7, 2020, May 30, 2020, July 1, 2020, July 9, 2020, July 27, 2020, and August 10, 2020, as amended, supplemented, renewed, and extended, do hereby
ORDER:

SECTION 1. Prohibitions and Restrictions During This State of Emergency – Stay-at-Home Phase Re-established

- A. ***Effective Thursday August 13, 2020 at 3:00 p.m.*** all hotels, guest-houses, villas, bed and breakfasts, shared economy hospitality bookings, AirBnBs, any temporary vacation housing, charter vessels, or any similar business known by any other terminology, shall not accept, receive, register or book any new reservations for a period of thirty (30) days unless earlier lifted, extended, or amended by order of the Governor of the U.S. Virgin Islands, except for emergency personnel, flight crews, business travelers and government guests with written authorization from the Government Agency for whom rendering services.
- B. ***Effective Wednesday August 19, 2020 at 6:00 a.m.*** all hotels, guest-houses, villas, bed and breakfasts, shared economy hospitality bookings, AirBnBs, any temporary vacation housing, charter vessels, or any similar business known by any other terminology, shall not accept, receive, check-in, or register any guest for a period of thirty (30) days unless earlier lifted, extended, or amended by order of the Governor of the U.S. Virgin Islands, except for emergency personnel, flight crews, business travelers and government guests with written authorization from the Government Agency for whom rendering services.
- C. ***Effective Monday August 17, 2020 at 6:00 a.m.*** and lasting until August 31, 2020 at 6:00 a.m., unless earlier lifted, extended, or amended by order of the Governor of the U.S. Virgin Islands, all licensed restaurants in the Territory of the U.S. Virgin Islands shall operate on a “drive-through,” “take-out,” or “delivery” basis only; there shall be no in-house dining allowed in any restaurant; and
- D. All bars, nightclubs, and cabarets in the Territory of the Virgin Islands shall remain closed so long as the Territory remains in a State of Emergency as declared on March

13, 2020, as amended, supplemented, extended, and renewed, unless earlier lifted by order of the Governor of the U.S. Virgin Islands; and

- E. All taxicabs and safaris will be limited to one-half of their previously allowable capacity so long as the Territory remains in a State of Emergency as declared on March 13, 2020, as amended, supplemented, extended, and renewed, unless earlier lifted by order of the Governor of the U.S. Virgin Islands; and
- F. ***Effective Monday August 17, 2020 at 6:00 a.m.*** and lasting until August 31, 2020 at 6:00 a.m., unless earlier lifted, extended, or amended by order of the Governor of the U.S. Virgin Islands, the public is **ORDERED to STAY AT HOME**; and
1. non-essential businesses and churches shall cease in-person business operations and shall require their employees to stay home; and
 2. Stay-at-Home Exemptions, which must still operate with the recommended social distancing requirement of 6 feet or more between individuals, include:
 - a. Places that sell food or produce:
 - Grocery stores, convenience stores, and pet supply stores. This includes stores that sell groceries and sell other non-grocery products, and products necessary to maintain the safety and sanitation of homes.
 - Restaurants that are serving food and beverages operating on a “drive-through”, “take-out”, or “delivery” basis only.
 - Food cultivation, including farming, livestock, and fishing.
 - b. Places with medical purposes:
 - Medical facilities and medical offices.
 - Home-based care for seniors, adults, people with a disability, or children.
 - Residential facilities and shelters for seniors, adults, people with a disability, and children.
 - c. Core life services:
 - Gas stations, and auto-supply, and auto-repair stations.
 - Banks and credit unions.
 - Hardware stores and building supplies.
 - Coin operated laundromats, and laundry service providers.
 - Refineries, utilities, distilleries, construction sites, plumbers, electricians, custodial/janitorial workers, handyman services, funeral home workers and morticians, carpenters, landscapers, gardeners, property managers, private security personnel, and other service providers who provide services to maintain the safety, sanitation, and essential operation to properties and other essential businesses.
 - Businesses that supply office or computer products needed by people who work from home.
 - Businesses that supply other Essential Businesses with the support or supplies necessary to operate.

- Businesses that ship, truck, provide logistical support or deliver groceries, food, goods or services directly to residences, essential businesses, healthcare operations, essential infrastructure.
 - Airlines, taxis and safaris (as limited by Section 1.E. above), and other private transportation providers providing transportation services necessary for activities of daily living.
 - Businesses that provide parts and services for essential infrastructure.
- d. Places that provide shelter:
- Hotels, motels, shared rental units, and similar facilities, as limited by Section 1.A & B above.
 - Homeless shelters and social services for economically disadvantaged people.
 - Childcare facilities providing services that enable employees of exempt businesses to work, subject to any additional regulations of the Virgin Islands Department of Human Services.
 - Animal Shelters and related services.
- e. Media Outlets: Newspapers, television, radio, and other officially recognized media services.
- f. All Stay-at-Home exempt businesses, professions, and services are encouraged to send home any employees able to perform their functions remotely or from home and to reduce the number of employees in contact with each other by establishing shifts while maintain all Social Distancing Guidelines.

G. Prohibition of Mass Gatherings

- i. The prohibition against Mass Gatherings issued in Section 1.A.i.2. of the Supplemental Executive Order declared on March 23, 2020, as re-ordered on April 29, 2020, shall continue in full force and effect until and unless earlier lifted or further amended by order of the Governor of the United States Virgin Islands.
- ii. A “mass gathering” is defined as any event or convening that brings together more than **ten (10) persons** in a single room or single space at the same time, such as an auditorium, stadium, arena, large conference room, meeting hall, theater, house of worship, restaurant, bar, or any other confined indoor or outdoor space. This includes all parades, fairs, festivals, and camping on public beaches.
- iii. A mass gathering does not include operations for standard essential services and infrastructure such as grocery stores and big-box stores, operations at airports, seaports, bus stops, medical facilities, or hotels. It also does not include office (government and private) environments, factories, refineries, marinas, construction sites, grocery stores, pharmacies, fuel service stations or other retail establishments that provide essential services and are large enough to

accommodate for the practice of social distancing of six feet or more between persons.

- H. ***BEACHES: Effective Monday August 17, 2020 at 6:00 a.m.*** and lasting until August 31, 2020 at 6:00 a.m., unless earlier lifted, extended, or amended by order of the Governor of the U.S. Virgin Islands, all beaches in the Territory of the U.S. Virgin Islands shall be closed from 12:00 p.m. until 6:00 a.m. the following day, on Saturdays, Sundays, and holidays. Only fishermen may be on the beach during the beach closure to access their vessels or cast their nets.
- I. ***SCHOOLS: Effective Monday August 17, 2020 at 6:00 a.m.*** and lasting until August 31, 2020 at 6:00 a.m., unless earlier lifted, extended, or amended by order of the Governor of the U.S. Virgin Islands, all public, private, and parochial school campuses will be closed for students. Virtual learning programs or classes is allowed.
- J. ***MASKS:*** Section 4 the Twelfth Supplemental Executive Order issued on August 10, 2020, establishing requirements for wearing of masks or facial covering and fines for the violation of this section, shall remain in full force and effect.
- K. All other terms, conditions, and requirement of the Executive Orders issued from March 13, 2020, through August 13, 2020, including Executive Orders dated March 20, 2020, March 23, 2020, March 30, 2020, April 6, 2020, April 20, 2020, April 29, 2020, May 4, 2020, May 7, 2020, May 30, 2020, July 1, 2020, July 9, 2020, July 27, 2020, and August 10, 2020, as amended, supplemented, renewed, and extended, shall remain in full force and effect.
- L. Pursuant to section 8 of the Governor’s Declaration of a State of Emergency Executive Order dated March 13, 2020, the provision of this section shall be enforced by law enforcement officers.
- M. Violations of this section or orders issued pursuant to 23 V.I.C. § 1005(g) related to the duty to protect the health of Virgin Islanders may be subject to prosecution pursuant to 14 V.I.C. § 885, as violation of a public health order and is punishable as a misdemeanor in accordance with 14 V.I.C. § 2(b)(2).
- N. Violations of this section or orders issued pursuant to the Governor’s powers under 23 V.I.C. § 1005(g) may be subject to administrative enforcement action through the Department of Licensing and Consumer Affairs (the “DLCA”), which is hereby authorized and directed to assess administrative fines pursuant to its powers set forth in 3 V.I.C. § 272(b)(5) and/or the commencement of suspension and/or revocation proceedings of the establishment’s business license in accordance with 27 V.I.C. § 304.

SECTION 2. DOH Inspections of Sanitization Equipment

Beginning August 17, 2020, the Virgin Islands Department of Health (“DOH”) shall commence inspections of all glassware and utensils sanitization equipment and procedures in licensed restaurants, whether upon request or incidental inspection. The purpose of such

inspections shall be to certify whether such dishwashing and sanitization equipment meets DOH requirements and may be exempt from the requirement for the use of disposable dishes, utensils, napkins, and drink containers mandated by the **COVID-19 GUIDANCE FOR RESTAURANTS, BARS AND NIGHTCLUBS** issued in the Eight Supplemental Executive Order on May 30, 2020, as amended and supplemented, when restaurants are permitted to resume dine-in operations. Upon certification that a licensed restaurant's dishwasher meets the DOH requirements and the lifting of the dine-in suspension, said restaurant shall immediately be issued an exemption certificate.

SECTION 3. Effective Date


Unless otherwise specified in the specific Sections above, this Executive Order is effective immediately and shall remain in effect so long as the Territory remains in a State of Health Emergency as declared on March 13, 2020, as amended, supplemented, extended, and renewed unless earlier lifted or until rescinded or superseded by another applicable Executive Order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Government of the United States Virgin Islands to be affixed at Christiansted, St. Croix, Virgin Islands, this 13th day of August, A.D., 2020.




Albert Bryan, Jr.
Governor

ATTEST:


Tregenza A. Roach
Lt. Governor