



Virginia Governor Issues Stay-At-Home Order

Insights

3.30.20

While initially choosing only to restrict certain public gatherings and non-essential retail businesses last week, Virginia's Governor Northam has now ordered individuals to stay at home. Unless otherwise specified below, the stay-at-home order became effective on March 30, 2020, and remains in place until June 10, 2020. The following restrictions/closures were ordered:

1. All individuals must remain at their place of residence except for:
 - Obtaining food, beverages, goods, or permitted services such as health care or medical services;
 - Seeking medical attention, essential social services, governmental services, assistance from law enforcement or emergency services;
 - Taking care of other individuals, animals, or visiting the home of a family member;
 - Traveling required by court order or to facilitate child custody, visitation, or child care;
 - Engaging in outdoor activity, including exercise, provided social distancing requirements are followed;
 - Traveling to and from one's residence, place of worship, or work;
 - Traveling to or from an educational institution;
 - Volunteering with organizations that provide charitable or social services; and
 - Leaving one's residence due to a reasonable fear for health or safety, at the directions of law enforcement, or at the direction of another government agency.
2. Public and private in-person gatherings of more than 10 individuals are prohibited including parties, celebrations, religious, or other social events whether indoor or outdoor.
3. The restrictions do not apply to the operation of businesses not required to close under the governor's prior executive order. By way of refresher, the essential retail businesses previously identified as permitted to operate included:
 - Grocery stores, pharmacies, and other retailers that sell food and beverage products or pharmacy products, including dollar stores, and department stores with grocery or pharmacy operations;
 - Medical, laboratory, and vision supply retailers;

- Electronic retailers that sell or service cell phones, computers, tablets, and other communications technology;
 - Automotive parts, accessories, and tire retailers as well as automotive repair facilities;
 - Home improvement, hardware, building material, and building supply retailers;
 - Lawn and garden equipment retailers;
 - Beer, wine, and liquor stores;
 - Retail functions of gas stations and convenience stores;
 - Retail located within healthcare facilities;
 - Banks and other financial institutions with retail functions;
 - Pet and feed stores;
 - Printing and office supply stores; and
 - Laundromats and dry cleaners.
4. Higher education institutions may not have in-person classes or instruction or gatherings of more than 10 individuals. Remote learning, critical research, and performing essential functions may continue to operate provided social distancing requirements are followed.
 5. Effective April 1, 2020 at 11:59 p.m., reservations for overnight stays of less than 14 nights at all privately owned camps must be cancelled.
 6. All public beaches for all activities, except exercising and fishing provided social distancing requirements are followed.
 7. Similar to the prior executive order, health care or medical services, essential services for low-income residents such as food banks, media operations, law enforcement, and government were not limited.

What Are The Penalties For Violation?

In Virginia, the governor's executive order sets forth that its violation will be a Class 1 misdemeanor which by law provides for confinement in jail for not more than 12 months and a fine of not more than \$2,500, either or both.

Conclusion

Fisher & Phillips will continue to monitor the rapidly developing COVID-19 situation and provide updates as appropriate. Make sure you are subscribed to Fisher Phillips' Alert System to get the most up-to-date information. For further information, contact your Fisher Phillips attorney, or any member of our Essential Business or COVID-19 Taskforce. You can also review our nationwide Comprehensive and Updated FAQs for Employers on the COVID-19 Coronavirus and our FP Resource Center For Employers, maintained by our Taskforce.

This Legal Alert provides an overview of a specific state law. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.

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