I. PURPOSE

Consistent with the ReOpen DC Advisory Group’s recommended four-phase approach to reopening, the District remains in Phase Two with some modifications. Complete copies of all related Mayor’s Orders are available for review at https://coronavirus.dc.gov/.

The purpose of this executive order is to provide a summary of updates based on Mayor’s Order 2021-060 (Modified Measures in Phase Two of Washington, DC Reopening) and Mayor’s Order 21-065 (Updated Masks and Other Activities). To the extent the provisions in this executive order conflict with directives previously issued, the provisions of this executive order shall prevail.

II. PROCEDURES

A. Summary of New and Updated Requirements

1. While the Metropolitan Police Department (MPD) will not be taking enforcement action against the public regarding the wearing of masks or face coverings, violations of social distancing requirements, or other violations of the Mayor’s Orders, Mayor’s Order 21-065 (Updated Masks and Other Activities) contains updated requirements for wearing masks for both vaccinated and unvaccinated individuals. Members can encourage the public to adhere to the District’s guidelines to protect the health and well-being of everyone in the District and to slow the spread of the virus.

   NOTE: The mask requirements for MPD members set forth in EO-20-043 (Coronavirus 2019: Updated Mask Requirements) remain in effect.

2. The limit for outdoor gatherings is increased to 50 people. Private indoor gatherings may not exceed 10 people, unless a single household exceeds more than 10 persons. This applies to indoor home gatherings as well as any indoor gathering that is not subject to other rules (e.g., restaurants and houses of worship). Large gathering limits apply to private gatherings and remain at 10 persons indoors and 50 persons outdoors.
3. Individuals who violate the provisions of the Mayor’s Orders may be subject to civil or administrative penalties by other agencies.

4. Places of Worship

   Modified provisions include increasing capacity to 40%, except as provided by court order or waiver.

5. Non-Essential Businesses

   Modified provisions to non-essential retail businesses include loosening capacity restrictions to allow 50%, or 250 persons, whichever is fewer. Non-essential non-retail business shall continue to implement plans to safely increase the presence of on-site employees and contractors, in compliance with DOH guidance.

6. Restaurants and Indoor Retail Food Sellers

   Modified provisions include increasing the allowable table size, authorizing live music outdoors at licensed food establishments, and allowing those establishments to sell and serve alcohol outdoors without requiring a food purchase. Restaurants and other licensed food establishments may operate for patrons until midnight.

7. Fitness and Recreation

   Modified provisions include increasing the number of persons allowed in fitness classes (25 persons indoors and 50 persons outdoors), authorizing facilities to increase capacity to 50% or 250 persons, whichever is fewer, allowing guests of residents at pools, allowing persons to lounge on pool decks, provided they are socially distanced, and allowing splash pads to reopen at full capacity.

8. Learning Institutions

   Modified provisions include increasing capacity restrictions to 50% of capacity and lifting numeric caps. Public, charter, and private schools will open for full in-person learning in the fall 2021 term.

9. Live Entertainment, Theaters, and Convention/Multi-Purpose Centers

   Modified provisions include authorizing facilities and venues to hold seated and socially distanced live entertainment events, regional business meetings, conventions, weddings, and special events with limited capacity. Waivers may be issued for larger gatherings.

B. Members are reminded that they shall not take enforcement action, either through custodial or non-custodial (61-D) arrests, against members of the public for violations of the Mayor’s Orders.
1. Members who observe potential violations of the Mayor’s Orders should notify the individuals of the health and safety risks they may face by announcing a warning message. Whenever practical, members should provide the warning while maintaining a safe distance (e.g., using their vehicle’s PA system). The warning should include an explanation of the violation of the order and how the subject can voluntarily come into compliance.

   **Example Warning for Large Gatherings:** "We are currently in a public health emergency. Your gathering of more than 50 people (10 for indoor gatherings from more than one household) puts both you and others at unnecessary risk. We encourage you to comply with proper social distancing and refrain from gathering in large groups. Failure to do so puts you at risk that could result in severe illness and even death. Thank you for your cooperation."

2. Members shall tailor their warnings to specific violations as appropriate.

C. Violations for Businesses that Serve Alcohol – Notify ABRA

   1. Members who observe violations are **not** responsible for closing establishments, but shall contact the on-call ABRA hotline (202-329-6347) for notification purposes, complete an incident report for “ABC Violation or Incident”, and notify the Command Information Center (CIC) of the violation and provide the central complaint number (CCN). Timelines for follow-up by ABRA may be delayed due to the ongoing emergency.

   2. Members unsure of the nature of the license of the establishment can contact the ABRA hotline or view the list at: [https://abra.dc.gov/node/1415756](https://abra.dc.gov/node/1415756).

D. Violations for Businesses that Do Not Serve Alcohol – Notify DCRA

   Members who observe violations are **not** responsible for closing establishments, but shall contact the DCRA at dcra@dc.gov and include the establishment’s name and address, an explanation of the alleged violation, and the associated CCN. Members shall also complete an incident report for “Miscellaneous Report,” and notify the CIC of the violation and provide the CCN.

E. Medical Marijuana Registration ID Cards

   Members are reminded that the validity of each medical marijuana registration identification (ID) card that would otherwise expire after February 28, 2020, will be extended to the date 45 days after the end of the COVID-19 public health emergency.

   

   Robert J. Contee III  
   Acting Chief of Police

RJC:KDO:MOC:SMM