

ALERT

COVID-19 ALERT: Mayor Bowser Issues Re-Opening Order

June 1, 2020

WHAT: On May 27, 2020, Mayor Muriel Bowser issued her much anticipated Order on Phase One of Washington, D.C. Reopening. The Order provides for what will be allowed under the first of four reopening phases, as recommended by the ReOpen DC Advisory Group. Mayor Bowser has described Phase One as being “stay-at-home light” and is urging all residents to continue taking precautions such as wearing a mask. Social distancing will remain a mandate wherever possible and gatherings of more than ten people will continue to be prohibited. Nonetheless, many businesses will be in a position to resume operations on some level.

WHEN: The Mayor’s Stay-at-Home order will be lifted, and Phase 1 reopening will begin, on May 29, 2020.

WHAT EMPLOYERS NEED TO KNOW: Under Phase One, a number of business sectors will be able to reopen, with restrictions:

- Restaurants and other licensed food establishments:
Restaurants will be allowed to serve patrons at outdoor seating, but tables must be at least six feet apart and no more than six people can be seated at one table. No standing service is allowed – customers must be seated when they place orders and when they are served. Restaurants are also encouraged, but not required, to keep a log of the name and phone number of every customer and to use disposable one-time use items such as plastic cutlery and paper menus. Bars and nightclubs must remain closed, but farmers markets may reopen if they have or obtain a waiver.
- Personal Care Services: Barbershops and salons can reopen to serve customers by appointment only and no waiting inside the

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store will be allowed. The hair cutting stations must be at least six feet apart. Notably, the reopening of salons **does not** include nail salons or other spa services, such as massage parlors or facial bars.

- Recreation: Parks, dog parks, golf courses, tennis courts, and track and field will be allowed to reopen, with the restriction that any clubhouses or recreation centers must remain closed. Any kind of contact sport, which includes basketball, football, and soccer, is not allowed and playgrounds and pools must remain closed. Gyms and other workout studios, such as yoga studios, must also remain closed, as well as other kinds of indoor recreation, including museums and movie theaters.
- Non-essential retail: While no in-store shopping is allowed, non-essential retail stores are allowed to reopen for curbside or front door pick-up. Orders must be placed over the phone or the internet and these stores must keep operations at a minimum in terms of staffing.
- Office buildings: Like the stay-at-home order, the reopening Order does not specifically note whether office buildings are allowed to reopen but notes that “professional services other than those provided to essential businesses” must remain closed. The ReOpen D.C. Advisory Group has provided guidance that offices should continue telework to the maximum extent possible during Phase 1. To the extent that an office building decides to reopen, social distancing protocols should be kept in place.

In addition to the above, the Mayor’s Order contains a number of interesting provisions. The city is currently working to identify whether there are any public spaces, which may include roads, that could be converted to pedestrian and outdoor seating areas in an attempt to aid restaurants that may not already have outdoor seating and expand the ability to social distance. A plan for reopening campuses and academic facilities is also in the process of being implemented by July 1, 2020.

As with all of the developments during the coronavirus pandemic, this Order may be amended, and additional guidance is expected. Yet, Phase One marks a step in the right direction to getting to a version of normality, one that may provide many businesses some relief during this difficult time.

The full text of the Mayor’s reopening Order is available [here](#).

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