GUIDANCE BULLETIN

Emergency Order No. 2020-02 | Stay at Home / Work from Home Order

This interpretive guidance concerning Mayor Kirk Caldwell’s Emergency Order No. 2020-02 Stay at Home / Work from Home Order (as supplemented) (“Stay at Home Order”) will be periodically updated.

Updates as of April 9, 2020

Short-term rentals

Short-term rentals (lodgings that provide guest accommodations for less than 30 days, other than hotels and motels), are not Essential Businesses for purposes of the Stay at Home Order. As such, short-term rentals may not operate during the term of the Stay at Home Order (as may be extended), and they are not legally recognized places for visitors to lodge or self-quarantine. For purposes of the Stay at Home Order, “hotel” and “motel” are each defined as a building or group of buildings containing lodging and/or dwelling units offering transient accommodations, and a lobby, clerk's desk or counter with 24 hour clerk service, and facilities for registration and keeping of records relating to the hotel or motel guests.

Auto detailers, car washes, etc.

Auto detailers, car washes, and similar businesses are not Essential Businesses for purposes of the Stay at Home Order.

Music schools/private lessons

Music schools, private music lesson providers, and similar businesses are not Essential Businesses for purposes of the Stay at Home Order. Such music schools and private music lesson providers may operate on a purely remote basis in which both instructors and students remain in their respective residences.

Religious gatherings

Under Order 3 of the Stay at Home Order, all public and private gatherings of any kind are prohibited during the term of the Stay at Home Order (as may be extended). This broad, facially neutral prohibition on gatherings includes secular and non-secular gatherings.
**Retail fabric stores and stores selling face coverings**

Mayor Caldwell’s recommendation to the residents of the City and County of Honolulu to wear cloth masks or similar face covering when they go out into the community for purposes authorized by the Stay at Home Order does not change or amend the Order’s definition of “Essential Businesses.” Retail stores that sell items such as scarves, ski masks, and/or fabric and sewing supplies that may be used to make the recommended face coverings are not now “Essential Businesses” under the Stay at Home Order. Such businesses must cease all activity within their facilities located in the City and County of Honolulu in accordance with Order 2 of the Stay at Home Order.

**Professional services**

The provision of professional services, such as legal or accounting services, insurance services, and real estate services (including appraisals and title services) are exempted from the Stay at Home Order, when “necessary to assist in compliance with legally mandated activities.” Accordingly, to provide any professional service that would otherwise violate the Stay at Home Order (e.g., violate Order 1 to generally remain in one’s place of residence), the activity must be “legally mandated.” An activity is “legally mandated” for purposes of the Stay at Home Order when it is required by law and cannot reasonably be accomplished remotely or postponed by agreement of the parties involved.