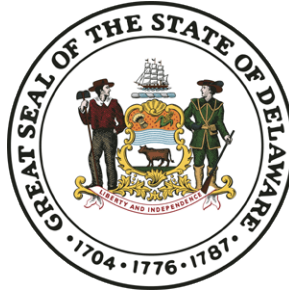


# State of Delaware



Executive Department  
Dover

## **SEVENTH REVISION TO THE TWENTY-SEVENTH MODIFICATION OF THE DECLARATION OF A STATE OF EMERGENCY FOR THE STATE OF DELAWARE DUE TO A PUBLIC HEALTH THREAT**

**WHEREAS**, on September 3, 2020 at 7:00 p.m. E.D.T., I issued the Twenty-Seventh Modification to the State of Emergency, combining all active COVID-19 restrictions into a single order (as used herein the “Omnibus Modification”), a complete copy of which is incorporated herein by reference and available at <https://de.gov/27soe>; and

**WHEREAS**, on September 25, 2020 at 2:00 p.m. E.D.T., I issued the First Revision to the Omnibus Modification to, among other things, lift the suspension on FOIA responses and permit extension of certain state employee leave policies; and

**WHEREAS**, on November 5, 2020 at 2:00 p.m. E.D.T., I issued the Second Revision to the Omnibus Modification to lift additional restrictions on bar service in beach towns from Lewes down to Fenwick Island; and

**WHEREAS**, on November 20, 2020 at 3:45 p.m. E.D.T., I issued the Third Revision to the Omnibus Modification to formally impose restrictions on indoor and outdoor gatherings, and reducing occupancy in restaurants to no more than thirty percent (30%); and

**WHEREAS**, on December 10, 2020 at 5:00 p.m. E.D.T., I issued the Fourth Revision to the Omnibus Modification imposing additional restrictions to confront the winter surge of COVID-19 hospitalizations in Delaware; and

**WHEREAS**, on January 8, 2021 at 10:00 a.m. E.D.T., I issued the Fifth Revision to the Omnibus Modification lifting the curfew placed on bars and restaurants and allowing sports to resume with restrictions; and

**WHEREAS**, on February 4, 2021 at 9:00 a.m. E.D.T., I issued the Sixth Revision to the Omnibus Modification easing COVID-19 occupancy restrictions and requiring Delaware vaccination providers to report demographic information within 24 hours of administering a vaccine to the Delaware Immunization Information System; and

**WHEREAS**, except as specifically set forth herein, this Revision shall in no way modify, alter or amend the remaining terms of the Omnibus Modification, all of which shall remain in full force; and

**WHEREAS**, Delaware continues to use a multi-step process to ease restrictions on businesses and gatherings, formulated in close consultation with public health officials to ensure that the core principle of controlling the spread of COVID-19 is considered at a time when the State must continue to exercise heightened caution; and

**WHEREAS**, because key indicators are trending downward the State can ease restrictions on gathering sizes; and

**WHEREAS**, in the interest of protecting the citizens of this state from a public health threat, the Governor is authorized by law to issue an order reasonably necessary to suspend the provisions of any regulatory statute prescribing the procedures for conducting state business, or the orders, rules, or regulations of any state agency, where strict compliance with such provisions may hinder necessary action in coping with the emergency.

**NOW, THEREFORE, I, JOHN C. CARNEY**, pursuant to Title 20, Chapter 31 of the Delaware Code, to control and prevent the spread of COVID-19 within the State of Delaware, do hereby order that Section N is hereby modified, effective Friday, February 19, 2021 at 9:00 a.m. E.D.T. unless otherwise specified herein, by making deletions as shown by strike through and insertions as shown by italics as follows:

**N. Phase Two Reopening**

SOCIAL GATHERINGS AND EVENTS IN PHASE 2:

2. Indoor Gatherings/Events: All gatherings or events held within any business or indoor space open to the public (including, but not limited to: food and drink establishments; commercial lodging; convention centers; houses of worship; pools; senior centers; and those in parks and recreation facilities or at facilities without a stated fire code occupancy) shall comply with the gathering requirements set forth by this Twenty-Seventh Modification. Indoor gatherings or events at any business or indoor space open to the public of up to the lesser of fifty percent (50%) stated fire occupancy or ~~ten (10)~~ *twenty-five (25)* people (e.g. weddings and receptions, graduations, birthday parties, funeral receptions, etc.) and private indoor gatherings or events of up to ten (10) persons (e.g. dinner parties, house parties, birthday parties) are permitted in Phase 2 under the following conditions:

- b. Any business or indoor space open to the public interested in holding a gathering or event ~~of up to fifty (50) people~~ must have a mechanism for limiting attendance, enforcing social distancing between attendees and complying with this Modification's declarations relating to providing face coverings for employees and signage about the use of face coverings for guests.
- c. *Notwithstanding the indoor gathering occupancy limits set forth in Paragraph N.2, facilities who wish to host indoor gatherings and events at any business or indoor space open to the public of over twenty-five (25) people may apply to host a large indoor gathering or event of up to one hundred fifty (150) people by submitting a plan to [HSPContact@delaware.gov](mailto:HSPContact@delaware.gov) at least seven (7) days prior to the anticipated event.*

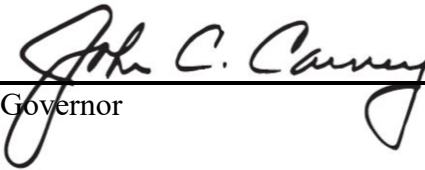
#### PHASE 2 BUSINESS REOPENING

- 4. The following business categories may continue operations or reopen subject to the responsibilities listed in the Phase 2 Reopen Plan, and as amended, available at <https://governor.delaware.gov/wp-content/uploads/sites/24/2020/06/Delaware-Economic-Reopening-PHASE-2.pdf>, as follows:

- f. *Exercise Facilities.* Exercise facilities may continue operations or reopen to the general public, provided, however, that the total number of guests permitted in an establishment at any one time shall not exceed fifty percent (50%) of that facility's stated fire occupancy requirements. Group exercise classes are limited to a maximum of ~~ten (10)~~ *fifteen (15)* individuals (excluding staff). Facilities hosting multiple group exercise classes at the same time must allow for a minimum of twenty (20) feet between classes. All individuals must wear face coverings and individuals who are not part of

the same household must remain at least thirteen (13) feet apart during classes and are encouraged to maintain greater physical distance whenever possible. Staff must be on-site to monitor patrons entering the facility, to ensure social distancing throughout the facility, and to ensure the use of face coverings in compliance with this order. Additional requirements for exercise facilities are listed in the Phase 2 Reopen Plan.

APPROVED this 19<sup>th</sup> day of February 2021 at 9:00 a.m.

  
Governor