

SAFETY DIRECTOR BULLETIN

May 5, 2021

RE-OPENING NEW JERSEY – AS OF MAY 7, 2021

Governor Phil Murphy recently signed [Executive Order No. 237](#) and [Executive Order No. 238](#) which announced plans to ease a variety of COVID-19 restrictions over the coming weeks. Effective May 7, 2021:

Outdoor Gatherings

- E.O. 238 (issued May 3, 2021) increased the general outdoor gathering limit to 500 people. The limit was 200 persons per [E.O. No. 234](#) (issued April 29, 2021). However, the safety requirements for outdoor gatherings defined in [E.O. No. 161](#) (issued July 2, 2020) and [E.O. No. 152](#) (issued June 9, 2020) remain in effect:
 - All attendees must wear face coverings at all times except where doing so would inhibit the individual's health or if the individual is under two years of age
 - All attendees are required to be six feet apart at all times, and there may be no contact between attendees, excluding immediate family members, caretakers, household members, or romantic partners.
 - Any physical items, including equipment, may not be shared by multiple attendees of the same gathering except for immediate family members, caretakers, household members, or romantic partners, unless such physical items are sanitized before and after use by different individuals.
 - To the degree the gathering requires pre-payment, or seeks donations of any kind, contactless options for pre-payment or donation, such as online or by telephone, must be offered wherever feasible.
- Outdoor gatherings that are 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 500 limit on persons.
- 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.
- 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% of the stated maximum capacity of any outdoor area where such event is held. Such venues shall continue to follow all applicable requirements, including, but not limited to, the requirements regarding mask wearing in [E.O. No. 192](#) (issued September 28, 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.
- 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.

Indoor Gatherings

- Per [E.O. No. 238](#), the number of individuals at indoor gatherings that are political activities, wedding ceremonies, wedding receptions, funerals, or memorial services shall be limited to 50% 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.
 - 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.
- Per [E.O. No. 230](#) (issued March 11, 2021), the number of individuals at indoor gatherings that are not religious services or celebrations, political activities, wedding ceremonies, funerals, or memorial services shall be limited to 25 persons. All indoor gatherings, including wedding receptions and indoor catered events must continue to follow all applicable requirements for indoor gatherings outlined in Paragraphs 5 and 6 of [E.O. No. 183](#) (issued September 1, 2020), including the provisions of Paragraph 1 of [E.O. No. 152](#) (issued June 9, 2020).
 - All attendees at an indoor 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.
 - All attendees at the gathering are required to be six feet apart from other attendees at all times, and there may be no contact between attendees, excluding immediate family members, caretakers, household members, or romantic partners, as well as excluding a limited number of individuals organizing or maintaining the gathering.
 - If there are individuals organizing or maintaining the gathering, they should, where applicable, demarcate six feet of spacing in the area of the gathering to demonstrate appropriate spacing for social distancing, such as through the placement of cones, flags, or other markings.
 - Any physical items, including equipment, may not be shared by multiple attendees of the same gathering except for immediate family members, caretakers, household members, or romantic partners, unless such physical items are sanitized before and after use by different individuals.
 - To the degree the gathering requires pre-payment, or seeks donations of any kind, contactless options for pre-payment or donation, such as online or by telephone, must be offered wherever feasible.

- 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 [E.O. No. 238](#). 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.
- Food and beverage establishments are permitted to seat patrons at indoor bar areas, consistent with the requirements of Paragraph 1 of [E.O. No. 183](#) (issued September 1, 2020), and guidance provided by DOH. In-person service to patrons standing in bar areas continues to be prohibited.
- Food and beverage establishments (restaurants, cafeterias, dining establishments, 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”) 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](#).”

Athletic Practices and Competitions

- Per [E.O. No. 238](#), 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.
- Per [E.O. No. 232](#) (issued March 17, 2021), outdoor interstate youth sports competitions, including those operated by school-based, club, and recreational programs, are permitted to resume within the State. School-based, club, and recreational programs are also permitted to host outdoor interstate youth sports competitions outside of New Jersey, or outdoor youth sports competitions outside of New Jersey that would require New Jersey teams to travel to another state.
- Per [E.O. No. 220](#) (issued February 12, 2021), all non-collegiate and non-professional athletic practices and competitions that are conducted indoors are subject to the current indoor gathering limit. However, if the number of individuals who are necessary for the practice or competition, such as athletes, coaches, and referees, is greater than the current indoor limit, such a practice or competition, may proceed, as long as no individuals are present who are not necessary for the practice or competition. Operators of such sports activities may permit up to two parents or guardians per athlete under the age of twenty-one participating in the practice or competition to attend the event provided all attendees abide by the applicable requirements in the DOH’s “[Guidance for Sports Activities](#).” The number of individuals present inside facilities where indoor practices or competitions are taking place, inclusive of all necessary individuals, may not exceed 35% of the capacity of the room in which it takes place, and such limit may not exceed 150 persons.

Reopening Youth Summer Camps

- “Youth summer camps,” for purposes of this Order, shall include youth day camps required to be licensed pursuant to N.J.S.A. 26:12-1 et seq., facilities operating programs as described in N.J.S.A. 30:5B-3(b)(4), and other entities that provide daily multi-hour programming for youths, without regard to whether the program is subject to the certification requirements pursuant to N.J.S.A. 26:12-1, et seq, including youth programs operated by municipal agencies. This shall not include summer educational programming that is offered to students by a Local Education Agency.

- Youth summer camps, including residential and overnight camps, are permitted to operate provided that they comply with health and safety protocols outlined in guidance issued by the NJDOH [2021 COVID-19 Youth Summer Camp Guidelines](#), including:
 - Daily health screenings for staff, campers, and volunteers
 - The use of infection control protocols such as face masks, cohorting, social distancing, hand hygiene, cleaning, and disinfecting
 - Policies and protocols for when a staff member or camper receives a positive COVID-19 test result
 - Any youth summer camp that fails to adhere to the [2021 COVID-19 Youth Summer Camp Guidelines](#) is subject to closure by the Commissioner of NJDOH.

Swimming Pools

- Per [E.O. No. 153](#) (issued June 9, 2020), pools must follow the appropriate requirements from the Department of Health's [Pools and Aquatic Recreation Facility COVID-19 Standards](#), including developing and implementing a COVID-19 Pool Operation Prevention Plan that must be submitted to and approved by the local health authority.

Health Clubs, Gyms & Fitness Centers

- Per [E.O. No. 230](#) (issued March 11, 2021), “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 [E.O. No. 181](#) (issued August 27, 2020) shall limit occupancy of any indoor premises to 50% of the stated maximum capacity at one time, excluding the facility’s employees.

CDC Considerations for Events and Gatherings

The Center for Disease Control (CDC) continues to recommend that large gatherings be avoided, particularly those in which physical (social) distancing cannot be maintained between people who live in different households. The CDC periodically updates its guidance for those who are planning large events like sporting events, concerts, festivals, conferences, parades. Be sure to regularly consult the [CDC Considerations for Events and Gatherings](#) frequently.

Event Considerations

Be aware of local or state regulatory agency policies related to group gatherings to determine if events can be held, and any limits on attendance. Be sure to regularly consult the [NJ Limits for Indoor & Outdoor Gatherings](#) as the State of New Jersey frequently updates its capacity limits.

The CDC provides several factors that should be considered when planning an indoor or outdoor gathering which can contribute to the likelihood of attendees getting and spreading COVID-19, including:

- Number of COVID-19 cases in your community
- Exposure during travel
- Setting of the event (indoor vs. outdoor)
- Length of the event
- Number and crowding of people at the event

- Behavior of attendees during an event (singing, shouting, not maintaining physical distancing, or not wearing masks)

The CDC recommends that large event planners and operators use the [CDC Events & Gatherings: Readiness and Planning Tool](#) to determine their level of readiness to implement safety measures. Additionally, event planners should consider implementing strategies to encourage behaviors that reduce the spread of COVID-19 among staff and attendees including:

- Stay home when appropriate
- Physical (social) distancing
- Masks/face coverings
- Hand hygiene and respiratory etiquette
- Adequate supplies for proper hygiene
- Signs and messages that promote everyday protective measures

Maintaining Healthy Environments

Event planners should consider implementing several strategies to maintain healthy environments during their event including:

- Developing a schedule for cleaning and disinfection
- Consider limiting the number of people who occupy the restroom at one time
- Ensure ventilation systems operate properly and increase circulation of outdoor air as much as possible, for example, by opening windows and doors
- Consider providing bottled water or encouraging staff and attendees to bring their own
- Modify layouts to encourage social distancing and prioritize outdoor events
- Provide physical guides, such as tape on floors or sidewalks and signs on walls, to ensure that people remain at least 6 feet apart in lines and at other times
- Stagger use of shared indoor spaces such as dining halls, game rooms, and lounges as much as possible and clean and disinfect them between uses
- Discourage people from sharing items that are difficult to clean, sanitize, or disinfect

Staff Considerations

The CDC recommends that event planners offer options for staff at higher risk for severe illness including older adults and people of any age with underlying medical conditions that limit their exposure risk. For example, offer telework and modified job responsibilities for staff, such as setting up for the event rather than working at the registration desk. You may also consider limited, staggered, or rotated shifts and attendance times to reduce the amount of staff around each other at a single time.

COVID-19 Point of Contact

It is important to designate an administrator or office to be responsible for responding to COVID-19 concerns. All staff and attendees should have information about who this person or office is and how to contact them.

There should be systems in place to encourage staff, attendees, and vendors to self-report to event officials or a COVID-19 point of contact if they:

- Have symptoms of COVID-19
- Have tested positive for COVID-19
- Were exposed to someone with COVID-19 within the last 14 days

Event planners should consider several strategies to implement in case someone gets sick.

The re-opening process in New Jersey is quickly and continually evolving. The information provided above is the accurate as of May 5, 2021. Members are cautioned to watch for further updates as they are announced by State leaders.