



THE UNITED STATES VIRGIN ISLANDS
OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE
Charlotte Amalie, V.I. 00802
340-774-0001

**TWELFTH SUPPLEMENTAL EXECUTIVE ORDER AND PROCLAMATION
BY THE GOVERNOR
OF THE UNITED STATES VIRGIN ISLANDS
REVISING CONDITIONS UNDER THE OPEN DOORS PHASE
IN RESPONSE TO COVID-19 STATE OF EMERGENCY**

WHEREAS, On March 13, 2020, the Governor issued the Executive Order and Proclamation Declaring a State of Emergency in response to the COVID-19 – CORONAVIRUS PANDEMIC (“Declaration of a State of Emergency”), and the Government has been coordinating the Territory’s response and enforcing protective actions to address “COVID-19”, a public health emergency that currently requires the Government to act and provide for the health, safety, and welfare of residents and visitors located in the Virgin Islands; and

WHEREAS, On April 2, 2020, the President of the United States declared that a major disaster exists in the Territory of the U.S. Virgin Islands-based on COVID-19 and this major disaster declaration has not been lifted; and

WHEREAS, From March 13, 2020 through July 2020, the Governor has issued subsequent Executive Orders or Supplements with additional requirements and lifting of other restrictions of previous Executive Orders and Supplement to begin its “Open Door Phase”; and

WHEREAS, The implementation of the “Open Door Phase” requires continuous guidance to be given to the public about what is restricted and permissible during the “Open Door Phase” and while still within a “State of Emergency” due to the danger and threat of Covid-19; and

WHEREAS, Declaration of a State of Emergency Executive Order dated March 13, 2020, invoked the Virgin Islands Territorial Emergency Management Act, 23 V.I.C. § 1001 - 1016 and authorizes the Governor to exercise the powers and duties set forth therein to direct and aid the response to, recovery from, and guidance for the mitigation as well as response to emergencies; and

WHEREAS, The Virgin Islands Department of Health (“DOH”) received confirmation from the Center for Disease Control (“CDC”) that five hundred forty-seven (547) persons, including nine (9) deceased persons, tested positive for COVID-19 in the Virgin Islands and additional testing of individuals for COVID-19 are still being made or pending; and

WHEREAS, Imposing guidelines and restrictions during the Government’s Open Door Phase is vital to the protection, health, safety, and welfare of residents and visitors of the Territory as well as continuing the response and mitigation process;

NOW, THEREFORE, I, Albert Bryan, Jr., Governor of the United States Virgin Islands, under the authority granted to me by Section 11 of the Revised Organic Act of 1954 (as amended), and through the afore-cited sections of the Virgin Islands Code, as well as all previous Executive Orders issued from March 13, 2020, through May 31, 2020, including Executive Orders dated March 20, 2020, March 23, 2020, March 30, 2020, April 6, 2020, April 20, 2020, April 29, 2020, May 4, 2020, May 7, 2020, May 30, 2020, July 1, 2020, July 9, 2020, and July 27, 2020, as amended, supplemented, renewed, and extended, do hereby ORDER:

SECTION 1. To continue to support the Open Doors Phase of the State of Emergency declared in response to the COVID-19 – CORONAVIRUS PANDEMIC as amended, renewed, supplemented, and extended and in support of the protection, health, safety, and welfare of residents and visitors of the Territory, in addition to the “DPNR TO ENFORCE NEW ANCHORING GUIDELINES” issued on July 28, 2020, by the Department of Planning and Natural Resources, effective immediately and so long as the Territory remains in a State of Emergency as declared on March 13, 2020, as amended, supplemented, extended, and renewed, unless earlier lifted or amended by order of the Governor of the U.S. Virgin Islands, the following shall apply to all vessels in the Territory of the U.S. Virgin Islands:

- A. There shall be NO rafting (vessels tying up together) of vessels at any time in any of the bays or anchorages of the Territory and such vessels must maintain at least twelve (12) feet between vessels at all times, unless as a result of a medical emergency.
- B. No vessels shall anchor in designated swim zones.
- C. Any violation of this section shall result in a fine of up to \$10,000 per incident and/or possible seizure of the vessel by the Government of the U.S. Virgin Islands.

SECTION 2. To continue to support the Open Doors Phase of the State of Emergency declared in response to the COVID-19 – CORONAVIRUS PANDEMIC as amended, renewed, supplemented, and extended and in support of the protection, health, safety, and welfare of residents and visitors of the Territory, in addition to the **COVID-19 GUIDANCE FOR RESTAURANTS, BARS AND NIGHTCLUBS** issued in the Eighth Supplemental Executive Order on May 30, 2020, as amended and supplemented, restaurants are put on notice that Enforcement Officers will be strictly enforcing all applicable guidelines to operations of restaurants. Any violators will be subject to closure for a period of thirty (30) days and imposition of an administrative fine by the Department of Licensing and Consumer Affairs.

SECTION 3. To continue to support the Open Doors Phase of the State of Emergency declared in response to the COVID-19 – CORONAVIRUS PANDEMIC as amended, renewed, supplemented, and extended and in support of the protection, health, safety, and welfare of residents and visitors of the Territory, notwithstanding the **Coronavirus (COVID-19) Guidance for Re-Opening Houses of Worship For Services** issued in the Eighth Supplemental Executive Order on May 30, 2020, as amended and supplemented, the **Guidance for Funeral Services or Memorials** shall be amended as follows: *attendance at a funeral or memorial is limited to immediate family only and no more than 10 family members at any one time.*

SECTION 4. To continue to support the Open Doors Phase of the State of Emergency declared in response to the COVID-19 – CORONAVIRUS PANDEMIC as amended, renewed, supplemented, and extended and in support of the protection, health, safety, and welfare of residents and visitors of the Territory:

- A. Any individuals gathering for any purpose, including but not limited to visitors, patrons, employees, or owners of businesses, public or private, are required to wear a face mask or facial covering when entering or in any business, office, or in any public areas not their private home when:
 - 1. 2 or more individuals of different households meet or interact in any manner; and
 - 2. not able to utilize social distancing techniques
- B. Masks should NOT be worn by children under the age of 2 or anyone who has trouble breathing, is unconscious, incapacitated, or otherwise unable to remove the mask without assistance.
- C. Masks do not have to be worn during active exercise, indoor or outdoor.
- D. Masks with exhalation valves or vents should NOT be worn to help prevent the person wearing the mask from spreading COVID-19 to others.
- E. Violation of this Section shall be punishable by a fine of fifty dollars (\$50) for a first offense and one hundred dollars (\$100) for each additional offense.

SECTION 5. The provisions of Title 17 of the Virgin Islands Code, Chapter 7, Section 61a establishing the school calendar and Chapter 9, Section 101, establishing rules and regulations covering free transportation generally for school children, are hereby suspended so long as the Territory remains in a State of Emergency as declared on March 13, 2020, as amended, supplemented, extended, and renewed, unless earlier lifted or amended by order of the Governor of the U.S. Virgin Islands, in order to allow the Commissioner of the Virgin Islands Department of Education, with the approval of the Governor, to effectively plan, adapt, and respond to the COVID-19 Pandemic in protection of, health, safety, and welfare of children, families and Department employees of the Territory.

SECTION 6. This Executive Order is effective immediately, and it shall remain in effect so long as the Territory remains in a State of Emergency as declared on March 13, 2020, as amended, renewed, and extended on March 20, 2020, March 23, 2020, March 30, 2020, April 6, 2020, April 22, 2020, April 29, 2020, May 4, 2020, May 7, 2020, May 30, 2020, July 1, 2020, July 9, 2020 and July 27, 2020, and as further amended, supplemented, renewed, and extended, until rescinded or superseded by any other applicable Executive Order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Government of the United States Virgin Islands to be affixed at Charlotte Amalie, St. Thomas, Virgin Islands, this 10th day of August, A.D., 2020.





Albert Bryan, Jr.
Governor

ATTEST:



Tregenza A. Roach, Esquire
Lieutenant Governor