

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF NEW JERSEY STATE POLICE
OFFICE OF EMERGENCY MANAGEMENT

Administrative Order No. 2021-01
Indoor Sports Practices and Competitions
Self-service food at retail businesses

WHEREAS, on March 9, 2020, through Executive Order No. 103 (2020), the facts and circumstances of which are adopted by reference herein, the Governor declared both a Public Health Emergency and a State of Emergency throughout the State due to the public health hazard posed by Coronavirus disease 2019 (COVID-19); and

WHEREAS, to further protect the health, safety, and welfare of New Jersey residents by, among other things, reducing the rate of community spread of COVID-19, the Governor issued Executive Order No. 107 (2020) on March 21, 2020, the facts and circumstances of which are also adopted by reference herein, which established enhanced social mitigation strategies for combatting COVID-19; and

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, 200, 210, 215, and 231, issued on April 7, 2020, May 6, 2020, June 4, 2020, July 2, 2020, August 1, 2020, August 27, 2020, September 25, 2020, October 24, 2020, November 22, 2020, December 21, 2020, January 19, 2021, February 17, 2021, and March 17, 2021, respectively, the facts and circumstances of which are adopted by reference herein, the Governor declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, as part of those efforts, the Governor issued a series of Executive Orders first prohibiting the conduct of non-professional sports practices and competitions and then gradually loosening restrictions on such activities as the State's public health metrics improved; and

WHEREAS, Executive Order No. 196 (2020), issued November 16, 2020, declared that athletic practices and competitions, including professional and collegiate events, conducted indoors were subject to the indoor gathering limit of 10 persons, but permitted those events to exceed the gathering limits under certain limitations so long as no individuals were present who were not necessary for the event; and

WHEREAS, Executive Order No. 204 (2020) temporarily paused indoor practices and competitions for organized, group, and competitive sports as of December 5, 2020 and permitted them to resume on January 2, 2021; and

WHEREAS, Executive Order No. 230 (2021) most recently restated that indoor collegiate athletic practices and competitions can permit more than 25 necessary persons, including athletes and parent or guardian spectators, but are limited to 35 percent capacity of the room in which the event is held; and

WHEREAS, the same Order currently limits attendance at non-professional and non-collegiate indoor athletic events to 35 percent of the capacity of the room up to 150 persons; and

WHEREAS, public or private high schools exercise close oversight over sporting activities engaged in by their students and are required to follow health and safety protocols by organizations such as the New Jersey State Interscholastic Athletic Association that comply with, and at times exceed, the baseline standards issued by the New Jersey Department of Health (DOH) for sporting activities; and

WHEREAS, as a result, these events can generally be subject to the same protocols as collegiate activities; and

WHEREAS, Administrative Order No. 2020-22, issued October 31, 2020, clarified that self-service food, such as buffets and salad bars, were not permitted in retail businesses; and

WHEREAS, the Centers for Disease Control and Prevention has stated that contact with contaminated surfaces and handling and consuming food are not the primary methods by which COVID-19 is spread, so that self-service food and drink can be permitted at retail businesses with certain restrictions in place; and

WHEREAS, the Governor has granted the State Director of Emergency Management, who is the Superintendent of the State Police, the discretion to make additions, amendments, clarifications, exceptions, and exclusions related to the provisions within Executive Order Nos. 194, 196, 204, and 230 (2020);

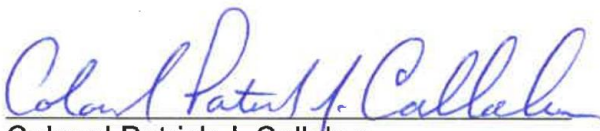
NOW, THEREFORE, I, Patrick J. Callahan, State Director of Emergency Management, hereby ORDER as follows:

1. It is hereby clarified that non-professional, non-collegiate athletic practices and competitions that are conducted indoors are subject to the current indoor gathering limit of 25 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. Operators of such sports activities may permit up to two parents or guardians per athlete under the age of 21 participating in the

practice or competition to attend the event provided that all attendees abide by the applicable requirements in the DOH's "Guidance for Sports Activities." Such parents and guardians shall also be considered necessary for the practice or competition. In no case shall the number of persons present in the room, inclusive of parents and guardians, exceed 35 percent of the capacity of the room.

2. It is hereby clarified that collegiate athletic practices and competitions that are conducted indoors are subject to the current indoor gathering limit of 25 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. Operators of such sports activities may permit up to two parents or guardians per athlete participating in the practice or competition to attend the event provided that all attendees abide by the applicable requirements in the DOH's "Guidance for Sports Activities." Such parents and guardians shall also be considered necessary for the practice or competition. In no case shall the number of persons present in the room, inclusive of parents and guardians, exceed 35 percent of the capacity of the room.
3. Paragraph 6 of Administrative Order No. 2020-22 is hereby rescinded. It is hereby clarified that retail businesses, such as grocery stores, may permit customers to utilize self-service food, such as buffets and salad bars. Such retail businesses shall limit self-service food and drink stations to those that can be routinely cleaned and disinfected. To the extent that such retail businesses permit indoor or outdoor dining, the business shall abide by the DOH's guidance governing those operations and the requirements of all applicable Executive Orders.
4. This ORDER shall take effect on April 7, 2021, and shall remain in effect for as long as Executive Order Nos. 157 and 230 (2021) remains in effect.

April 7, 2021


Colonel Patrick J. Callahan
State Director of Emergency Management