

Governor Phil Murphy

Governor Murphy Signs Executive Order Raising Indoor Capacity Limits from 25 Percent to 35 Percent for Certain Businesses

02/3/2021

Executive Order Also Ends Statewide 10 p.m. Curfew for In-Person Indoor Restaurant Service, and Adjusts Gathering Limits for Religious and Political Activities, Wedding Ceremonies, Funerals, and Memorial Services

TRENTON – Governor Phil Murphy today signed Executive Order No. 219, which increases indoor capacity limits from 25 percent to 35 percent for several businesses, including food and beverage establishments and entertainment and recreational businesses, effective Friday, February 5 at 8:00 a.m. The Executive Order also lifts the 10:00 p.m. curfew for in-person indoor restaurant service, however local officials may continue to regulate the hours of operation of indoor restaurant service and indoor operations of other non-essential businesses after 8:00 p.m., as they have been able to since November 12. The prohibition on seating at indoor bar areas remains in effect.

“Since the beginning of the pandemic, my Administration has used science, data, and facts to guide our decision-making process,” said Governor Murphy. “The downward trend of COVID-19 cases in our hospitals, coupled with the state’s decreasing rate of transmission, allows us to confidently expand our indoor capacity limits without leading to undue further stress on our health care systems. I am incredibly grateful to the millions of New Jerseyans who have been vigilant in practicing social distancing and wearing face coverings, and I urge everyone to continue their efforts to slow the spread of COVID-19.”

The Executive Order increases the following indoor capacity limits from 25 percent to 35 percent:

- 1. Food or beverage establishments, including restaurants, cafeterias, private non-profit clubs, and food courts, with or without a liquor license, and bars;
2. Entertainment and recreational businesses, including casinos and gyms; and
3. Personal care services, including barber shops and nail salons.

The Order will also rescind the previous statewide requirement that food and beverage establishments close their indoor areas to in-person service between the hours of 10:00 p.m. and 5:00 a.m. each day. Casinos and any other retail, recreational, or entertainment business open to the public may also resume indoor food and beverage service during those hours.

Municipalities and counties will still be permitted to impose hours of operation restrictions on non-essential businesses between the hours of 8:00 p.m. and 5:00 a.m. each day. This includes restrictions on dining in restaurants, although they cannot restrict takeout or delivery services. Municipalities and counties have been able to impose these hours restrictions since November 12 of last year, when Governor Murphy signed Executive Order No. 195.

Religious ceremonies or services, political activities, wedding ceremonies, funerals, and memorial services that are currently limited to 25 percent of the room’s capacity up to 150 people will now be limited to 35 percent of the room’s capacity up to 150 people. Performances at entertainment centers, including movie theaters and performing arts centers, and concert venues, will similarly be capped at 35 percent up to a maximum of 150 people. Indoor meetings of addiction groups, such as Alcoholics Anonymous and Narcotics Anonymous, will also be limited to 35 percent up to 150 individuals.

The Order will take effect on Friday, February 5 at 8:00 a.m.

A copy of Executive Order No. 219 can be found here (https://nj.gov/infobank/eo/056murphy/pdf/E0-219.pdf).

Governor Phil Murphy

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