

WEST VIRGINIA – COVID-19 – Back to Business Orders- Issued through 7/14/20

[BACK TO BUSINESS ORDERS]

EO 9-20: <http://www.wvlegislature.gov/legisdocs/misc/Exec-Order-9-20-20200323.pdf>
 EO 32-20: <https://apps.sos.wv.gov/adlaw/executivejournal/readpdf.aspx?DocID=89832>
 EO 36-20: <https://apps.sos.wv.gov/adlaw/executivejournal/readpdf.aspx?DocID=89844>
 EO 37-20: <https://apps.sos.wv.gov/adlaw/executivejournal/readpdf.aspx?DocID=89852>
 EO 40-20: <https://governor.wv.gov/Documents/2020%20Executive%20Orders/Executive-Order-May-26-Reopenings.pdf>
 EO 41-20: <https://governor.wv.gov/Documents/2020%20Executive%20Orders/Executive-Order-May-30-Reopenings.pdf>
 EO 42-20: <https://apps.sos.wv.gov/adlaw/executivejournal/readpdf.aspx?DocID=89881>
 EO 43-20: <https://apps.sos.wv.gov/adlaw/executivejournal/readpdf.aspx?DocID=89885>
 EO 48-20: <https://apps.sos.wv.gov/adlaw/executivejournal/readpdf.aspx?DocID=89940>
 EO 50-20: <https://apps.sos.wv.gov/adlaw/executivejournal/readpdf.aspx?DocID=89951>
 EO 52-20: <https://governor.wv.gov/Documents/2020%20Executive%20Orders/EO-51-20-July-14-2020-Fairs-Festivals-Concerts-Closed.pdf>

WEST VIRGINIA STRONG: THE COMEBACK – REOPENING PLAN AND SITE:

<https://governor.wv.gov/Pages/The-Comeback.aspx>

INDUSTRY SECTOR GUIDANCE:

<https://governor.wv.gov/Pages/The-Comeback.aspx>

EO 32-20

GENERAL TOPIC	SUMMARY	SECTION #
Effective Period	<p><u>EO 32-20 (Reopening order)</u>: effective 5/4/20</p> <p><u>EO 50-20 (Facemask order)</u>: effective 7/7/20</p> <p><u>EO 52-20 (Rollback order)</u>: effective 7/14/20</p> <p>Other orders have different effective dates</p>	
General	<p>West Virginia had originally implemented a stay at home order, and closing of nonessential businesses. The stay at home order has been lifted, and businesses are being reopened in phases.</p> <p>Reopening is occurring in increments in accordance with the West Virginia Strong Plan. Rather than being in phases, reopening steps are generally announced and implemented week by week.</p> <p><u>Pause/Rollback</u>. Effective 7/14, certain venues that had previously reopened were reclosed: fairs, festivals and similar events, and outdoor open air concerts. Rollback Order</p>	
Stay at Home -	The original order required all individuals to stay at home	

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Modifications	unless performing an essential activity. Effective 5/4/20, this was changed from being mandatory to being “strongly encouraged.” Elderly and vulnerable populations (including over 65) are strongly encouraged to remain at home.	<u>EO 32-20</u>
Business Closures and Reopenings	<p>The original closure order(EO 9-20) required all <u>non-essential businesses</u> to cease all activities within the state except for <u>minimum basic operation</u>. Exceptions were made for (a) home-based businesses that operate from their own residences, and (b) small businesses that do not invite in the general public and have 5 or less employees in the office.</p> <p>Businesses have been reopened in stages, pursuant to a series of orders, commencing 4/30/20. Businesses must comply with sector-specific <u>Guidance</u>.</p> <p>Permitted to open in Week 1: April 30 – May 3 Elective medical procedures at hospitals as approved by West Virginia DHHR Daycares, provided that enhanced testing procedures are put in place Outpatient health care operations regulated by Licensing Boards contained in WV Code Chapter 30</p> <p>Permitted to open in Week 2: May 4 – May 10 Small businesses with 10 or fewer employees Restaurants with takeaway service or outdoor dining Religious entities and funeral homes Barbershops, hair salons, nail salons, pet grooming and other professional services regulated by the West Virginia State Board of Barbers and Cosmetologists (via WVBBC.com)</p> <p>Permitted to open in Week 3: May 11 – May 17 Wellness centers operated by or with West Virginia Licensed Health Care providers Drive-in movie theaters Outdoor guided fishing and rock climbing</p> <p>Permitted to open in Week 4: May 18 – May 24 Fitness centers, gymnasiums, and recreation centers</p>	<u>EO 32-20</u> and later orders <u>Guidance</u>

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GENERAL TOPIC	SUMMARY	SECTION #
	<p>Sports training facilities (gymnastics, cheerleading, dance, martial arts, and similar facilities) Indoor dining at restaurants Large/specialty retail stores State park campgrounds for in-state residents only (Guidance for ALL campgrounds) Hatfield McCoy Trail System Outdoor recreation rentals (Kayaks, bicycles, boats, rafts, canoes, ATVs, and similar equipment) Outdoor motorsport and powersport racing with no spectators Tanning businesses Whitewater rafting Ziplining Indoor malls and similar facilities Note for lodging facilities: The executive order requiring out-of-state travelers to self-quarantine will be lifted in Week 4. In accordance with this change, additional guidance documents are available for hotels, motels, condo hotels, rental properties, and cabins.</p> <p>Permitted to open in Week 5: May 25 – May 31 State Park cabins and lodges (In-state residents only) Bars (indoor bars at 50% capacity and outdoor bars) Museums and visitor centers Zoos Spas and massage businesses Limited video lottery retailers Swimming pools Bowling alleys, pool halls, roller rinks, and other places with indoor amusement</p> <p>Permitted to open in Week 6: June 1 – June 7 Casinos Movie theaters Bingo Halls</p> <p>Permitted to open in Week 7: June 8 – June 14 Low-contact outdoor youth sports WVSSAC-sanctioned athletics and band summer training programs (WVSSAC guidance in "additional documents" section below)</p>	

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	<p>Little league sports practices All remaining adult sports facilities including indoor tennis courts, racquetball courts, outdoor basketball courts, and similar venues (Guidance documents will be provided when available) Wednesday, June 10, 2020 Private campgrounds and State Park campgrounds, cabins, and lodges to out-of-state guests (Guidance for ALL campgrounds) (Stays may last no longer than seven days for out-of-state guests, with certain exceptions)</p> <p>Permitted to open in Week 8: June 15 – June 21 No additional reopenings currently scheduled for Week 8</p> <p>Permitted to open in Week 9: June 22 – June 28 Youth sports games with spectators Outdoor sporting events with spectators Outdoor equestrian events with spectators Summer Youth Camps Outdoor motorsport and powersport racing with spectators In-person high school graduation ceremonies (Guidance from WV Dept. of Education)</p> <p>Permitted to open in Week 10: June 29 – July 5 Then reclosed/rolled back effective July 14 Fairs, festivals, and similar events (Re-closed: July 14, 2020). Outdoor open-air concerts (Re-closed: July 14, 2020) See Rollback Order</p>	
Barber Shops, Salons, etc	See above re reopenings.	
Bars/Restaurants	<p>See above for reopenings. Note that in the rollback order effective 7/14/20, all bars in Monongalia County have been ordered closed for 10 days. Monongalia County restaurants that also include bars must close their bars, but are permitted to continue restaurant service, including the sale of alcoholic beverages to dine-in customers. See Rollback Order</p>	
Entertainment/Recreation Venues	<p>See reopenings above Note that fairs, festivals, carnivals and similar events had</p>	

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	been permitted to open, and were re-closed effective 7/14/20. See Rollback Order	
Gatherings	Gatherings had been limited under prior orders. During the reopening process, the cap was increased to 100 people. However, under the Rollback Order , effective 7/14/20, the gathering limit is reduced from 100 to 25 persons.	
Facemasks	Effective 7/7/20, all West Virginians age 9 and older are required to wear a face covering at all indoor public places where six feet of social distancing cannot be maintained. For children ages 2 years old through 8 years old, face coverings are not required. However, it is recommended that parents or guardians use their best judgment as to when to assist their children, ages 2 through 8, with wearing a face covering. Under Centers for Disease Control and Prevention guidance, children younger than 2 years old, anyone who has trouble breathing, and anyone who is unconscious, incapacitated, or otherwise unable to remove the face covering without assistance should not wear face coverings and are exempt from the face covering requirement. The Guidance documents have been updated to include face mask requirements	Facemask Order
Impact on other Orders	EO 32-20 amends EO 9-20, and terminates EO 6-20.	
Other	See Guidance for sector-specific requirements and best practices	
APPENDIX AND DEFINITIONS (SUMMARY)		
Sector Specific Guidance Documents (as of 7/19/20)	<ul style="list-style-type: none"> Auctions Barbershops Bars Bingo Halls Bowling Alleys Cabin Rentals Campgrounds Casinos Cheerleading Studios Churches Condo Hotels Dance Studios Drive-In Movie Theaters 	Guidance

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	Equestrian Events Fitness Centers Funeral Homes Government Buildings Graduation Ceremonies Guided Fishing Services Gymnasiums Gymnastics Studios Hair Salons Hatfield-McCoy Trail System Hotels & Motels Indoor Recreation Facilities Limited Video Lottery Retailers Lodging Facilities Malls & Similar Facilities Martial Arts Studios Massage Businesses Motorsport & Powersport Racing Movie Theaters Museums Nail Salons Nursing Home Visitation Office Buildings Outdoor Recreation Outfitters Parks Pet Salons Playgrounds Pool Halls Professional Services Recreation Centers Religious Entities Rental Properties Restaurants Retail Stores Rock Climbing Services Roller Rinks Small Businesses Spas Sports (Low-Contact Outdoor Sports Only) Sports Training Facilities Summer Camps Swimming Pools	

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	Tanning Businesses Visitor Centers Wellness Centers Whitewater Rafting WVSSAC-Sanctioned High/Middle School Athletics & Band Programs Ziplining Zoos	

DISCLAIMER: *This information is provided for convenience only, and should not be relied upon in making decisions for your business. As this is a rapidly changing area, reference should always be made to the official order and related interpretative guidance. If you have specific questions about how any particular jurisdiction's Order affects your business, or other COVID-19 topics, please contact a member of the Holland & Knight's COVID-19 Response Team – State and Local Orders and Regulations.*

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