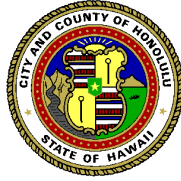


**OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU**

530 SOUTH KING STREET, ROOM 300 • HONOLULU, HAWAII 96813
PHONE: (808) 768-4141 • FAX: (808) 768-4242 • INTERNET: www.honolulu.gov



KIRK W. CALDWELL
MAYOR

ROY K. AMEMIYA, JR.
MANAGING DIRECTOR

GEORGETTE T. DEEMER
DEPUTY MANAGING DIRECTOR

September 8, 2020

**OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU
EMERGENCY ORDER NO. 2020-26
(COVID-19 [Novel Coronavirus])**

AMENDED SECOND STAY AT HOME / WORK FROM HOME ORDER

By the authority vested in me as Mayor of the City and County of Honolulu (the “City”) pursuant to Revised Charter of the City and County of Honolulu 1973 (2017 Edition), as amended; the Revised Ordinances of the City and County of Honolulu 1990, as amended; the Hawai’i Revised Statutes, as amended (“**Haw. Rev. Stat.**”), the Constitution and laws of the State of Hawai’i, I, KIRK W. CALDWELL, hereby issue this Amended Second Stay At Home / Work From Home order (the “**Order**”) to further address the emergency declared in the Proclamation COVID-19 [Novel Coronavirus] that I issued on March 4, 2020, Supplemental Proclamation of Emergency or Disaster (COVID-19 [Novel Coronavirus]) that I issued on March 18, 2020, the Second Supplemental Proclamation of Emergency or Disaster (COVID-19 [Novel Coronavirus]) that I issued May 6, 2020 Third Supplemental Proclamation of Emergency or Disaster (COVID-19 [Novel Coronavirus]) that I issued June 20, 2020, and the Fifth Supplemental Proclamation of Emergency or Disaster (COVID-19 [Novel Coronavirus]) I issued August 6, 2020.

OVERVIEW

The virus that causes Coronavirus 2019 Disease (“**COVID-19**”) is easily transmitted, especially in group settings, and it is essential that the spread of COVID-19 be slowed to protect the ability of public and private health care providers to handle the influx of new patients and to safeguard public health and safety. This Order addresses these ongoing concerns.

At the present time, a resurgence of COVID-19 continues within the City. As of September 2, 2020, the City had a seven (7) day moving average of 1.7 new cases for every 10,000 people that live in the City. As of September 4, 2020, the City had a total of 8,575 confirmed cases of COVID-19, 516 related hospitalizations, and 69 related deaths.

Due to the risk of the rapid spread of the virus causing COVID-19, and the need to protect all members of the City, especially including our members most vulnerable to the virus and also

health care providers, this Order requires all individuals anywhere in the City to shelter in place — that is, stay at home and work from home — except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. This Order is **effective at 12:00 a.m. on September 10, 2020 and will continue through September 23, 2020** subject to the limited exceptions and under the terms and conditions more particularly set forth below.

Pursuant to Haw. Rev. Stat. § 127A-25 and the Rules of the Mayor City and County of Honolulu, dated March 20, 2020 (“**Mayor’s Rules**”) promulgated under that section, each of the orders contained in this Order (“the Orders”) shall have the force and effect of law. The Orders are in accordance with and incorporate by reference all of my prior COVID-19 related emergency proclamations and Hawai’i Governor David Y. Ige’s COVID-19 related emergency proclamations.

Violation of any of the Orders is punishable as a misdemeanor, with fines of up to \$5,000, up to a year in jail, or both. Haw. Rev. Stat. § 127A-29; Mayor’s Rules.

I. ORDERS

Order 1: All individuals currently living within the City are ordered to stay at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain physical distancing of at least six (6) feet from any other person when they are outside their residence and comply with Social Distancing Requirements (as defined in Section II.). All persons may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate or visit Essential Businesses, as those terms are defined in Section II. Individuals experiencing homelessness are exempt from this Order 1 only, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to use COVID-19 risk mitigation practices in their operation).

Order 2: All businesses with a facility in the City, except Essential Businesses (as defined in Section II.F.), are required to cease all activities within such facilities, except Minimum Basic Operations (as defined in Section II.G.). For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open. To the extent applicable and to the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements, including the six-foot physical distancing requirement for both employees and members of the public (including customers standing in line inside and outside of the facility).

Order 3: Gatherings.

- A.** Indoor and outdoor social gatherings of any type and any number of people are prohibited. For purposes of this Order, a “social gathering” is a gathering or event that brings together persons from multiple households or living units at the same time for a discrete, shared or group experience in a single room, space, or place

such as a private home, park, auditorium, stadium, arena, conference room, lunch room, meeting hall, or other indoor or outdoor space.

- B.** This limitation on social gatherings does not apply to gatherings/events/activities that are permitted under Section II. Nothing in this Order prohibits the gathering of members of a household or living unit on their property (including shared common areas).

Order 4: All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except Essential Travel and Essential Activities (as defined in Section II), is prohibited. People must use public transit only for purposes of performing Essential Activities; or to travel to and from Essential Businesses or maintain Essential Governmental Functions. People riding on public transit must comply with Social Distancing Requirements, as applicable, including the face covering requirements contained in Order 5 of this Order. This Order allows travel into or out of the City to perform Essential Activities, operate or visit Essential Businesses, or maintain Essential Governmental Functions.

Order 5: Non-Medical Grade Face Coverings.

All individuals within the City shall wear face coverings while outdoors in public spaces when maintaining a physical distance of six (6) feet from other individuals is not feasible.

All individuals within the City shall wear face coverings while indoors in public spaces, including, but not limited to, enclosed common areas of commercial and residential buildings.

All employees who work at businesses or perform services at Essential Businesses, as provided in Section II.F. of this Order, and City departments shall wear non-medical grade face coverings over their noses and mouths when engaged and interacting with customers, visitors, and other employees of the Essential Business or City department at issue.

All customers and visitors of businesses and organizations defined as Essential Businesses, as provided in Section II.F. of this Order, and City departments shall wear non-medical grade face coverings over their noses and mouths to provide additional protection for employees and customers of Essential Businesses and City department at issue.

All passengers and users of public modes of transportation (TheBus and TheHandi-Van) shall wear non-medical grade face coverings over their noses and mouths when on board.

An owner or operator of an Essential Business under this Order or City department *may* refuse admission or service to any individual who fails to wear face coverings.

Face coverings under this Order may not be worn only under the following circumstances:

- Within banks, financial institutions, or using automated teller machines where the inability to verify the identity of the customer or visitor of the bank, financial institution or automated teller machine poses a security risk;

- By individuals with medical conditions or disabilities where the wearing of a face covering may pose a health or safety risk to the individual;
- By individuals engaging in physical activity outdoors where physical distancing can be maintained (e.g., walking, jogging, hiking, etc.);
- By children under the age of 5;
- By first responders (Honolulu Police Department, Honolulu Fire Department, Honolulu Emergency Services Department) to the extent that wearing non-medical grade face coverings may impair or impede the safety of the first responder in the performance of his/her duty;
- By children in childcare, educational, and similar facilities consistent with the latest guidance from the Centers for Disease Control and Prevention (“**CDC**”) for such facilities;
- As allowed by another provision of this Order.

The wearing of face coverings under this Order is intended to complement, not serve as a substitute, for physical distancing and cleanliness.

Definition: “Non-medical grade face covering” or “face covering” as used in this Order, means a tightly woven fabric without holes, vents, or valves that is secured to the head with either ties or straps, or simply wrapped and tied around the wearer’s nose and mouth. It can be made of a variety of fabrics such as cotton, silk, or linen and may be factory-made, sewn by hand, or made from household items such handkerchiefs, scarfs, or shirts.

Recommendation: This Order requires non-medical grade face coverings to be worn in certain circumstances. Individuals who are unable to wear a non-medical grade face covering due to medical conditions or disabilities where the wearing of a face covering may pose a health or safety risk to the person are encouraged to wear a face shield instead.

Any seller of non-medical grade face coverings or materials or supplies to make or manufacture such face coverings shall abide by Haw. Rev. Stat. § 127A-30.

Order 6: Re-opening of City Parks and State Parks/Trails

City and County of Honolulu parks and botanical gardens (“**City Parks**”) and State of Hawai’i parks and trails within the City (“**State Parks/Trails**”), are re-opened for limited use as set forth below:

- A.** Individuals may engage in any lawful activity (e.g., walking, running, biking, sitting, fishing, etc.), but only by oneself. No group use or group activities are allowed.
- B.** Shooting and archery ranges may remain open as determined by the City’s Department of Parks and Recreation.

- C. Bicycle paths and designated community garden plots shall be open, but basketball and tennis courts, swimming pools, and playgrounds shall remain closed.
- D. Parking lots of City Parks and State Parks/Trails shall generally be open to allow individuals to engage in permitted activities as described in Orders 6 and 7.
- E. State Parks/Trails are re-opened for the above limited use as announced by the State Department of Land and Natural Resources consistent with this Amended Second Stay At Home / Work From Home Order and Governor Ige's approval of this Order.

Order 7: Re-opening of Beaches

Consistent with Governor David Y. Ige's COVID-19 related proclamations and approval of this Order, all beaches and sand bars within the City are re-opened for limited use as set forth below:

- A. Individuals may engage in any lawful activity (e.g., walking, running, sitting, fishing, etc.) on the beach, but only by oneself. No group use or group activities are allowed.
- B. All other State or City restrictions related to COVID-19 must be followed, including, but not limited to, any applicable quarantine restrictions.
- C. Beaches are re-opened for the above limited use as announced by the State Department of Land and Natural Resources consistent with this Amended Second Stay At Home / Work From Home Order and Governor Ige's approval of this Order.

Order 8: Singing and/or playing a wind instrument is prohibited.

In general, singing, and/or playing a wind instrument, and similar activities that increase the presence and propulsion of respiratory droplets in the air are prohibited. However, such activities are permitted provided they are performed at a gathering/business/operation authorized under the Order, and the following mitigation measures are taken:

- A. If the activity takes place *outdoors*:
 - 1. Any person(s) singing and/or playing a wind instrument, etc. shall maintain physical distancing of at least ten (10) feet from any other person(s) while singing and/or playing a wind instrument, etc. Members of the same performing group singing and/or playing a wind instrument, etc. may be closer than ten (10) feet together while performing, provided the group consists of less than ten (10) persons.
 - 2. To the extent reasonable and practicable, a physical barrier (e.g., plexiglass) of sufficient size to mitigate the spread of COVID-19 shall separate any person(s) singing and/or playing a wind instrument, etc. from

any other person(s), but not including members of the same performing group.

B. If the activity takes place *indoors*:

1. Any person(s) singing and/or playing a wind instrument, etc. shall maintain physical distancing of at least ten (10) feet from any other person(s) while singing and/or playing a wind instrument, etc.
2. A physical barrier (e.g., plexiglass) of sufficient size to mitigate the spread of COVID-19 shall separate any person(s) singing and/or playing a wind instrument, etc. from any other person(s), but not including members of the same performing group.

II. DEFINITIONS AND EXEMPTIONS

A. For purposes of this Order, individuals may leave their residence only to perform any of the following “**Essential Activities.**” However, people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.

1. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies needed to work from home.
2. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
3. To engage in outdoor activity in locations as allowed by law, provided the individuals comply with Social Distancing Requirements as defined in this section, such as, by way of example and without limitation, swimming, surfing, walking, or running (with or without pets).
4. To perform work providing essential products and services at an Essential Business, Essential Government Function, or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations (as defined in Section II.G.).
5. To care for a person or pet in another household.

6. To obtain services, goods, or supplies from, or engage in activities at, Essential Businesses (as defined in Section II.F.) or Essential Government Functions.
7. To visit graveyards, mausoleums, and similar sites consistent with the restrictions in this Order.
8. To engage in any other activity required or allowed by law.

B. For purposes of this Order, individuals may leave their residence to work for or obtain services at any **“Healthcare Operations”** including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services, organizations collecting blood, platelets, plasma, and other necessary materials, licensed medical marijuana dispensaries and licensed medical marijuana production centers, eye care centers, including those that sell glasses and contact lenses. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. Further, “Healthcare Operations” includes prepaid health care plan contractors as that term is defined under Haw. Rev. Stat. ch. 393, and other employer-sponsored health and welfare benefit plans, and/or individual or group health insurance plans that provides healthcare insurance benefits for payment or reimbursement for healthcare services provided by Healthcare Operations. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities. “Healthcare Operations” shall be conducted and performed in compliance with Social Distancing Requirements to the extent applicable and reasonably possible, except that all persons shall comply with the face coverings requirements set forth in Order 5 of this Order.

C. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of **“Essential Infrastructure,”** including, but not limited to, public works construction, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements to the extent applicable and reasonably possible, except that all persons shall comply with the face coverings requirements set forth in Order 5 of this Order. This Order shall be construed and applied in compliance and consistent with the United States Department of Homeland Security, Cybersecurity & Infrastructure Security Agency Memorandum on Identification

of Essential Critical Infrastructure Workers During COVID-19 Response, updated August 12, 2020 (and any subsequent updates and guidance memoranda thereto).

- D.** Further, nothing in this Order shall prohibit any individual, or government department or agency, from performing or accessing “Essential Governmental Functions.” **“Essential Governmental Functions”** means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public and includes, but is not limited to, all first responders, emergency management personnel, emergency dispatchers, members of the judiciary and related court personnel, law enforcement personnel, jails and prison personnel, and health, education, and social service providers. All Essential Governmental Functions shall be conducted and performed in compliance with Social Distancing Requirements to the extent applicable and reasonably possible, except that all persons shall comply with the face coverings requirements set forth in Order 5 of this Order.
- E.** For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.
- F.** For the purposes of this Order, **“Essential Businesses”** must comply with Social Distancing Requirements to the extent applicable and reasonably possible, except that all persons shall comply with the face coverings requirements set forth in Order 5 of this Order. “Essential Businesses” means:
1. Healthcare Operations and Essential Infrastructure;
 2. Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
 3. Food cultivation, including farming, livestock, and fishing;
 4. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
 5. Newspapers, television, radio, and other media services;
 6. Gas stations and auto and bicycle supply, auto and bicycle repair, towing services, and related facilities;

7. Banks and related financial institutions. This provision shall be construed and applied in compliance and consistent with the United States Department of Homeland Security, Cybersecurity & Infrastructure Security Agency Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response, dated August 12, 2020 (and any subsequent guidance memoranda thereto), and the United States Department of the Treasury Memorandum for Financial Services Sector Essential Critical Infrastructure Workers, dated March 22, 2020 (and any subsequent guidance memoranda thereto);
8. Hardware stores;
9. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
10. Businesses providing mailing and shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services to residences and end users or through commercial channels, and including post office boxes;
11. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six (6)-feet per person is maintained to the greatest extent possible. Restrictions on operations for educational institutions contained in this Order do not apply to the University of Hawaii System or the State Department of Education;
12. Laundromats, dry cleaners, industrial laundry services, and laundry service providers;
13. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out.
 - a. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only, provided that social distancing of six (6)-feet per person is maintained to the greatest extent possible. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
 - b. Cafeterias, lunchrooms, or dining facilities providing food and beverage services located within “healthcare facilities” as that term

is defined under Haw. Rev. Stat. § 321-15.2 and similar facilities, may continue to do so under this order, provided that consumption within the cafeteria, lunchroom, or dining facility located within the healthcare facility is restricted to employees of the healthcare facility; patients of the healthcare facility; and no more than two (2) authorized visitors of the patient of the healthcare facility that have been appropriately screened by the healthcare facility in compliance with all of the facility's protocols related to infectious disease control measures and processes.;

14. Businesses that primarily supply products necessary for people to work from home such as computer and communications hardware and software, but not including businesses primarily engaged in selling furniture;
15. Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
16. Airlines, taxis, and other private transportation providers, vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
17. Home-based care for seniors, adults, or children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including care givers such as nannies who may travel to the child's home to provide care, and other in-home services, including meal delivery;
18. Facilities and shelters for seniors, adults, and children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;
19. Professional services, such as legal or accounting services, insurance services, real estate services (including appraisals and title services) when necessary to assist in compliance with legally mandated activities;
20. Childcare facilities providing services that enable employees to work, or engage in activities as permitted. Childcare facilities must operate in accordance with State of Hawai'i Department of Human Services requirements;
21. Businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, kennels, and adoption facilities;

22. Hotels and motels, to the extent used for lodging; and service providers to hotels and motels that provide services that are necessary to maintaining the safety, sanitation, and essential operations of the hotel and/or motel;
23. Funeral, mortuary, cremation, burial, cemetery, and related services, provided that each death-related event (funeral, etc.) is: (a) limited to 10 individuals maximum (with members from different households/living units maintaining physical distance of at least six (6) feet between each other at all times); (b) face coverings are worn consistent with Order 5; and (c) there is compliance with all other applicable Social Distancing Requirements;
24. Critical trades. Building and construction tradesmen and tradeswomen, and other trades, including but not limited to, plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences, Essential Activities, and Essential Businesses;
25. Critical labor union functions that are essential activities that include the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Businesses or Essential Government Functions, provided that these checks should be done by telephone or remotely;
26. Licensed private detectives and agencies and guards and agencies as those terms are defined under Haw. Rev. Stat. ch. 463.
27. Fabric Sellers/Suppliers, under the following conditions:
 - a. The business is primarily engaged in selling fabric and related supplies (“**Fabric Store(s)**”);
 - b. Only two customers are allowed in the Fabric Store at a time, and the Fabric Store has implemented effective procedures to prevent any line from forming outside (appointment-only system, etc.);
 - c. All orders from the Fabric Store, other than those to be made in person pursuant to sub-section II.F.27.b. (above), are facilitated exclusively online, or by other remote means;
 - d. Orders from the Fabric Store, other than those to be made in person pursuant to sub-section II.F.27.b. (above), are fulfilled by no-contact delivery; a business providing mailing and shipping and delivery services to residences and end users or through

commercial channels; or by curbside pick-up consistent with Social Distancing Requirements;

- e. In-person and pick-up orders from the Fabric Store are solely for the purpose of obtaining materials necessary to make masks; and
- f. The physical presence of workers at the Fabric Store is limited to the greatest extent feasible.

- 28. In-person spiritual services. In-person spiritual services may be conducted provided Social Distancing Requirements are adhered to including, but not limited to, the wearing of face coverings and physical distancing.
- 29. Film and television production. All local, national, and international film production, television production, streaming production, and similar production may operate in the City based on the guidelines and recommendations for production cast and crew members available at: https://www.honolulu.gov/rep/site/oed/oed_docs/Guidelines_and_Best_Practices_for_filming_on_the_Island_of_Oahu_during_the_time_of_COVID_060320.pdf. Compliance with the Order and the COVID-19 related proclamations issued by the State is required, including all travel quarantine requirements as modified by the guidelines and recommendations available at: https://www.honolulu.gov/rep/site/oed/oed_docs/Modified_Quarantine_Procedures-Honolulu-060320.pdf.

G. For the purposes of this Order, “**Minimum Basic Operations**” include the following, provided that employees comply with Social Distancing Requirements as defined this section, to the extent applicable and reasonably possible, except that all persons shall comply with the face coverings requirements set forth in Order 5 of this Order, while carrying out such operations:

- 1. The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.
- 2. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

H. For the purposes of this Order, “**Essential Travel**” includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements to the extent applicable and reasonably possible, except that all persons shall comply with the face coverings requirements set forth in Order 5 of this Order.

- 1. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.

2. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
 3. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
 4. Travel to return to a place of residence from outside the jurisdiction.
 5. Travel required by law enforcement or court order.
 6. Travel required for non-residents to return to their place of residence outside the City. Individuals are strongly encouraged to verify that their transportation out of the City remains available and functional prior to commencing such travel.
- I.** For purposes of this order, residences include hotels, motels, shared rental units, and similar facilities.
- J.** For purposes of this order **Social Distancing Requirements** include the following:
1. High risk populations. Elderly and others at high risk for COVID-19 are urged to stay in their residences to the extent possible, except as necessary to seek medical care.
 2. Persons who are sick. Persons who are sick or have a fever or cough or are exhibiting symptoms such as shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, or new loss of taste or smell, are urged to stay in their residences to the extent possible, except as necessary to seek medical care.
 3. Personal hygiene. Persons are encouraged to wash their hands with soap and water for at least twenty seconds as frequently as possible or use hand sanitizer, cover coughs and sneezes (into the sleeve or elbow, not hands), regularly clean high-touch surfaces, and avoid unnecessary contact with others (shaking hands, etc.).
 4. Six (6)-foot distances. All persons shall maintain a minimum of six (6)-feet of physical separation from all other persons. Essential Businesses (to the degree applicable) shall designate with signage, tape, or by other means six (6)-foot spacing for employees and customers in line to maintain appropriate distance. Employees shall monitor and enforce the six (6)-foot distancing requirement set forth in this Order, whether outside waiting lines or as customers move about inside a facility. Checkout operations shall be modified, to the extent reasonably feasible, to provide this separation or to provide a transparent shield or barrier between customers and checkout clerks.

5. Limited Customer Occupancy. Each Essential Business facility shall determine the maximum number of customers that may be accommodated while maintaining the specified separation distance and limiting the number of customers in the facility or at the operation to that maximum number at any time, to the extent there is no conflict with any existing law or order.
6. Face Coverings. All persons shall comply with the Non-Medical Grade Face Coverings requirements set forth in Order 5 of this Order.
7. Hand sanitizer and sanitizing products. Essential Businesses (to the degree applicable) shall make hand sanitizer and sanitizing products readily available for employees and customers. Employees handling items from customers, such as cash or credit cards, shall frequently utilize hand sanitizers.
8. Disinfection. Essential Businesses (to the degree applicable) shall regularly disinfect all high-touch surfaces.
9. Safeguards for high risk populations. Essential Businesses (to the degree applicable) are urged to implement processes to safeguard elderly and high risk customers.
10. Online and remote access. Essential Businesses (to the degree applicable) shall post online whether a facility is open and how best to reach the facility and continue services by phone or remotely. Essential Businesses (to the degree applicable) shall encourage their customers to do their business remotely by phone or online to the extent possible.
11. Pickup at store or delivery. Essential Businesses (to the degree applicable) shall provide for, if feasible, online ordering and purchase of goods and customer pickup of orders at a location outside the facility or shall provide for delivery to customer locations.
12. Signage. Essential Businesses (to the degree applicable) shall post a sign at the entrance of the facility informing all employees and customers that they must comply with the Non-Medical Grade Face Coverings requirements set forth in Order 5 of this Order; avoid entering the business or operation if they have a cough or fever or otherwise do not feel well; maintain a six-foot distance from one another; and not shake hands or engage in unnecessary physical contact.

III. BASIS FOR THE ORDER

This Order is issued based on evidence of COVID-19 within the City, as reported by the Centers for Disease Control and Prevention (CDC), the State Department of Health, and guidance from the City's medical advisory experts, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-

19 specifically, and evidence that the age, condition, and health of a significant portion of the population of the City places it at risk for serious health complications, including death, from COVID-19.

Due to the outbreak of the COVID-19 virus in the general public, which is a pandemic according to the World Health Organization, there is a public health emergency throughout the City. In addition, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus. Because even people without symptoms can transmit the virus, and because evidence shows that it is easily spread, gatherings can result in preventable transmission of the virus.

The scientific evidence shows that at this stage of the emergency, the spread of the virus is spiraling out of control. It is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the health care system from being overwhelmed, while also allowing access to basic life necessities. One proven way to slow the transmission is to limit interactions among people to the greatest extent practicable. This Order helps preserve critical and dwindling healthcare capacity in the City while allowing essential community activity and functions to continue.

This Order is also issued in light of the fact that as of September 2, 2020, the City had a seven (7) day moving average of 1.7 new cases for every 10,000 people that live in the City. As of September 4, 2020, the City had a total of 8,575 confirmed cases of COVID-19, 516 related hospitalizations, and 69 related deaths.

IV. INTENT


The intent of this Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the maximum extent possible. When people need to leave their places of residence, whether to obtain or perform vital services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they shall, as applicable and at all times reasonably possible, comply with Social Distancing Requirements as defined in Section II., except that all persons shall comply with the Non-Medical Grade Face Coverings requirements set forth in Order 5 of this Order. All provisions of this Order should be interpreted to effectuate this intent.

V. GENERAL


- A. Superseding Order.** Emergency Order Nos. 2020-01 through 2020-25 issued by the Office of the Mayor City and County of Honolulu related to the COVID-19 pandemic) are hereby rescinded (to the extent they have not been already) and are superseded by this Order. Section 5 of the Supplemental Proclamation of Emergency or Disaster (COVID-19 [Novel Coronavirus]) issued on March 18, 2020, is hereby superseded to the limited extent necessary to carry out this Order.
- B. Duration.** This Order shall take effect at 12:00 a.m. on September 10, 2020 and shall continue in force and effect through September 23, 2020, or until it is

extended, rescinded, superseded, or amended by a subsequent order, or as otherwise provided under Haw. Rev. Stat. ch. 127A.

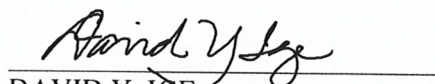
- C. **Enforcement.** All law enforcement of the State of Hawai'i and City shall ensure compliance with and enforce these Orders in accordance with Haw. Rev. Stat. § 127A-29 and Mayor's Rules.
- D. **Promulgation/posting.** This Order shall be posted on the City website as soon as practicable in one or more appropriate places, and shall remain posted while in effect.
- E. **Severability.** If any provision of the Orders or their application to any person or circumstance is held to be invalid, the remainder of the Orders, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of the Orders are severable.


KIRK W. CALDWELL
Mayor
City and County of Honolulu

APPROVED:


PAUL S. AOKI
Corporation Counsel Designate
City and County of Honolulu

APPROVED:


DAVID Y. IGE
Governor